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

Proceeding	92064803
Party	Defendant Peeters Produkten B.V.
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Submission	Motion to Consolidate
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Date	03/07/2017
Attachments	Motion to Consolidate.pdf(25988 bytes )

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

In the Matters of Registered Trademark Serial Nos.	4848515 4409158
Filed:	June 17, 2014 October 30, 2012
Marks:	COOKIE NOTTI COOKINOTTI
Registered:	November 10, 2015 October 1, 2013

NOTTI LLC,

Petitioner,

v.

PEETERS PRODUKTEN B.V.,

Respondent.

Cancellation No. 92064667

NOTTI LLC,

Petitioner,

v.

PEETERS PRODUKTEN B.V.,

Respondent.

Cancellation No. 92064803

**STIPULATED MOTION TO CONSOLIDATE CANCELLATION PROCEEDINGS**

**NOTTI LLC**, the Petitioner (“Notti”), and **PEETERS PRODUKTEN B.V.**, the Registrant (“Peeters”), in the above-captioned Cancellation proceedings, through their attorneys, hereby move for consolidation of the above-captioned Cancellation proceedings. In support of this Stipulation Motion, the Parties state the following:

1. Notti is the petitioning party in Cancellation No. 92064667 concerning Registration No. 4848515, for the mark **COOKIE NOTTI**.

2. Notti is the petitioning party in Cancellation No. 92064803 concerning Registration No. 4409158, for the mark **COOKINOTTI**.

3. Peeters is the responding and defending party in Cancellation No. 92064667 concerning Registration No. 4848515, for the mark **COOKIE NOTTI**.

4. Peeters is the responding and defending party in Cancellation No. 92064803 concerning Registration No. 4409158, for the mark **COOKINOTTI**.

5. Peeters filed Answers in each of the above-captioned Cancellation proceedings, and the Parties have conducted their Discovery Conferences for both of the above-captioned Cancellation proceedings. Thus, consolidation is timely. TBMP §511.

6. Consolidation of the above-captioned Cancellation proceedings is proper because the Parties are identical, the registrations concern nearly identical marks, and the proceedings involve common questions of law and fact. Fed. R. Civ. P. 42(a); TBMP §511.

7. The Parties further submit that consolidation will result in savings of time, effort, and expense because the documentation and testimonial evidence will be virtually identical in both Cancellation proceedings. Further, the Parties submit that neither Party will be prejudiced or inconvenienced by consolidation of the above-captioned Cancellation proceedings.

8. In addition, the Parties are engaged in settlement discussions in an effort to attempt to resolve these matters amicably. Therefore, the Parties seek a ninety (90) day suspension of the consolidated proceedings.

9. The consolidation of the above-captioned Cancellation proceedings and a ninety (90) day suspension of the consolidated proceedings are not interposed for purposes of delay.

WHEREFORE, Notti LLC and Peeters Producten B.V. respectfully request that Cancellation No. 92064667 (Parent Cancellation), with respect to Registration No. 4848515, be consolidated with Cancellation No. 92064803 (Child Cancellation), with respect to Registration No. 4409158, and that the consolidated proceedings be suspended for ninety (90) days to allow the Parties to continue to engage in settlement discussions.

NOTTI LLC

Peeters Producten B.V.

By its Attorneys,

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Margaret Bitler  
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Dated: March 7, 2017

Dated: March 7, 2017

**CERTIFICATE OF SERVICE**

I, Thomas J. Mango, Esq., counsel to Respondent Peeters Produkten B.V., in Cancellation Nos.92064667 and 92064803, certify that, on the 7<sup>th</sup> day of March, I served a copy of the STIPULATED MOTION TO CONSOLIDATE CANCELLATION PROCEEDINGS via electronic mail only, upon:

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