

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

Baez

Mailed: July 20, 2006

Opposition No. 91171182 (parent case)
Opposition No. 91117183
Opposition No. 91117184

Harrah's License Company,
LLC

v.

Game Show Network, LLC

David Mermelstein, Attorney:

Now before the Board is opposer's July 17, 2006, motion to consolidate Opposition Nos. 91171182, 91171183 and 91117184.

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); and *Estate of Biro v. Bic Corp.*, 18 USPQ2d 1382 (TTAB 1991). In determining whether to consolidate proceedings, the Board will weigh the savings in time, effort, and expense which may be gained from consolidation, against any prejudice or inconvenience which may be caused

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thereby. *See, e.g., Lever Brothers Co. v. Shaklee Corp.*, 214 USPQ 654 (TTAB 1982). *See generally, Wright & Miller, Federal Practice and Procedure: Civil 2d* §2383 (1999).

Inasmuch as the parties to the instant proceedings and the marks at issue are identical, Applicant's motion to consolidate is GRANTED. Opposition No. 91171182, 91171183 and 91171184 are hereby consolidated.

The consolidated cases may be presented on the same record and briefs. *See Hilson Research Inc. v. Society for Human Resource Management, supra;* and *Helene Curtis Industries Inc. v. Suave Shoe Corp.*, 13 USPQ2d 1618 (TTAB 1989).

The Board file will be maintained in Opposition No. 91171182 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 as in the caption above.

Despite being consolidated, each proceeding retains its separate character and requires entry of a separate judgment. *See Wright & Miller, Federal Practice and Procedure, supra.* The decision on the consolidated cases will take into account any differences in the issues raised by the respective pleadings; a copy of the decision shall be placed in each proceeding file.

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In keeping with Board practice, the Board hereby adopts the discovery and trial schedule of Opposition No. 91171182 for these newly consolidated proceedings. That schedule is as follows.

DISCOVERY TO CLOSE: December 17, 2006

**Thirty-day testimony period
for party in position of
plaintiff to close March 17, 2007**

**Thirty-day testimony period
for party in position of
defendant to close May 16, 2007**

**Fifteen-day rebuttal
testimony period to close June 30, 2007**

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.

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