

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

Mailed: April 27, 2009

Opposition No. 91179604

Opposition No. 91179928

Power Corporation of Canada

v.

Power Financial Credit Union

Opposition No. 91187063

Opposition No. 91187065

Power Financial Credit Union

v.

Power Corporation of Canada

Cheryl Butler, Attorney, Trademark Trial and Appeal Board:

Opposition Nos. 91179604 and 91179928 were consolidated by order of the Board dated November 7, 2008. On March 11, 2009, Power Corporation of Canada filed a motion to consolidate Opposition Nos. 91187063 and 91187065. Such motion is granted. See Trademark Rule 2.127(a) and TBMP §511 (2d ed. rev. 2004). Moreover, having reviewed all four oppositions, the Board believes it is appropriate to consolidate all proceedings.¹

¹ Answers have been filed in each case. In addition, the discovery period has opened in each case.

Accordingly, Opposition Nos. 91179604, 91179928, 91187063, and 91187065 are hereby consolidated and may be presented on the same records and briefs. The record will be maintained in Opposition No. **91179604** as the "parent" case, but all papers filed in these cases should include both proceeding numbers in ascending order.

Power Corporation's consented motion (filed April 6, 2009 in Opposition No. 91179604) to extend discovery and trial dates is hereby granted. Power Corporation's consented motion (filed April 6, 2009 in Opposition No. 91187063) to extend the operative schedule is hereby granted. Trademark Rule 2.127(a). Power Corporation's consented motion (filed April 6, 2009 in Opposition No. 91187065) to extend the operative schedule was granted on April 14, 2009. The Board notes that the parties agreed to the same schedule for Opposition Nos. 91187063 and 91187065.

In accordance with Board policy, this consolidated proceeding is now put on the same schedule as the latest filed opposition, No. 91187063. Such schedule is set forth below:

Expert Disclosures Due	July 12, 2009
Discovery Closes	August 11, 2009
Power Corp.'s Pretrial Disclosures due (as plaintiff in Nos. 91179604 and 91179928 and as counterclaim plaintiff in Nos. 91187063 and 91187065)	September 25, 2009
30-day testimony period for Power Corp. as plaintiff in Nos. 91179604 and 91179928 and as counterclaim plaintiff in	November 9, 2009

Nos. 91187063 and 91187065 to close

Power Financial's Pretrial Disclosures (as defendant in Nos. 91179604 and 91179928; as counterclaim defendant in Nos. 91187063 and 91187065; and as plaintiff in Nos. 91187063 and 91187065)

November 24, 2009

30-day testimony period for Power Financial as defendant in Nos. 91179604 and 91179928; as counterclaim defendant in Nos. 91187063 and 91187065; and as plaintiff in Nos. 91187063 and 91187065 to close

January 8, 2010

Power Corp.'s Disclosures as and as defendant in Nos. 91187063 and 91187065 its Rebuttal Disclosures as plaintiff in Nos. 91179604 and 91179928 and as counterclaim plaintiff in Nos. 91187063 and 91187065 Due

January 23, 2010

30-day testimony period for Power Corp. as defendant in Nos. 91187063 and 91187065 and its rebuttal testimony as plaintiff in Nos. 91179604 and 91179928 and as counterclaim plaintiff in Nos. 91187063 and 91187065 to close

March 9, 2010

Power Financial's Rebuttal Disclosures as plaintiff in Nos. 91187063 and 91187065 Due

March 24, 2010

15-day rebuttal period for Power Financial as plaintiff in Nos. 91187063 and 91187065 to close

April 23, 2010

BRIEFING SCHEDULE:

Brief for Power Corp. as plaintiff in Nos. 91179604 and 91179928 and as counterclaim plaintiff in Nos. 91187063 and 91187065 due

June 22, 2010

Brief for Power Financial as defendant in Nos. 91179604 and 91179928; as counterclaim defendant in Nos. 91187063 and 91187065; and as plaintiff in Nos. 91187063 and 91187065 due

July 22, 2010

Brief for Power Corp. as defendant in Nos. 91187063 and 91187065 and is reply brief, if any, as plaintiff in Nos. 91179604 and 91179928 and as counterclaim plaintiff in Nos. 91187063 and 91187065 due

August 21, 2010

Reply brief, if any, for Power Financial
as plaintiff in Nos. 91187063 and
91187065 due

September 5, 2010

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.

NEWS FROM THE TTAB:

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:

<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>
http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:

<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>