

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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Baez

Mailed: February 28, 2007

Opposition No. 91167181
Opposition No. 91167182
Opposition No. 91167243
Opposition No. 91167285
Opposition No. 91167294
Opposition No. 91167314
Opposition No. 91167325
Opposition No. 91167375
Opposition No. 91167379
Opposition No. 91167428
(consolidated)

Senco Products, Inc.

v.

Porter-Cable Corporation

Cheryl Butler, Attorney, Trademark Trial and Appeal Board:

Opposer's motion (filed February 12, 2007) 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*

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

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

The Board files will be maintained in Opposition No. **91167181** as the "parent" case. 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 in ascending order.

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, and as requested by opposer, the Board hereby adopts the discovery and trial schedule of Opposition No. 91167061 for these newly consolidated proceedings.² That schedule is as follows.

DISCOVERY PERIOD TO CLOSE:	06/13/07
Plaintiff's 30-day testimony period to close:	09/11/07
Defendant's 30-day testimony period to close:	11/10/07
Plaintiff's 15-day rebuttal testimony period to close:	12/25/07

USPQ2d 1154 (TTAB 1991); *Estate of Biro v. Bic Corp.*, 18 USPQ2d 1382 (TTAB 1991).

² The Board notes in passing that opposer indicates that the parties are currently engaged in settlement discussions.

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.
