

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

3M COMPANY, §
§
Plaintiff, §
§
VS. § CIVIL ACTION NO. H-11-4628
§
3MPUMPS S.R.L. and MPUMPS CORP., §
§
Defendants. §

ORDER

This is a trademark infringement case brought under the Lanham Act. On January 13, 2012, 3M Company (“3M”) moved for a preliminary injunction. (Docket Entry No. 6.) 3M has not requested a hearing on the motion; has not yet served one of the two defendants; and has filed three motions to continue the initial pretrial and scheduling conference. On June 5, 2012, this court granted 3M’s Third Unopposed Motion for Continuance of the Initial Pretrial and Scheduling Conference. In that motion, 3M stated that “[t]he parties continue to diligently work on settlement” and that it “expects the case to reach an early resolution.” (Docket Entry No. 20, at 1.) Based on the current record, it appears that settlement is likely and that 3M is not actively pursuing its motion for a preliminary injunction. The motion for a preliminary injunction, (Docket Entry No. 6), is denied. The denial is without prejudice to reasserting the motion if the parties fail to reach settlement.

SIGNED on June 11, 2012, at Houston, Texas.



Lee H. Rosenthal
United States District Judge