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Filing date: **07/21/2017**

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

Proceeding	91235296
Party	Defendant CAVE MAN KITCHENS INC.
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Submission	Motion to Consolidate
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Date	07/21/2017
Attachments	Motion to Consolidate CAVE2017015.pdf(146898 bytes)

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

CAVEMAN FOODS, LLC,)	
)	Opposition No. 91235296
Opposer,)	
)	
v.)	Mark: CAVEMAN KITCHEN
)	Serial No. 86/955705
CAVE MAN KITCHENS INC.,)	Filing Date: Mar. 28, 2016
)	Published: Apr. 11, 2017
Applicant.)	
)	Mark: CAVEMAN
)	Serial No. 86/966805
)	Filing Date: Apr. 06, 2016
)	Published: Feb. 28, 2017

**MOTION TO CONSOLIDATE TRADEMARK PROCEEDING NUMBERS
91234111, 92066099, AND 91235296**

Cave Man Kitchens Inc. (the “Applicant”) by its undersigned attorney, submits the following Motion to Consolidate Proceeding Numbers 91234111, 92066099, and 91235296.

Pursuant to TBMP §511 and Fed. R. Civ. P. 42(a), Applicant moves to consolidate the present Proceeding No. 91235296 with Proceeding Numbers 92066099 and 91234111. The grounds for the motion are as follows:

1. The two parties involved in the present proceeding are also involved in other Trademark Trial and Appeal Board (TTAB) proceedings, namely Proceeding Numbers 91234111 and 92066099, involving the exact same parties and the same and/or related trademarks.
2. It is highly likely that common issues will arise in both proceedings, since Opposer’s marks share literal elements with Applicant’s marks and Applicant has pled or is likely to plead the same facts in support of each proceeding.

3. Discovery for both proceedings is likely to include similar (if not identical) requests regarding Opposer's use of its marks.

4. TBMP §511 and Fed. R. Civ. P. 42(a) provide for consolidation of TTAB proceedings that involve the same parties and the same and/or related trademarks.

5. For the above reasons, and pursuant to TBMP §511 and Fed. R. Civ. P. 42(a), in order to promote administrative efficiency and save time and expense for the parties, Respondent moves and requests that the TTAB consolidate Proceeding Numbers 91234111, 92066099, and 91235296.

WHEREFORE, Respondent respectfully requests that Proceeding Numbers 91234111, 92066099, and 91235296 be consolidated pursuant to TBMP §511.

Respectfully submitted,
Cave Man Kitchens Inc.

Dated: July 21, 2017

By: _____



Susan L. Stuart
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Certificate of Service

I hereby certify that on the 21st of July, 2017 I caused the foregoing
MOTION TO CONSOLIDATE to be served by email on the following parties at the following
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By: 

Attorneys for Applicant