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

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AMERICAN HONDA MOTOR CO. INC., :

Opposer, :

v. :

TBC CORPORATION, :

Applicant. :
-----X



01-06-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #90

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**REQUEST FOR LEAVE TO FILE A REPLY
TO APPLICANT'S RESPONSE IN OPPOSITION
TO OPPOSER'S MOTION TO
EXTEND OPPOSER'S DISCOVERY PERIOD**

Opposer, American Honda Motor Co., Inc., requests leave to submit the following reply to Applicant's Response in Opposition to Opposer's Motion to Extend Opposer's Discovery Period. Opposer believes this response will assist the Board in arriving at a just conclusion on the motion. Cf. TBMP § 502.03.

Opposer is willing to withdraw the motion under the following circumstances without prejudice to renewing the motion or filing another if necessary.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

January 2, 2003

Date of Deposit

Signature Laurie Buchanan

Laurie Buchanan

Typed or Printed Name of Person Signing Certificate

What Applicant ignores throughout its many technical arguments is that on October 9, 2001, it responded to requests for the production of documents by agreeing to produce certain documents, but has never produced them and recently has taken the position it does not need to do so because Opposer never moved to compel the production Applicant had said it would make.

Opposer expects within a few days to make such a motion. Assuming the Board directs Applicant to make the disclosure it earlier undertook to make, Opposer will examine the documents. If nothing further is required, that will be the end of it. If Opposer discovers documents as to which it desires admissions of authenticity or otherwise requires follow-up disclosure, it will attempt to secure the same by stipulation or, if that is unavailing (which seems likely), will move for a limited reopening of discovery.

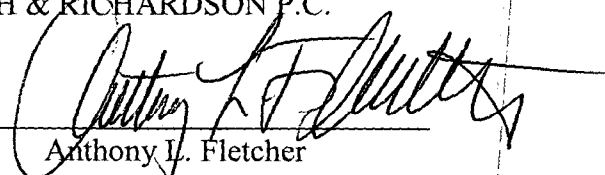
But whatever course the future takes, no decision on this motion is necessary now, since it is predicated on the belief that the Board will require Applicant to produce what documentation it has agreed to produce.

Dated: New York, NY
January 2, 2003

Respectfully submitted,

FISH & RICHARDSON P.C.

By



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Attorneys for Opposer,
AMERICAN HONDA MOTOR CO. INC.

CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of the foregoing REQUEST FOR LEAVE TO FILE A REPLY TO APPLICANT'S RESPONSE IN OPPOSITION TO OPPOSER'S MOTION TO EXTEND OPPOSER'S DISCOVERY PERIOD to be served by first-class mail, postage prepaid, upon counsel for Applicant:

Marsha G. Gentner
Matthew J. Cuccias
JACOBSON HOLMAN, PLLC
400 Seventh Street, N.W.
Washington, D.C. 20004

this 2nd day of January 2003.


Laurie Buchanan