



UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD

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Toyota Jidosha Kabushiki Kaisha, )  
t/a Toyota Motor Corporation, )  
) )  
and ) )  
) )  
Toyota Motor Sales, U.S.A., Inc., )  
) )  
Opposers, )  
v. ) )  
) )  
Syngenta Participations AG, )  
) )  
Applicant )  
\_\_\_\_\_ )



12-15-2003  
U.S. Patent & TMO/TM Mail Rpt Dt. #22

Opposition No. 157,206  
U.S. Appln. Serial No.: 78/145,546

**OPPOSERS' REPLY TO APPLICANT'S RESPONSE TO OPPOSERS'  
MOTION TO COMPEL APPLICANT'S RESPONSES**

Applicant's response to Opposers' motion to compel response presents a grossly distorted view of the situation.

In a telephone conference with Applicant's attorney, Opposers' attorney undersigned attorney offered to agree on reciprocal extensions of time for each party to respond to the other's discovery. Applicant's attorney responded with a dogmatic counteroffer which would have given Applicant twice as much time to respond to discovery as Opposers would have had. This was unacceptable.

Opposers have never indicated to Applicant that no responses will be served to discovery. In fact, Applicant's attorney has been in communication with both Opposers to gather the

information and documents to respond to Applicant's discovery, and Toyota Motor Sales has sent to Applicant seven boxes of documents for the preparation of responses to interrogatories and for production. These boxes are expected to arrive, by courier delivery, on December 16 or December 17, 2003. Needless to say, it took considerable time to gather all the documents together.

This is a case where Applicant has very little to disclose and Opposer has fourteen years of history to organize into responses to outstanding discovery.

Opposes' motion should be granted.

Respectfully submitted,

Toyota Jidosha Kabushiki Kaisha  
t/a Toyota Motor Corporation and Toyota  
Motion Sales, U.S.A., Inc.

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Attorney for Opposers

Date: December 13, 2003

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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing **OPPOSERS' REPLY IN SUPPORT OF OPPOSERS' MOTION TO COMPEL APPLICANT'S RESPONSES TO OPPOSERS' FIRST SET OF INTERROGATORIES AND FIRST REQUESTS FOR PRODUCTION OF DOCUMENTS** was served on counsel for Applicant, this 15<sup>th</sup> day of December, 2003, by sending same via First Class mail, postage prepaid, to:

James A. Zellinger, Esquire  
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Greensboro, North Carolina 27409

  
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