

ESTTA Tracking number: **ESTTA871841**

Filing date: **01/18/2018**

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

Proceeding	91234646
Party	Plaintiff Alpha Assembly Solutions Inc.
Correspondence Address	Damian K. Gunningsmith Carmody Torrance Sandak & Hennessey LLP 195 Church StreetPO Box 1950 New Haven, CT 06509-1950 UNITED STATES Email: trademarks@carmodylaw.com, dgunningsmith@carmodylaw.com
Submission	Motion to Consolidate
Filer's Name	Damian K. Gunningsmith
Filer's email	dgunningsmith@carmodylaw.com, flahnin@carmodylaw.com, jmcmanamon@carmodylaw.com, trademarks@carmodylaw.com
Signature	/Damian K. Gunningsmith/
Date	01/18/2018
Attachments	Motion to Consolidate_Executed Version_18 Jan 2018.pdf(674005 bytes)

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

ALPHA ASSEMBLY SOLUTIONS INC.,	:	
	:	
Opposer,	:	
	:	Opposition Nos. 91234643,
v.	:	91234646, 91234645, 91234644
	:	
SML Verwaltungs GmbH.,	:	Application Serial Nos.: 87/248,406,
	:	87/248,409, 87/248,404, 87/248,402
Applicant	:	

STIPULATION TO CONSOLIDATE OPPOSITION PROCEEDINGS

Pursuant to Federal Rule of Civil Procedure 42(a), and Trademark Board Manual of Procedure § 511, the parties hereby stipulate to consolidation of Oppositions Numbers 91234643, 91234646, 91234645 & 91234644. The Board should approve this stipulation for the following reasons:

1. Each of the Oppositions involves the same three marks cited by the Opposer, Alpha Assembly Solutions, Inc., as the basis for opposition, and the same grounds for opposition;
2. Each of the Oppositions was filed on the same date, and each of the Oppositions is on the same schedule before the Board;
3. Each of the four applications for registration opposed was filed by the same Applicant SML Verwaltungs GmbH;
4. Each of the four trademark applications involves similar marks for identical goods, all of which are in International Class 001;
5. The parties are represented by the same counsel in all four Oppositions;

6. Therefore, the Oppositions involve the same or similar questions of law and fact, the parties are identical, and the parties agree that the consolidation of the Oppositions will save the parties and the Board time, resources, and expenses;

7. The parties respectfully request that the Board approve this stipulation.


Dated: January 18, 2018

Respectfully submitted,

ALPHA ASSEMBLY SOLUTIONS INC.

SML Verwaltungs GmbH

By: 
Damian K. Gunningsmith
Carmody Torrance Sandak & Hennessey LLP
195 Church Street
P.O Box. 1950
New Haven, Connecticut 06509-1950
Phone: (203) 784-3110
Fax: (203) 784-3199
dgunningsmith@carmodylaw.com

By: 
Shauna M. Wertheim
The Marbury Law Group, PLLC
11800 Sunrise Valley Dr., 15th Fl.
Reston, VA 20191
Phone: (571) 267-7002
Fax: (703) 391-2901
swertheim@marburylaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Stipulation to Consolidate Opposition Proceedings has been served on Shauna Wertheim, counsel of record, by e-mailing and mailing said copy on January 18, 2018, via e-mail to:

Shauna M. Wertheim
The Marbury Law Group, PLLC
11800 Sunrise Valley Dr., 15th Fl.
Reston, VA 20191
swertheim@marburylaw.com
tm-docketing@marburylaw.com

/Damian K. Gunningsmith/

Damian K. Gunningsmith