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

Proceeding	91169167
Party	Plaintiff SANOFI-AVENTIS
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Submission	Motion to Suspend for Settlement Discussions
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Date	07/23/2008
Attachments	Consented Motion to Suspend (F0321678).PDF (3 pages)(337013 bytes)

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

In the Matter of Application Serial No. 76/568989
For the Mark: IMVANEX
Published in the Official Gazette on August 23, 2005

SANOFI-AVENTIS,

Opposer,

v.

BAVARIAN NORDIC, A/S,

Applicant.

Opposition No. 91169167

CONSENTED MOTION TO SUSPEND

Opposer, with the consent of Applicant, hereby moves that above captioned proceeding be suspended for a period of ninety (90) days.

In its April 3, 2008 Order, the Board stated that no further extensions of time or suspensions would be granted without a report on the progress of the parties' settlement negotiations and/or the parties' efforts to complete discovery/testimony, which report must include a recitation of issues that have been resolved, issues that remain to be resolved, and a firm timetable for resolution. The Board reminded the parties of this requirement in a footnote to its May 16, 2008 Order granting a motion made by Opposer to extend the trial period.

The required report follows:

The parties are actively working toward a resolution of this matter, either through settlement or through completion of trial. Resolution has been delayed because counsel for Applicant was tied up with a major federal court patent litigation and also moved to a

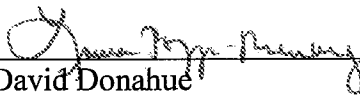
new law firm. Counsel for the parties are actively engaged in settlement discussions, and are each in the process of conferring with their respective clients regarding possible terms of settlement. At the same time, in the event that the parties are unable to resolve this dispute through an amicable settlement, counsel for the parties also are negotiating the possibility of stipulating to certain basic facts that would streamline the trial proceedings. Counsel for Opposer has circulated a draft of such proposed stipulated facts to counsel for Applicant, who is reviewing them with Applicant. In light of the above, the parties believe that a 90-day suspension of the proceedings is appropriate to give the parties adequate time either to conclude an amicable settlement or conclude an agreement on stipulated facts to streamline the trial of this matter.

Counsel for Applicant consented to this motion by telephone on July 22, 2008.

Dated: New York, New York
July 23, 2008

Respectfully submitted,


FROSS ZELNICK LEHRMAN & ZISSU, P.C.

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing Consented Motion to Suspend to be sent by First Class mail, postage pre-paid, to counsel for applicant, Edward A. Pennington, Esq., Hanify & King, 1875 K Street, N.W., Suite 707, Washington, D.C. 20006, on this 23rd day of July, 2008.


Laura Popp-Rosenberg