

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

Mailed: February 28, 2007

Opposition Nos. 91163013  
91171270

Franklin Loufrani

v.

PERLIN, B. MICHAEL

Linda Skoro, Interlocutory Attorney

These cases now come up on the parties' motion to consolidate filed January 15, 2007. A review of the pleadings in the above-identified opposition proceedings indicates that the parties are the same and the proceedings involve substantially identical questions of fact and law.

Since the marks sought to be registered by applicant in each of its applications are similar and inasmuch as opposer has in each instance challenged applicant's right of registration on the basis that its registrations here involved are very similar, it is believed that these proceedings may be presented on the same record without

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appreciable inconvenience or confusion. Moreover, the consolidation would be equally advantageous to both parties in the avoidance of the duplication of effort, loss of time, and the extra expense involved in conducting the proceedings individually. See Rule 42(a) of the Federal Rules of Civil Procedure.

The consolidated cases may be presented on the same record and briefs. See, *Helene Curtis Industries Inc. v. Suave Shoe Corp.*, 13 USPQ2d 1618 (TTAB 1989). As a general rule, from this point on only a single copy of any paper or motion should be filed herein; but that copy should bear all proceeding numbers in its caption.

Despite being consolidated, each proceeding retains its separate character. The decision on the consolidated cases shall take into account any differences in the issues raised by the respective pleadings and a copy of the decision shall be placed in each proceeding file.

The parties are further advised that they are to periodically inform the Board if any subsequent oppositions are instituted which involve the same parties and the same issues.

#### Suspension

The parties further stipulated to a sixty-day suspension to allow for settlement discussions and a reopening of discovery should the settlement discussions not

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result in an agreement. These requests are also granted.

These consolidated proceedings are suspended for sixty days and will automatically resume with the dates as reset in the parties' stipulated motion.