

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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Baxley

February 20, 2020

Opposition No. 91243135

Opposition No. 91246876

Opposition No. 91253858

*World Trade Centers Association, Inc.*

*v.*

*International Trade Organization, Inc., and  
David H. Lee*

**Andrew P. Baxley, Interlocutory Attorney:**

Because the above-captioned proceedings involve the same parties and common questions of law or fact, the Board hereby orders their consolidation. *See* Fed. R. Civ. P. 42(a); *Regatta Sport Ltd. v. Telux-Pioneer Inc.*, 20 USPQ2d 1154 (TTAB 1991); *Estate of Biro v. Bic Corp.*, 18 USPQ2d 1382 (TTAB 1991); TBMP § 511 (2017). The consolidated cases may be presented on the same record and briefs. *See Helene Curtis Indus. Inc. v. Suave Shoe Corp.*, 13 USPQ2d 1618 (TTAB 1989); *Hilson Res. Inc. v. Soc. for Human Resource Mgmt.*, 26 USPQ2d 1423 (TTAB 1993).

The Board file will be maintained in Opposition No. 91243135 as the “parent” case. As a general rule, from this point onward, only a single copy of any submission should be filed herein. That copy, however, should include all of the consolidated proceeding numbers in the caption thereof.

Despite being consolidated, each proceeding retains its separate character. The decision on the consolidated cases shall take into account any differences in the issues raised by the respective pleading; a copy of the decision shall be placed in each proceeding file.

In keeping with Board practice, the Board will adopt the discovery and trial schedule for Opposition No. 91253858, the most recently instituted of the consolidated proceedings, as modified by this order. *See* TBMP § 511 (2019). Discovery in Opposition No. 91243135 is suspended through April 12, 2020.<sup>1</sup> Dates are reset as follows.

Deadline for Discovery Conference in Opposition Nos. 91246876 and 91253848	4/13/2020
Discovery Opens in 91246876 and 91253848/Reopens in 91243135	4/13/2020
Initial Disclosures Due	5/13/2020
Expert Disclosures Due	9/10/2020
Discovery Closes	10/10/2020
Plaintiff's Pretrial Disclosures Due	11/24/2020
Plaintiff's 30-day Trial Period Ends	1/8/2021
Defendant's Pretrial Disclosures Due	1/23/2021
Defendant's 30-day Trial Period Ends	3/9/2021
Plaintiff's Rebuttal Disclosures Due	3/24/2021
Plaintiff's 15-day Rebuttal Period Ends	4/23/2021
Plaintiff's Opening Brief Due	6/22/2021
Defendant's Brief Due	7/22/2021
Plaintiff's Reply Brief Due	8/6/2021
Request for Oral Hearing (option) Due	8/16/2021

Generally, the Federal Rules of Evidence apply to Board trials. Trial testimony is taken and introduced out of the presence of the Board during the assigned testimony

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<sup>1</sup> The parties are allowed until May 13, 2020 to respond to any outstanding written discovery requests in Opposition No. 91243135.

periods. The parties may stipulate to a wide variety of matters, and many requirements relevant to the trial phase of Board proceedings are set forth in Trademark Rules 2.121 through 2.125. These include pretrial disclosures, the manner and timing of taking testimony, matters in evidence, and the procedures for submitting and serving testimony and other evidence, including affidavits, declarations, deposition transcripts and stipulated evidence. Trial briefs shall be submitted in accordance with Trademark Rules 2.128(a) and (b). Oral argument at final hearing will be scheduled only upon the timely submission of a separate notice as allowed by Trademark Rule 2.129(a).