ESTTA Tracking number: **ESTTA81857**

Filing date: **05/22/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91168895
Party	Plaintiff KINETIC MARKETING INC.
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Submission	Other Motions/Papers
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Date	05/22/2006
Attachments	QINETIQ REPLY TO OTHER PROCEEDING.pdf (2 pages)(39830 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

KINETIC MARKETING INC.	:	
Opposer,	:	
v.	:	Opposition No. 91168895 Cancellation No. 92045572
QINETIQ LIMITED	:	
Applicant.	:	

OPPOSER'S REPLY TO APPLICANT'S NOTICE OF OTHER PROCEEDING AND REQUEST TO DENY CONSOLIDATING THE ABOVE PROCEEIDNGS WITH CANCELLATION NO. 92045288

The Board has consolidated Opposition No. 91168895 and Cancellation No. 92045572). Applicant, on May 3, 2006 filed a NOTICE OF OTHER PROCEEDING advising the Board that Applicant has also filed Cancellation No. 92045288.[1] Applicant states that:

> In view of the common factual issues, Qinetiq believes that it would also be proper to further consolidate Cancellation No. 92045288 with the present consolidated proceedings for discovery purposes. (Emphasis in text).

Opposer objects and requests that the Board not consolidate Cancellation No. 92045288 with the other proceedings.

The consolidated proceedings involve a likelihood of confusion issue with respect to cameras. Cancellation No. 92045288 involves an alleged abandonment claim with

[1] Applicant previously requested that the Board consolidate Cancellation No. 92045288 with Opposition No. 91168895 and therefore it is presumed the Board is familiar with Cancellation No. 92045288. The Board's Order dated April 27, 2006 consolidated Opposition No. 91168895 with Cancellation No. 92045572, but did not refer to or otherwise grant the consolidation for Cancellation No. 92045288.

respect to computers. Therefore there are no common factual issues and it is requested that the Board not consolidate this proceeding with the camera case.

Respectfully submitted,

JULIE B. SEYLER

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served by first class mail, postage prepaid this 22nd day of May 2006 upon the following:

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