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

Proceeding	91203035
Party	Defendant Laboratorios Sanfer, S.A. de C.V.
Correspondence Address	RICHARD J GURAK HUSCH BLACKWELL WELSH KATZ 120 S RIVERSIDE PLZ STE 2200 CHICAGO, IL 60606-3912 UNITED STATES pto-chi@huschblackwell.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Michele S. Katz
Filer's e-mail	pto-chi@huschblackwell.com
Signature	/msk/
Date	02/23/2012
Attachments	Motion_to_Suspend_-_Settlement_Agreement.pdf (3 pages)(10391 bytes)

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

Merck Sharp & Dohm Corp.)	
)	Opposition No. 91203035
Opposer)	
v.)	
)	
Laboratorios Sanfer, S.A. de C.V.)	
)	
Applicant)	

MOTION TO SUSPEND PROCEEDINGS UNDER §2.117(c)

Applicant, Laboratorios Sanfer, S.A. de C.V., hereby respectfully moves that the Board suspend this opposition proceeding pursuant to 37 C.F.R. Ch.1 §2.117(c) on the grounds that Applicant and Opposer, Merck Sharp & Dohn Corp., are in the process of obtaining a fully executed settlement agreement concerning this proceeding. In this regard, suspension of this opposition proceeding is necessary for the reasons presented herein.

ARGUMENT

Rule 2.117(c) states that "[p]roceedings may also be suspended, for good cause, upon motion or a stipulation of the parties approved by the Board." In this regard, the Board may suspend proceedings "in order to allow the parties to pursue settlement... [or] when it appears that actual efforts at settlement are proceeding or progress is being made." Gilson, Trademark Protection and Practice, Vol. 1, Section 3.05[2][c].

In the present proceeding, the parties are in the process of negotiating a settlement. Therefore, good cause being shown, the parties hereto move for suspension of this Opposition proceeding.

CONCLUSION

For the reasons stated in this Motion to Suspend Proceedings, Applicant respectfully requests the Board suspend this Opposition proceeding for a period of 90 days from the mailing date of the Board's Order resolving this Motion. The parties also request that discovery be stayed during the suspension period and that all discovery due dates be reset for 30 days beyond the date of the removal of this proceeding from suspension.

Respectfully submitted,

February 23, 2012

By: /s/Michele S. Katz
Michele S. Katz, Esq.
Husch Blackwell LLP
120 S. Riverside Plaza, 22nd Floor
Chicago, Illinois 60606
(312) 655-1500
Counsel for Applicant

CERTIFICATE OF SERVICE

It is hereby certified that the MOTION TO SUSPEND PROCEEDINGS UNDER §2.117(c) has been served upon the attorneys for Opposer:

Debra A. Shelinsky Greene
Merck & Co. Inc.
126 E. Lincoln Avenue
Rahway, NJ 07065-0900

by first class mail postage prepaid this 23rd day of February, 2012.

/s/Michele S. Katz _____
One of the Attorneys for Applicant