

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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June 9, 2020

Opposition No. 91243135 (**Parent**)  
Opposition No. 91246876  
Opposition No. 91247624  
Opposition No. 91248408  
Opposition No. 91253858

*World Trade Centers Association, Inc.*

*v.*

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

**Mary Beth Myles, Interlocutory Attorney:**

It has come to the Board's attention that Opposition Nos. 91247624 and 91248408 involve the same parties and common questions of law or fact as the previously consolidated Opposition Nos. 91243515, 91246876, and 91253858.<sup>1</sup>

Accordingly, the Board orders further consolidation of the above-captioned cases. *See* Fed. R. Civ. P. 42(a); *Regatta Sport Ltd. v. Telux-Pioneer Inc.*, 20 USPQ2d 1154 (TTAB 1991); and *Estate of Biro v. Bic Corp.*, 18 USPQ2d 1382 (TTAB 1991). The consolidated cases may be presented on the same record and briefs. *See Helene Curtis*

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<sup>1</sup> Opposer's change of correspondence address, filed April 14, 2020, in Opposition No. 91248408 is noted.

Opposition Nos. 91243135, 91246876, 91247624, 91248408, 91253858

*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.” From this point on, only a single copy of all motions and submissions should be filed, and each submission should be filed in the parent case only, but caption all consolidated proceeding numbers, listing and identifying the “parent case” first.<sup>2</sup>

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

Upon consolidation, the Board will reset dates for the consolidated proceeding, usually by adopting the dates as set in the most recently instituted of the cases being consolidated. In this case, discovery was open in Opposition Nos. 91243515 and 91248408, but has not yet opened in the remaining proceedings. Discovery is therefore suspended in Opposition Nos. 91243515 and 91248408 through July 27, 2020.<sup>3</sup> Dates are reset as follows:<sup>4</sup>

Deadline for Discovery Conference in Opposition Nos. 91246876, 91247624, 91253848	<b>7/28/2020</b>
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<sup>2</sup> The parties should promptly inform the Board of any other Board proceedings or related cases within the meaning of Fed. R. Civ. P. 42, so that the Board can consider whether further consolidation is appropriate.

<sup>3</sup> The parties are allowed until August 27, 2020 to respond to any outstanding written discovery requests in Opposition No. 91243515 and 91248408.

<sup>4</sup> On April 2, 2020, the Board granted the parties’ consented extension of time in Opposition No. 91247624. The schedule inadvertently included an extension of time in which to file an answer. The schedule is corrected accordingly above.

Discovery Opens in 91246876, 91247624, and 91253848/Reopens in 91243135 and 91248408	<b>7/28/2020</b>
Initial Disclosures Due	<b>8/27/2020</b>
Expert Disclosures Due	<b>12/25/2020</b>
Discovery Closes	<b>1/24/2021</b>
Plaintiff's Pretrial Disclosures Due	<b>3/10/2021</b>
Plaintiff's 30-day Trial Period Ends	<b>4/24/2021</b>
Defendant's Pretrial Disclosures Due	<b>5/9/2021</b>
Defendant's 30-day Trial Period Ends	<b>6/23/2021</b>
Plaintiff's Rebuttal Disclosures Due	<b>7/8/2021</b>
Plaintiff's 15-day Rebuttal Period Ends	<b>8/7/2021</b>
Plaintiff's Opening Brief Due	<b>10/6/2021</b>
Defendant's Brief Due	<b>11/5/2021</b>
Plaintiff's Reply Brief Due	<b>11/20/2021</b>
Request for Oral Hearing (optional) Due	<b>11/30/2021</b>

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 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, matters in evidence, the manner and timing of taking testimony, 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).