

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

Mailed: February 11, 2014

Opposition No. 91213721
(PARENT CASE)

Opposition No. 91213731
Nicholas D. Kristof

v.

Half the Sky Foundation

Opposition No. 91213722

Opposition No. 91213730

Games for Change, Inc.

v.

Half the Sky Foundation

Opposition No. 91213724

Opposition No. 91213733

Half the Sky Movement, LLC.

v.

Half the Sky Foundation

Opposition No. 91213726

Opposition No. 91213728

Show of Force, LLC.

v.

Half the Sky Foundation

Jennifer Krisp, Interlocutory Attorney:

The Board notes the December 12, 2013 motion filed by opposers Nicholas D. Kristof, Games for Change, Inc., Half the Sky Movement, LLC and Show of Force, LLC, seeking to 1) consolidate the above-captioned

opposition proceedings, and 2) suspend these proceedings pending final determination of a civil action between the parties, namely, *Half the Sky Foundation v. Half the Sky Movement, LLC, et al*, Case No 13 Civ. 04929 (LGS), pending in the United States District Court for the Southern District of New York. The Board also notes the December 24, 2013 brief filed by applicant, Half the Sky Foundation, stating that applicant does not contest opposers' motion.

Opposers' motion is hereby granted.¹

Consolidation

Opposition Nos. 91213721, 91213722, 91213724, 91213726, 91213728, 91213730, 91213731 and 91213733 are hereby consolidated and may be presented on the same record and briefs. See *Hilson Research Inc. v. Society for Human Resource Management*, 27 USPQ2d 1423 (TTAB 1993); *Regatta Sport Ltd. v. Telux-Pioneer Inc.*, 20 USPQ2d 1154 (TTAB 1991); *Helene Curtis Industries Inc. v. Suave Shoe Corp.*, 13 USPQ2d 1618 (TTAB 1989).

The Board file will be maintained in Opposition No. 91213721 as the "PARENT CASE." From this point on, only a single copy of all motions, briefs and other papers should be filed in the parent case, and each filing shall caption all consolidated proceedings, listing the parent case first (see caption above). Despite being consolidated, each proceeding retains its separate character and requires entry of a separate judgment. The decision

¹ The Board is filing this order in each of the consolidated opposition proceedings.

on the consolidated cases shall 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.

In the event of resumption of these consolidated proceedings, the Board will allow applicant time to answer, inasmuch as these proceedings are being consolidated prior to joinder of the issues in each proceeding. Applicant shall file a separate answer in each opposition before commencing the practice of filing a single copy of all filings in the parent case.²

Suspension

It is the policy of the Board to suspend proceedings when the parties are involved in a civil action, which may be dispositive of or have a bearing on the Board case. *See* Trademark Rule 2.117(a). Accordingly, proceedings are suspended pending final disposition of the civil action.

Within twenty days after the final determination of the civil action, the parties shall so notify the Board and call this case up for any appropriate action.³ During the suspension period, the parties shall notify the Board of any address changes for the parties or their attorneys.

² The parties should promptly inform the Board of any other Board proceedings or related cases within the meaning of Fed. R. Civ. P. 42, so that the Board can consider whether further consolidation is appropriate.

³ A proceeding is considered to have been finally determined when a decision on the merits of the case (i.e., a dispositive ruling that ends litigation on the merits) has been rendered, and no appeal has been filed therefrom, or all appeals filed have been decided. *See* TBMP § 510.02 (2013).