

ESTTA Tracking number: **ESTTA56800**

Filing date: **12/08/2005**

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

Proceeding.	91164638
Applicant	Plaintiff ECOLAB INC
Other Party	Defendant TOTO USA, Inc. TOTO USA, Inc. 1155 Southern Road Morrow, GA 30260

### **Motion for Suspension for Settlement With Consent**

The parties are actively engaged in negotiations for the settlement of this matter. ECOLAB INC requests that this proceeding be suspended for 60 days to allow the parties to continue their settlement efforts.

ECOLAB INC has secured the express consent of all other parties to this proceeding for the suspension requested herein.

ECOLAB INC 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,  
/Heather Kliebenstein/  
Heather Kliebenstein  
hkliebenstein@merchant-gould.com  
christopher.chaudoir@pillsburylaw.com  
12/08/2005