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

Proceeding	91187847
Party	Defendant Christine Machleit, and Matilda Beeler
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK AND TRIAL APPEAL BOARD

THE SUSAN G. KOMEN BREAST
CANCER FOUNDATION, INC.,

Opposer,

v.

CHRISTINE MACHLEIT AND
MATILDA BEELER,

Applicants.

Opposition No. 91187847

Serial No. 77/136451

Mark: **TIME FOR A CURE**

Filed: March 21, 2007

Published: August 5, 2008

NOTICE RE: SUSPENSION OF MOTION FOR SANCTIONS
PENDING SETTLEMENT NEGOTIATIONS

On February 2, 2010, Christine Machleit and Matilda Beeler (“Applicants”) and the Susan G. Komen Breast Cancer Foundation (“Opposer”) filed with the Board a stipulation requesting a suspension of Opposer’s motion for sanctions until March 1, 2010, to permit the parties to engage in settlement negotiations. Applicants continue to attempt to negotiate a settlement in good faith with Opposer. On February 23, 2010, Applicants asked Opposer to stipulate to a continued suspension of the motion until April 1, 2010 to allow those negotiations to continue. Opposer refused this request.

In the spirit of the Board’s encouragement and facilitation of settlement, *see* TBMP 605.01, Applicants now respectfully ask that the Board continue the suspension and refrain from ruling on the motion until April 1, 2010, or such time as Applicants notify the Board that settlement negotiations have terminated.

Should the Board decide to move forward with ruling on the motion for sanctions, Applicants ask the Board to consider the fact that, since recently retaining counsel, Applicants have now served the following on Opposer:

- Applicants’ Amended and Supplemental Initial Disclosures
- Applicants’ Amended and Supplemental Responses to Opposer’s First Set of Interrogatories

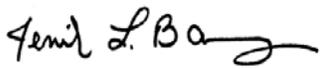
- Applicants' Amended and Supplemental Responses to Opposer's First Set of Requests for Admission
- Applicants' Amended and Supplemental Responses to Opposer's First Set of Requests for Production

Applicants also produced more than 2,000 pages of documents to Opposer on February 26, 2010. Accordingly, Applicants have now fully met their discovery obligations, and the motion for sanctions should be considered moot.

Dated: February 26, 2010

Respectfully Submitted,

LATHAM & WATKINS LLP

By: 

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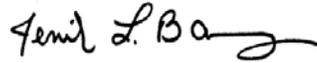
CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **NOTICE RE: SUSPENSION OF MOTION FOR SANCTIONS PENDING SETTLEMENT NEGOTIATIONS** has been served on Opposer's Attorney/Correspondent of Record by mailing said copy on February 26, 2010 via First Class Mail, postage prepaid to:

Dace A. Caldwell
Howard S. Hogan
Gibson, Dunn & Crutcher LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5306

I further certify that a courtesy copy of the above document was also sent via email to the following addresses:

DCaldwell@gibsondunn.com
HHogan@gibsondunn.com



Jennifer L. Barry