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

Proceeding no.	92086567
Party	Plaintiff Construction Management Corporation d/b/a Green Shield
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Attachments	Reply - Motion to Consolidate.pdf(15705 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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CONSTRUCTION MANAGEMENT CORP.)	
d/b/a GREEN SHIELD)	
)	Cancellation No. 92086567
Petitioner,)	Combined Cancellation No. 92086571
)	Combined Cancellation No. 92086572
v.)	
)	
GREEN SHIELD HOME LLC.)	
)	Registration Nos. 7,436,374
)	7,436,375, 7,198,889
Registrant.)	
_____)	

**PETITIONER’S REPLY IN SUPPORT OF OPPOSED MOTION
TO CONSOLIDATE INTER PARTES PROCEEDINGS**

The Answers have now been filed in each of the three proceedings sought to be consolidated.

Nine separately listed Affirmative Defenses were filed with each of the Answers, with the same nine Affirmative Defenses pled in each of the three cancellation proceedings.

The commonality of issues and proofs in the three proceedings are self evident. The parties in the three proceedings are identical. The trademarks and trade names upon which Petitioner relies in each of the proceedings are identical. As is evident from Green Shield Home’s own filing of a chart comparing the three registered marks sought to be cancelled, the stylized “G” component of the three marks is identical in each, the word component GREEN SHIELD prominently displayed in each is identical, and the services of each of the three registrations are similar and overlapping, with some of the same services included in each of the three registrations such as “construction of decks” and residential building construction/building construction, and other construction services. *See e.g. World Hockey Association v. Tudor Metal*

Products Corp., 185 USPQ 246, 248 (TTAB 1975) (consolidation ordered although opposed marks were different but overlapped as WORLD HOCKEY and WORLD HOCKEY CUP, and were determined to be “substantially similar”); *Frontier Distribution LLC v. Kodiak Cakes, LLC*, 2002 WL 900541 at *1 (TTAB 2002) (consolidation where various different marks all included “FRONTIER” as a component).

The three proceedings are now ripe for consolidation.

Respectfully submitted,

Dated: December 3, 2024

/s/ Terence J. Linn
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served December 3, 2024 upon the following via Email upon counsel for Registrant at the following:

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/s/ Terence J. Linn