

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

TOYOTA JIDOSHA KABUSHIKI KAISHA)
t/a TOYOTA MOTOR CORPORATION)
and)
TOYOTA MOTOR SALES, U.S.A., INC.,)
)
Opposer)
v.)
SYNGENTA PARTICIPATIONS AG,)
)
Applicant.)

Opposition No. 157,206
Mark: LEXUS
U.S. Appl. Serial No. 78/145,546



11-14-2003
U.S. Patent & TMO/TM Mail Rcpt Dt. #22

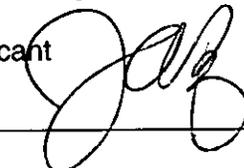
SUPPLEMENTAL STATEMENT

Applicant, through its counsel, would submit this Supplemental Statement in conjunction with its pending Motion To Compel previously filed with this Board. Pursuant to C.F.R. 2.120 (e) (F.R.Cv.P. 26 & 37). Prior to filing of its Motion, Applicant made a good faith attempt to resolve the now admitted failure by Opposer to respond to Applicant's discovery requests through correspondence (Ex.1-2). Subsequently, Applicant held discussions with Opposer's counsel, as also now admitted by Opposer, which occurred on or about Nov. 3, 2003 (See Exhibit 3, attached hereto). Thus, Applicant has fully complied with the requirements of C.F.R. 2.120(e), and its request for an order to compel should be granted.

Respectfully submitted,

Applicant

By _____

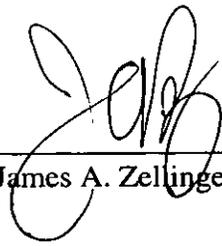

James A. Zellinger
Syngenta Crop Protection, Inc.
410 Swing Rd.
Greensboro, N.C. 27410

CERTIFICATE OF SERVICE

I, JAMES A. ZELLINGER, do hereby certify that I have mailed a copy of the above and foregoing Applicant's Supplemental Statement Opposer's attorney of record as listed below by placing a copy of same in the U. S. Mail, properly addressed and postage prepaid, to:

David J. Kera
Oblon, Spivak, McClelland, Maier & Neustadt, P.C.
1940 Duke Street
Alexandria, VA 22314

on this the 11 day of Nov., 2003.



James A. Zellinger

EXHIBIT 1

TTAB

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November 11, 2003

11-14-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

U.S. Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Re: LEXUS; Serial No. 78/145,546
Opposition No. 157,206

Dear Sir or Madam:

Please find enclosed APPLICANT'S MOTION TO COMPEL-SUPPLEMENTAL STATEMENT. Please file in conjunction with the above-captioned opposition.

Thank you for your assistance with this matter.

Very Truly Yours,

James A. Zellinger
Trademark Counsel

JAZ/sk
encl.