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

Proceeding	91170552
Party	Plaintiff Honda Motor Co., Ltd.
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Attachments	Motion for Summary Judgment.pdf (13 pages)(573626 bytes) Ex. A to Motion for Summary Judgment.pdf (40 pages)(2028917 bytes) Ex. B to Motion for Summary Judgment.pdf (9 pages)(194905 bytes) Ex. C to Motion for Summary Judgment.pdf (19 pages)(809501 bytes) Ex. D to Motion for Summary Judgment.pdf (23 pages)(1067727 bytes)

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

In the matter of Application Serial No. 76/587,840
For the Mark **V.I.C.**
Published in the Official Gazette on October 25, 2005

HONDA MOTOR CO., LTD.,

Opposer,

v.

FRIEDRICH WINKELMANN,

Applicant.

Opposition No. 91170552

**OPPOSER'S MOTION FOR SUMMARY JUDGMENT AND OPPOSER'S
MEMORANDUM OF LAW IN SUPPORT OF OPPOSER'S
MOTION FOR SUMMARY JUDGMENT**

Pursuant to Rule 56(a) of the Federal Rules of Civil Procedure, and Rule 2.127(e) of the Trademark Rules of Practice, Honda Motor Co., Ltd. ("Opposer"), by and through its attorneys, hereby moves the Trademark Trial and Appeal Board for an order that grants Opposer summary judgment on Opposer's Second Claim for Relief, which Opposer simultaneously has moved to include in Opposer's Notice of Opposition, and refuses registration of the mark shown in U.S. Application Serial No. 76/587,840.

As shown below, Friedrich Winkelmann ("Applicant") has never used, has no *bona fide* intent to use, and never had a *bona fide* intent to use the mark shown in U.S. Application Serial No. 76/587,840 in United States commerce on or in connection with the goods he identified in U.S. Application Serial No. 76/587,840. While Opposer did not allege in its Notice of

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Opposition that Applicant lacked a *bona fide* intent to use the designation V.I.C. in United States commerce when Applicant filed U.S. Application Serial No. 76/587,840 on April 21, 2004, Opposer simultaneously has moved to amend its Notice of Opposition to include this Second Claim for Relief, as shown below:

SECOND CLAIM FOR RELIEF

19. Upon information and belief, Applicant did not have a *bona fide* intent to use the mark V.I.C. in United States commerce on or in connection with the goods he identified in U.S. Application Serial No. 76/587,840, namely, “[v]ehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft” when Applicant filed U.S. Application Serial No. 76/587,840 on April 21, 2004.

See Opposer's Motion to Amend Notice of Opposition to Allege Second Claim for Relief annexed hereto as Exhibit A; *see also* TBMP § 528.07(a) (“[A] party that seeks summary judgment on an unpleaded issue may move to amend its pleading to assert the matter.”); *Societe des Produits Marnier Lapostolle v. Distillerie Moccia S.R.L.*, 10 U.S.P.Q.2d 1241, 1242 n.4 (T.T.A.B. 1989) (motion to amend to add new ground filed simultaneously with motion for summary judgment). Opposer submits that, if the Trademark Trial and Appeal Board grants Opposer's motion to amend its Notice of Opposition to allege this Second Claim for Relief, the Trademark Trial and Appeal Board should grant Opposer's Motion for Summary Judgment on this Second Claim for Relief, as no genuine issue of material fact exists for the Trademark Trial and Appeal Board to decide.

I. SUMMARY JUDGMENT STANDARD

Summary judgment is appropriate in cases where the moving party establishes that there are no genuine issues of material fact which require resolution at trial, and that the moving party is entitled to judgment as a matter of law. Fed. R. Civ. P. 56(c) ("The judgment sought should be rendered if the pleadings, the discovery and disclosure materials on file, and any affidavits show that there is no genuine issue as to any material fact and that the movant is entitled to a judgment as a matter of law."); *see also* TBMP § 528.01; *Celotex Corp. v. Catrett*, 477 U.S. 317, 322-23 (1986). When appropriate, the Trademark Trial and Appeal Board does not hesitate to dispose of cases on summary judgment. *Milliken & Company v. Image Indus., Inc.*, 39 U.S.P.Q.2D 1192, 1196 (T.T.A.B. 1996). As shown below, summary judgment is appropriate in this proceeding, as no reasonable fact finder ever could decide Opposer's Second Claim for Relief in Applicant's favor.

