

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

lms

Mailed: June 12, 2007

Opposition No. 91157206  
91159578

Toyota Jidosha Kabushiki  
Kaisha, t/a Toyota Motor  
Corporation and Toyota Motor  
Sales, USA, Inc.

v.

Syngenta Participations AG

**Linda Skoro, Interlocutory Attorney**

This case now comes up on opposer's motion to compel identification of the documents produced by applicant as well as opposer's motion to reset the testimony periods.

Opposer requests applicant to identify, for each of the thirty-eight documents produced, the number or numbers of the requests for production to which each responds. Applicant's response has been "Applicant's in globo production is specifically in response to opposer's request for production numbers 1-4, 8-10, 20-22, 28 & 29."

While this case has been the subject of numerous discovery disputes, a review of opposer's requests for production as the numbers identified by applicant, and reviewing those thirty-eight documents produced, it is not

clear how they are responsive at all. Thus applicant is to identify, specifically, as to each document produced, what the document shows and how that is responsive to opposer's request.

Accordingly, opposer's motion to compel is hereby granted and applicant has TWENTY DAYS to produce the required identification without objection. If no identification is forthcoming, opposer may use the documents as it sees fit in its case in chief.

Opposr's motion to reset the testimony periods is hereby granted and the remaining trial dates are reset as indicated below.

30-day testimony period for party in position of plaintiff to close:	<b>7/30/2007</b>
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30-day testimony period for party in position of defendant to close:	<b>9/28/2007</b>
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15-day rebuttal testimony period to close:	<b>11/12/2007</b>
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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 2.125.

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 2.129.

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