

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Taylor

Mailed: September 5, 2003

Opposition No. 91156244

Performance Health, Inc.,  
and Biofreeze Associates

v.

Bayer Aktiengesellschaft

Jyll S. Taylor, Attorney:

Applicant's consented motion (filed August 11, 2003) to extend its time to answer so that the parties may continue settlement discussions is granted as modified. To facilitate settlement and in accordance with Board practice, proceedings herein are suspended until **six months** from the mailing date of this action, subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

In the event that there is no word from either party concerning the progress of their negotiations within the next six months, the Board will issue an order resuming proceedings and resetting applicant's time to answer and the discovery and trial dates.

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If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.