

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

Mailed: April 11, 2012

Opposition No. 91202638

Sequin Corp.

v.

TigerDirect, Inc.

Opposition No. 91203322

TigerDirect, Inc.

v.

Sequin Corp.

**George C. Pologeorgis,
Interlocutory Attorney:**

It has come to the Board's attention that the above-captioned opposition proceedings involve common questions of law and fact and the parties are the same.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); see also, *Regatta Sport Ltd. v. Telux-Pioneer Inc.*, 20 USPQ2d 1154 (TTAB 1991) and *Estate of Biro v. Bic Corp.*, 18 USPQ2d 1382 (TTAB 1991).

¹ TigerDirect, Inc.'s motion to consolidate Opposition Nos. 91202638 and 91203322 filed on April 4, 2012 in Opposition No. 91202638 is noted.

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Accordingly, the Board, *sua sponte*, orders the consolidation of the above-captioned proceedings.

In view thereof, Opposition Nos. 91202638 and 91203322 are hereby consolidated.

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

The Board file for these consolidated cases will be maintained in Opposition No. 91202638 as the "parent" case. As a general rule, from this point on only a single copy of any paper or motion should be filed in the parent case of the consolidated proceedings, but that copy should bear both opposition proceeding numbers in its caption. The only exception is that the answer to each notice of opposition must be filed in the respective corresponding proceeding.²

The parties are further advised that 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

² The Board notes that each respective applicant has already filed their answers in the proceedings consolidated herein.

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the respective pleadings and a copy of the final decision shall be placed in each proceeding file.³

In accordance with Board practice, discovery, disclosure and trial dates are reset to conform to the dates latest set in the proceedings that are being consolidated. In this instance, Opposition No. 91203322 was the latest filed proceeding with the dates latest set. Accordingly, the discovery, disclosure and trial dates for these now consolidated proceedings are reset as indicated below:

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| Initial Disclosures Due | April 20, 2012 |
| Expert Disclosures Due | August 18, 2012 |
| Discovery Closes | September 17, 2012 |
| Pretrial Disclosures for Sequin Corp.'s, as plaintiff in Opposition No. 91202638, Due | November 1, 2012 |
| 30-day testimony period for Sequin Corp., as plaintiff in Opposition No. 91202638, to close | December 16, 2012 |
| Pretrial Disclosures for TigerDirect, Inc.'s, as defendant in Opposition No. 91202638 and plaintiff in Opposition No. 91203322, Due | December 31, 2012 |
| 30-day testimony period for TigerDirect, Inc., as defendant in Opposition No. 91202638 and plaintiff in Opposition No. 91203322, to close | February 14, 2013 |
| Rebuttal Disclosures for Sequin Corp.'s, as defendant in Opposition No. 91203322 and plaintiff in Opposition No. 91202638, Due | March 1, 2013 |
| 30-day testimony period for Sequin Corp., as defendant in Opposition No. 91203322, and rebuttal testimony, as plaintiff in Opposition No. 91202638, to close | April 15, 2013 |

³ The parties should promptly inform the Board in writing of any other related *inter partes* proceedings. See Fed. R. Civ. P. 42(a).

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| Rebuttal Disclosures for TigerDirect, Inc., as plaintiff in Opposition No. 91203322, Due | April 30, 2013 |
| 15-day rebuttal period for TigerDirect, Inc., as plaintiff in Opposition No. 91203322, to close | |
| Brief for Sequin Corp., as plaintiff in Opposition No. 91202638, due | May 30, 2013 |
| Brief for TigerDirect, Inc., as defendant in Opposition No. 91202638 and plaintiff in Opposition No. 91203322, due | July 29, 2013 |
| Brief for Sequin Corp., as defendant in Opposition No. 91203322 and reply brief, if any, as plaintiff in Opposition No. 91202638, due | August 28, 2013 |
| Reply brief, if any, for TigerDirect, Inc., as plaintiff in Opposition No. 91203322, due | September 27, 2013 |
| | October 12, 2013 |

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