

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: November 5, 2005

Cancellation No. 92044758

ECOLAB INC.

v.

Melaleuca, Inc.

Rochelle Ricks, Paralegal Specialist:

On October 26, 2005, registrant filed a consented motion to extend its time to answer and to reset all trial dates, which is noted and granted as modified below.

Inasmuch as the parties are negotiating for a possible settlement of this case, proceedings herein are suspended until **May 8, 2006**, 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, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the schedule set out below.

Applicant is allowed THIRTY DAYS from resumption in which to file an answer to the petition for cancellation. The parties are allowed the same THIRTY DAYS in which to

serve responses to any outstanding discovery requests.

Trial dates, including the close of discovery, are reset as follows:

Proceedings resume:	May 8, 2006
Discovery period to close:	August 6, 2006
Thirty-day testimony period for party in position of plaintiff to close:	November 4, 2006
Thirty-day testimony period for party in position of defendant to close:	January 3, 2007
Fifteen-day rebuttal testimony period to close:	February 17, 2007

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

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