

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

Mailed: July 15, 2007

Opposition Nos. 91175861 (parent)
91178373

The Children's Place Services
Company, LLC

v.

The Family Place, Ltd.

**Robert H. Coggins,
Interlocutory Attorney:**

On July 13, 2007, opposer filed (in Opposition No. 91175861) a consented motion to consolidate Opposition Nos. 91175861 and 91178373.

Consolidation is discretionary with the Board, and may be ordered upon motion granted by the Board, or upon stipulation of the parties approved by the Board, or upon the Board's own initiative. *See, for example, Wright & Miller, Federal Practice and Procedure: Civil* §2383 (2004); and *Helene Curtis Industries Inc. v. Suave Shoe Corp.*, 13 USPQ2d 1618 (TTAB 1989) (stipulation).

The Board has reviewed the records in both cases, and concludes that Opposition Nos. 91175861 and 91178373 involve the same parties and common questions of law and fact. It

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would therefore be appropriate to consolidate these proceedings pursuant to Fed. R. Civ. P. 42(a).

Accordingly, the above-noted opposition proceedings are hereby consolidated and may be presented on the same record and briefs.

The Board file will be maintained in Opposition No. 91175861 as the "parent" case. The parties should no longer file separate papers in connection with each proceeding (except for the answer in Opposition No. 91178373). Only a single copy of each paper should be filed by the parties and each paper should bear the case caption as set forth above.

Discovery is open. The parties are to follow the close of discovery and trial schedule set forth in Opposition No. 91178373; this schedule gives the parties the longest discovery period. For the convenience of the parties, the scheduled is provided below.

Answer due in Opposition No. 91178373:	8/22/07
Discovery period to close:	1/29/08
30-day testimony period for party in position of plaintiff to close:	4/28/08
30-day testimony period for party in position of defendant to close:	6/27/08
15-day rebuttal testimony period to close:	8/11/08

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served

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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 Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.
