

ESTTA Tracking number: **ESTTA838203**

Filing date: **08/08/2017**

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

Proceeding	92064005
Party	Defendant Fon Wireless Limited
Correspondence Address	FON WIRELESS LIMITED 8 CLIFFORD STREET, LONDON, W1S2LQ UNITED KINGDOM Email: sdorchak@collardroe.com
Submission	Motion to Consolidate
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Date	08/08/2017
Attachments	Motion to Consolidate.pdf(88532 bytes)

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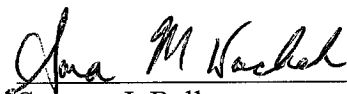
		X
Fonality, Inc.,)	Opposition No. 91228756
)	
Plaintiff)	and
)	
)	Cancellation Nos.
)	92063987, 92064005, and
)	92064018
)	
v.)	
)	
FON Wireless Limited,)	Application Serial No.
)	79/124,000
Defendant)	
)	and
)	
)	Registration Nos.
)	3,232,690, 4,244,331, and
)	3,232,690
		X

**MOTION TO CONSOLIDATE TRADEMARK
OPPOSITION AND CANCELLATION PROCEEDINGS**

Pursuant to Fed. R. Civ. P. 42(a) and TBMP § 511, Defendant, FON Wireless Limited, respectfully moves to request consolidation of Trademark Opposition No. 91228756 and Cancellation Nos. 92063987, 92064005, and 92064018 (together, “the Trademark Proceedings”). The Trademark Proceedings involve one trademark application and three trademark registrations owned by Defendant for FON and Design and FON SPOT IN THE BOX and Design, all of which are for use in connection with the same goods and services in Classes 9 and 38. Defendant has filed its Answer in all four proceedings and no other action has occurred. Therefore, the Trademark Proceedings are all currently at the same stage of their respective Opposition and Cancellations.

The pending Trademark Proceedings will involve the same questions of law and fact, and the parties in the Trademark Proceedings are identical. It is highly likely that common issues will arise in all four of the Trademark Proceedings, since Defendant's marks share the same distinctive literal element and are used in connection with the same goods and services in Classes 9 and 38, and Plaintiff has pled the same facts in support of all four proceedings. Discovery for all of the Trademark Proceedings is likely to include similar (if not identical) requests regarding Defendant's use of its marks. Further, consolidation of the Trademark Proceedings would save the parties and the Trademark Trial and Appeal Board time, effort, and expense; the savings in time, effort and expense would outweigh any prejudice or inconvenience caused by the consolidation. Therefore, Defendant respectfully requests that the Trademark Trial and Appeal Board order the Trademark Proceedings consolidated.

FON Wireless Limited



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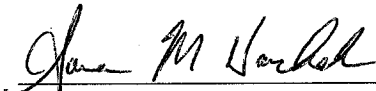
Attorneys for Registrant: FON Wireless Limited

Date: August 8, 2017

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the forgoing MOTION TO CONSOLIDATE TRADEMARK OPPOSITION AND CANCELLATION PROCEEDINGS has this 8TH day of August 2017 been sent by prepaid First Class Mail to:

**Joel N. Bock
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Chicago, IL 60606-1080**



Sara M. Dorchak