



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.,)
)
Opposers)
)
Syngenta Participations AG,)
)
Applicant)

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



11-17-2003
U.S. Patent & TMO/TM Mail Rcpt Dt. #22

OPPOSERS' RESPONSE TO APPLICANT'S SUPPLEMENTAL STATEMENT

By his own admission, Applicant's Counsel concedes that he did not make any attempt to contact Opposers' Counsel prior to filing his Motion to Compel on October 20, 2003. Therefore Applicant did not comply with the requirement of 37 C.F.R. § 2.120(e)(1) before filing his

Motion to Compel which should be denied.

Respectfully submitted,

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

By:



David J. Kera
OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
1940 Duke Street
Alexandria, Virginia 22314
(703) 413-3000
Fax: (703) 413-2220

Attorney for Opposers

Date: November 17, 2003

DJK/ojb {I:\ATTY\DJK\213-238096US-M02.DOC}

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **OPPOSERS' RESPONSE TO APPLICANT'S SUPPLEMENTAL STATEMENT** was served on counsel for Applicant, this 17th day of November, 2003, by sending same via First Class mail, postage prepaid, to:

James A. Zellinger, Esquire
SYNGENTA CROP PROTECTION INC.
410 Swing Road
Greensboro, North Carolina 27409

D. Jean Barrett