

ESTTA Tracking number: **ESTTA103741**

Filing date: **10/11/2006**

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

Proceeding.	91168305
Applicant	Plaintiff Johnson & Johnson
Other Party	Defendant PK3 Communications LLC

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

The parties are actively engaged in negotiations for the settlement of this matter. Johnson & Johnson requests that this proceeding be suspended for 90 days to allow the parties to continue their settlement efforts.

Proceedings Resume : 01/10/2007  
Discovery Period to Close : 05/10/2007  
Thirty-day testimony period for party in position of  
plaintiff to close : 08/08/2007  
Thirty-day testimony period for party in position of  
defendant to close : 10/07/2007  
Fifteen-day rebuttal testimony period to close : 11/21/2007

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

Johnson & Johnson 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 Facsimile or email (by agreement only) on this date.

Respectfully submitted,  
/Mary Pat A. Weyback/  
Mary Pat A. Weyback  
MaryPat.Weyback@dbr.com, Andrea.Engel@dbr.com  
jabrams@wrslawyers.com  
10/11/2006