

ESTTA Tracking number: **ESTTA116382**

Filing date: **12/22/2006**

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

Proceeding.	91169856
Applicant	Plaintiff SmithKline Beecham PLC, Signal Investment & Management Co., and The Mentholatum Company (jointed as party plaintiffs)
Other Party	Defendant Bio Therapeutics, Inc.

### Motion for Suspension for Settlement With Consent

The parties are actively engaged in negotiations for the settlement of this matter. SmithKline Beecham PLC, Signal Investment & Management Co., and The Mentholatum Company (jointed as party plaintiffs) requests that this proceeding be suspended for 90 days to allow the parties to continue their settlement efforts.

Proceedings Resume : 03/23/2007

Discovery Period to Close : CLOSED

Thirty-day testimony period for party in position of plaintiff to close : 05/22/2007

Thirty-day testimony period for party in position of defendant to close : 07/21/2007

Fifteen-day rebuttal testimony period to close : 09/04/2007

SmithKline Beecham PLC, Signal Investment & Management Co., and The Mentholatum Company (jointed as party plaintiffs) has secured the express consent of all other parties to this proceeding for the suspension requested herein.

SmithKline Beecham PLC, Signal Investment & Management Co., and The Mentholatum Company (jointed as party plaintiffs) has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,

/LAL/

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12/22/2006