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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91221093
Party	Plaintiff P3 International Corp.
Correspondence Address	JAMES A POWER JR POWER DEL VALLE LLP 233 WEST 72ND STREET NEW YORK, NY 10023 UNITED STATES jp@powerdel.com
Submission	Motion to Consolidate
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Date	10/07/2015
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UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

P3 INTERNATIONAL CORP,)	
)	
Opposer,)	Oppositions No.
)	
v.)	91-221093
)	91-221702
)	
P3 INGENIEURGESELLSCHAFT MBH,)	
)	
Applicant.)	

MOTION TO CONSOLIDATE

Opposer P3 International Corp. hereby moves the Board for an order, pursuant to FED.R.CIV.P. 42(a), consolidating the two captioned opposition proceedings with the consent of the respondent.

The proceedings share the same opposer and respondent, the same registrations of opposer, and two applications of respondent to register marks that are substantially the same as one another.

Opposer's Registrations No. 4,001,042 and 4,001,043 are for P3 INTERNATIONAL and P3 [stylized], respectively. Respondent's Applications No. 79/143481 and 79/144827 each seek to register the mark "P3 group" [stylized differently]. Opposer challenges the same classes of goods, 9 and 11, in each of respondent's applications, on the same grounds, and respondent has responded to the common allegations of each opposition with the same admissions, denials and affirmative defenses. The notices of opposition and answers are nearly identical but for the application opposed.

Respondent has asserted counterclaims in each proceeding to cancel each of opposer's registrations on the same grounds, and opposer has replied to the common allegations of each counterclaim with the same admissions, denials and affirmative defenses. The counterclaims and replies nearly identical but for the registrations sought to be cancelled.

In short, the proceedings are nearly identical but for the applications of respondent involved. The parties are identical. The questions of law and fact are common to both proceedings. Time, effort and expense will be gained by consolidating these oppositions, without apparent prejudice to either party.

For the foregoing reasons, opposer respectfully submits that these proceedings be consolidated on the docket of the earlier filed Opposition No. 91- 221093 as parent, and that the common schedule governing the consolidated proceeding be that of the most recently filed Opposition No. 91-221702.

P3 INTERNATIONAL CORP.

New York, New York
October 7, 2015

By: /jpower/
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Certificate of Service

I hereby certify that, on October 7, 2015, a copy of the foregoing Motion to Consolidate was served upon applicant's counsel by first class mail, postage prepaid, in an envelope addressed to:

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