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

Mailed: December 30, 2008

Opposition No. 91183461

Merck KGaA

v.

Santhera Pharmaceuticals (Schweiz) AG

Amy Matelski, Paralegal Specialist

Applicant's consented motion to further suspend proceeding filed December 15, 2008 is noted.

Because the parties are negotiating for possible settlement of this case, proceedings herein are suspended until February 28, 2009, 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.

Initial Disclosures Due	**2/28/09**
Expert Disclosures Due	**6/28/09**
Discovery Closes	**7/28/09**
Plaintiff's Pretrial Disclosures	**9/11/09**

Plaintiff's 30-day Trial Period Ends	**10/26/09**
Defendant's Pretrial Disclosures	**11/10/09**
Defendant's 30-day Trial Period Ends	**12/25/09**
Plaintiff's Rebuttal Disclosures	**1/9/10**
Plaintiff's 15-day Rebuttal Period Ends	**2/8/10**

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.l25.

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.l29.

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