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

Proceeding	91233988
Party	Plaintiff Society for Worldwide Interbank Financial Telecommunication SCRL
Correspondence Address	BASSAM N IBRAHIM BUCHANAN INGERSOLL & ROONEY PC 1737 KING STREET SUITE 500 ALEXANDRIA, VA 22314 UNITED STATES Email: bassam.ibrahim@bipc.com
Submission	Motion to Consolidate
Filer's Name	Bryce J. Maynard
Filer's email	bryce.maynard@bipc.com
Signature	/Bryce J. Maynard/
Date	07/17/2017
Attachments	Motion to Consolidate.pdf(90644 bytes )

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

Society for Worldwide Interbank	)	
Financial Telecommunication SCRL	)	
	)	
Opposer	)	
	)	
v.	)	Opposition Nos. 91226484
	)	91233988
Apple Inc.	)	
	)	
Applicant	)	

**OPPOSER’S MOTION TO CONSOLIDATE**

Pursuant to Fed. R. Civ. P. 42(a) and TBMP §511, Opposer Society for Worldwide Interbank Financial Telecommunication SCRL (“Opposer”) hereby moves to consolidate Opposition Nos. 91226484 and 91233988 against Applicant Apple Inc. (“Apple”).

The Board has already consolidated Opposition Nos. 91226484 and 91227693, against the marks SWIFT and APPLE SWIFT, into a single proceeding on its own initiative on July 25, 2016. Opposer subsequently filed a third opposition, against the mark SWIFT PLAYGROUNDS, on April 13, 2017 (Opposition No. 91233988). Opposer is therefore requesting that this opposition also be consolidated into the previously consolidated opposition now designated as number 91226484.

The oppositions involve identical parties and common questions of law or fact. In each opposition, Opposer’s basis for standing is its ownership of several prior registrations consisting of or containing SWIFT, and in each case, Opposer has alleged that Applicant’s registration of its marks containing SWIFT will cause confusion with Opposer’s previously registered SWIFT marks. Therefore, consolidation of these proceedings is warranted. *See MCI Foods Inc. v.*

*Bunte*, 86 U.S.P.Q.2d 1044, 1046 (TTAB 2008) (ordering consolidation of multiple cancellations against several marks containing CABO owned by same registrant).

Furthermore, consolidation of the proceedings will save the parties and the Board considerable time, effort, and expense, since discovery is likely to involve the same issues in all three proceedings. Finally, there would not be any prejudice or inconvenience to Applicant as a result of the consolidation. Applicant's counsel stated in an e-mail to Opposer's counsel on July 5<sup>th</sup> that Applicant does not have any objection to consolidation

. Therefore, Opposer respectfully requests that the Board order the oppositions consolidated.

Respectfully submitted,

By: /Bryce J. Maynard/  
Bassam N. Ibrahim  
Bryce J. Maynard  
Buchanan Ingersoll & Rooney, P.C.  
1737 King Street, Suite 500  
Alexandria, Virginia 22314-1404  
(703) 836-6620  
  
Attorneys for Opposer  
Society for Worldwide Interbank  
Financial Telecommunication SCRL

Date: July 17, 2017

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing OPPOSER'S MOTION TO CONSOLIDATE was served this 17<sup>th</sup> day of July, 2017, by e-mail only, upon:

Daniel P. Hope  
Dechert LLP  
1095 Avenue of the Americas  
New York, NY 10036

/Bryce J. Maynard/  
Bryce J. Maynard