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(2P)

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

In the Matter of Application Serial No. 76/401,254
Published on October 29, 2002, at page TM 749
Mark: JOYAGRA

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PFIZER INC, :
 :
Opposer, :
 :
v. :
 :
JEGEDE, PHILIP :
 :
Applicant. :
-----X

Opposition No. 91,155,463



08-11-2003

U.S. Patent & TMO/TM Mail RptDt. #22

**APPLICANT'S RESPONSE AMENDMENT TO
OPPOSER'S REQUEST FOR ADMISSIONS**

TO: Opposer and his attorney, Dyan Finguerra-DuCharme, Hale and Dorr LLP, 600
Park Avenue, 0800
New York, New York 10022

GENERAL OBJECTIONS

As and for its Response to Request for admissions, Philip Jegede ("Applicant") States
that each response is made without waiving any objections it may have with respect to
the subsequent use of these responses and Applicant specifically reserves:

1. All requests as to the competency, privilege, relevance, materiality and admissibility of said responses or the documents referred to therein;
2. The right to object to the use of said responses in any subsequent proceeding in this action, on any or all of the foregoing grounds or any other proper grounds;
3. The right to object on any and all proper grounds, at any time, to other discovery procedures involving or relating to said responses or documents; and
4. The right, at any time, upon proper showing, to revise, correct or clarify any of the following responses.

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In addition to the above, Applicant has the following general objections:

1. Applicant objects to the Request for Admissions to the extent they request information or admissions covered by Applicant's privilege, the "work product" doctrine and/or any matters prepared in anticipation of litigation or for trial by, or for, Applicant, its agents or employees, and any material that would disclose mental impressions, conclusions, opinions, or legal theories of any representative of the Opposer concerning the subject matter of this action.
2. Applicant objects to any attempt to characterize the Request for Admission as continuing to the extent such a characterization exceeds the requirements of the Rule of Civil Procedure.
3. Applicant objects to the Request for Admissions insofar as they request Applicant to "identify" or "describe" "each" or "all" admissions which refer or relate to the subject matter of the Requests on the ground that such a request is overly broad, unduly burdensome and not within the scope of reasonable request for Admissions permitted by the Rules of Civil Procedure. Further, it is impossible for Applicant to identify "all facts" or "all documents" because there may be numerous facts and admissions that will be through documents production, deposition of witnesses and other methods.

Without waiver of the forgoing objections, Applicant responds as follows:

RESPONSES

REQUEST NO.1. Admit that Applicant's product marketed under the JOYAGRA designation is promoted as a "sexual Enhancement tea."

RESPONSE: Applicant admits to Request No.1.

REQUEST NO. 2. Admit that Applicant's product marketed under the JOYAGRA designation is marketed, promoted and offered for sale on the Internet.

RESPONSE: Applicant admits to Request No.2.

REQUEST NO. 3. Admit that Applicant derived the JOYAGRA trademark by combining the word "JOY" with the "AGRA" portion of Pfizer's VIAGRA mark.

RESPONSE: Applicant denies Request NO. 3. and explains that the JOYAGRA trademark was derived by combining "Joy" with the name of the land on which was erected a great monument for the love of a woman. That land is Agra, India, and the monument erected there for the love of a woman is the Taj Mahal

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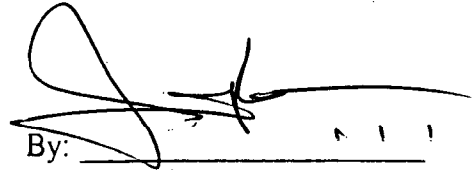
REQUEST NO. 4. Admit that Applicant markets, promotes and sell the JOYAGRA product to ordinary consumers irrespective of sophistication or educational background.

RESPONSE: Applicant denies Request NO. 4.

REQUEST NO. 5. Admit that Applicant markets, promotes and sell the JOYAGRA product to men and women over the age of thirty-five.

RESPONSE: Applicant Denies Request NO. 5

Dated: Minneapolis, Minnesota
August 1, 2003



By: _____
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