

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Baxley

Mailed: January 27, 2005

Opposition No. **91160180**

Red Planet Management  
Corporation

v.

Fender Musical Instruments  
Corporation

Opposition No. **91160351**

Jason Lollar

v.

Fender Musical Instruments  
Corporation

Opposition No. **91161269**

First Act Inc.

v.

Fender Musical Instruments  
Corporation

Opposition No. **91161403**

Stuart Spector Designs, Ltd.

v.

Fender Musical Instruments  
Corporation

**Opposition Nos. 91160180, et al.**

Opposition No. **91161405**

U.S. Music Corporation

v.

Fender Musical Instruments  
Corporation

Opposition No. **91161406**

Warmoth Guitar Products, Inc.

v.

Fender Musical Instruments  
Corporation

Opposition No. **91161411**

Indoor Storm, Ltd.

v.

Fender Musical Instruments  
Corporation

Opposition No. **91161413**

Tradition Guitars, Inc.

v.

Fender Musical Instruments  
Corporation

Opposition No. **91161420**

Raise Praise, Inc. d/b/a Tom  
Anderson Guitar Works

v.

Fender Musical Instruments  
Corporation

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Opposition No. **91161422**

Schecter Guitar Research, Inc.

v.

Fender Musical Instruments  
Corporation

Opposition No. **91161486**

JS Technologies, Inc.

v.

Fender Musical Instruments  
Corporation

Opposition No. **91161518**

W D Music Products, Inc.

v.

Fender Musical Instruments  
Corporation

Opposition No. **91161519**

Sadowsky Guitars Ltd.

v.

Fender Musical Instruments  
Corporation

Opposition No. **91161520**

The ESP Guitar Company

v.

Fender Musical Instruments  
Corporation

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Opposition No. **91162245**  
Opposition No. **91162246**  
Opposition No. **91162923**

Hoshino Gakki Co., Ltd. and  
Hoshino USA, Inc.

v.

Fender Musical Instruments  
Corporation

Opposition No. **91162312**

Lakland Musical Instruments,  
LLC

v.

Fender Musical Instruments  
Corporation

Opposition No. **91162313**

Michael Tobias

v.

Fender Musical Instruments  
Corporation

Opposition No. **91162483**

Richard Keldsen

v.

Fender Musical Instruments  
Corporation

Opposition No. **91162484**

MBT International, Inc.

v.

Fender Musical Instruments  
Corporation

**Opposition Nos. 91160180, et al.**

Opposition No. **91162485**

Levinson Music Products Ltd.

v.

Fender Musical Instruments  
Corporation

Opposition No. **91162497**

James Triggs

v.

Fender Musical Instruments  
Corporation

Opposition No. **91162498**

Peavey Electronics Corporation

v.

Fender Musical Instruments  
Corporation

**Andrew P. Baxley, Interlocutory Attorney:**

Applicant has filed its answer in all twenty-four of the above-captioned proceedings.<sup>1</sup> In the interest of judicial economy and to save both the parties and the Board time, effort, and expense, the Board intends to consolidate as many of the above-captioned proceedings as feasible. See TBMP Section 511 (2d ed. rev. 2004).

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<sup>1</sup> Although Behringer USA, Inc. ("Behringer") had also opposed registration of the proposed marks in involved application Serial Nos. 76515828, 76516126, and 76516127 and their notices of opposition were instituted as Opposition Nos. 91161267, 91161300, and 91161329, Behringer withdrew those oppositions on August 16, 2004 before applicant filed answers therein. See Trademark Rule 2.106(c). Accordingly, the Board dismissed Opposition Nos.

**Opposition Nos. 91160180, et al.**

Accordingly, opposers are allowed until **thirty days** from the mailing date of this order to appoint one lead counsel to supervise and coordinate the conduct of their cases and to file a paper with the Board indicating their appointment.<sup>2</sup> If all twenty-two opposers cannot agree on a lead counsel, as many opposers as can agree should appoint a lead counsel. The Board will consolidate their proceedings, allow the consolidated proceedings to move forward, and continue suspension the remaining proceedings pending final determination, i.e., including any appeals and remands, of the consolidated proceedings. See Trademark Rule 2.117(a); TBMP Section 510.02(a) (2d ed. rev. 2004).

Proceedings herein otherwise remain suspended.

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91161267, 91161300, and 91161329 without prejudice on August 25, 2004.

<sup>2</sup> The Board notes that Ronald S. Bienstock is the attorney of record for eighteen of the opposers and that two of the four remaining opposers are appearing pro se.