

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

Baez

Mailed: January 12, 2006

Opposition No. 91165284

Opposition No. 91167061

OMS Investments, Inc.

v.

Regenerated Resources LLC

Andrew P. Baxley, Interlocutory Attorney:

Opposer's consented motion (filed December 13, 2005) to consolidate the above-captioned proceedings and reset dates herein is hereby granted.¹

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) and *Hilson Research Inc. v. Society for Human Resource Management*, 26 USPQ2d 1423 (TTAB 1993).

The Board filed will be maintained in Opposition No. 91165284 as the "parent" case. As a general rule, from this point on only a single copy of any paper or motion should be

¹ When cases involving common questions of law or fact are pending before the Board, the Board may order the consolidation of the cases. See Fed. R. Civ. P. 42(a); *Regatta Sport Ltd. v. Telux-Pioneer Inc.*, 20 USPQ2d 1154 (TTAB 1991); *Estate of Biro v. Bic Corp.*, 18 USPQ2d 1382 (TTAB 1991).

Opposition Nos. 91165284 and 91167061

filed herein; but that copy should bear both 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 pleading; a copy of the decision shall be placed in each proceeding file.

In keeping with Board practice, the Board hereby adopts the discovery and trial schedule of Opposition No. 91167061 for these newly consolidated proceedings. That schedule is as follows.

DISCOVERY PERIOD TO CLOSE: **05/09/06**

Plaintiff's 30-day testimony period to close: **08/07/06**

Defendant's 30-day testimony period to close: **10/06/06**

Plaintiff's 15-day rebuttal testimony period to close: **11/20/06**

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.