

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

ABBOTT LABORATORIES,)	
)	
Opposer,)	
v.)	Opposition No. 91181883
)	
WILLIAM MARSH,)	
)	77/136,030
Applicant.)	

CONSENTED MOTION TO SUSPEND PROCEEDING

Opposer, Abbott Laboratories, hereby requests a sixty day suspension of the proceeding to enable the parties to finalize a settlement agreement. The parties have agreed in principle to the terms of an agreement that will resolve this matter. The settlement agreement is currently being prepared, and will soon be exchanged and reviewed by the parties. Upon execution, the parties will be required to perform and/or abstain from certain actions. Subject to both parties' continued compliance with the agreement, this dispute will be resolved. Accordingly, the parties submit that there is good cause for suspension of this proceeding.

Counsel for William Marsh has consented to the extension.

The parties request that the proceeding be suspended until May 30, 2008. Upon resumption, the discovery and trial dates would be reset as follows:

Proceedings to Resume:	May 30, 2008
Initial Disclosures Due:	June 23, 2008
Expert Disclosures Due:	October 20, 2008
Discovery Period to Close:	November 19, 2008
Plaintiff's Pretrial Disclosures Due:	January 5, 2009



04-02-2008

Plaintiff's Trial Period to close
(opening thirty days prior thereto): February 17, 2009

Defendant's Pretrial Disclosures Due: March 4, 2009

Defendant's Trial Period to close
(opening thirty days prior thereto): April 20, 2009

Plaintiff's Rebuttal Disclosures Due: May 4, 2009

Plaintiff's Rebuttal Period to close
(opening fifteen days prior thereto): June 2, 2009

WHEREBY, Opposer respectfully requests a sixty day suspension of the discovery and testimony periods.

Respectfully submitted,

PATTISHALL, McAULIFFE, NEWBURY,
HILLIARD & GERALDSON, LLP

Date: March 31, 2008

By: 
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Attorneys for Opposer, Abbott Laboratories

CERTIFICATE OF SERVICE

I, Rebecca R. H. Burch, hereby certify that a true copy of the foregoing **CONSENTED MOTION TO SUSPEND PROCEEDING** was served by first class mail, postage prepaid this 31st day of March, 2008 upon the following:

Jeffrey B. Pietsch
Weintraub Genshlea Chediak Law Corporation
400 Capitol Mall, Eleventh Floor
Sacramento, CA 95814



CERTIFICATE OF MAILING

I, Rebecca R. H. Burch, hereby certify that this **CONSENTED MOTION TO SUSPEND PROCEEDING** is being mailed to the Patent and Trademark Office by first class mail, postage prepaid this 31st day of March, 2008 at the following address:

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451