II. FACTUAL BACKGROUND

Opposer owns two registrations of the trademark CIVIC for automobiles and their structural parts. The earliest registration is dated 1976 (for automobiles), the second issued in 2002 (automobiles and structural parts). It surely is a matter of judicial notice that Honda's CIVIC automobile has been in the market and on highways since before any priority date Applicant can claim (that fact is both "generally known within the territorial jurisdiction of the Board" and "capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned" Fed. R. Evid. 201). Even if it were not, since July 27, 1976, there has been continuously at least one registration that is "prima facie evidence of the validity of the registered mark [CIVIC] and of the registration of the mark, of the registrant's ownership

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of the mark, and of the registrant's exclusive right to use [CIVIC} in commerce on or in connection with the goods or services specified in the certificate [automobiles]. . . ." 15 U.S.C. § 1057(b). Copies of Opposer's Certificates of Registration are annexed as Exhibit D and Exhibit E to Opposer's Amended Notice of Opposition, which Opposer has annexed as Exhibit A to Opposer's Motion to Amend its Notice of Opposition filed herewith.

On April 21, 2004, Applicant filed U.S. Application Serial No. 76/587,840 for the mark V.I.C. for "[v]ehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft." U.S. Application Serial No. 76/587,840 is based solely on Section 44(e) of the Lanham Act. On April 24, 2006, Opposer filed a Notice of Opposition against U.S. Application Serial No. 76/587,840 on likelihood of confusion grounds.

The discovery period in the Opposition proceeding has closed. While Applicant did not engage Opposer in discovery at all, Opposer did engage Applicant in discovery. And as a result of that discovery, Opposer believes that Applicant's U.S. Application Serial No. 76/587,840 is void *ab initio* under Section 44(e) (and Section 1(b)) of the Lanham Act because Applicant could not produce a shred of evidence that would corroborate his claim that he had a *bona fide* intent to use the mark V.I.C on or in connection with the goods he identified in U.S. Application Serial No. 76/587,840, namely, "[v]ehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor

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propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft" in United States commerce when he applied to register the mark on April 21, 2004. Rather, to corroborate his claim that he had a *bona fide* intent to use the mark V.I.C on or in connection with the goods he identified in U.S. Application Serial No. 76/587,840, Applicant has merely produced his foreign Certificates of Registration of the mark V.I.C., print outs from his website that show use of the mark V.I.C. in Germany, and public documents relating to the prosecution of the mark V.I.C. in the United States Patent and Trademark Office. See Applicant's Responses to Opposer's First Set of Interrogatories to Applicant annexed hereto as Exhibit B, Response Nos. 11, 14, and 16.

As shown below, Applicant lacked a *bona fide* intent to use the mark V.I.C. on or in connection with the goods he identified in U.S. Application Serial No. 76/587,840 when he filed U.S. Application Serial No. 76/587,840 on April 21, 2004. Applicant's responses to Opposer's First Set of Interrogatories to Applicant, Opposer's Third Revised Second Set of Interrogatories to Applicant, annexed hereto as Exhibit C, and Opposer's First Set of Requests for Production of Documents and Things to Applicant, annexed hereto as Exhibit D, convey nothing more than Applicant's empty assertion that it has an intent to use the mark in United States commerce someday. Applicant's empty assertion, without more, does not establish that Applicant had a *bona fide* intent to use the mark in United States commerce when he applied to register the mark on April 21, 2004.

III. ARGUMENT

A. **Section 44(e) of the Lanham Act Requires an Applicant to Produce Evidence That Corroborates the Applicant's Claim That the Applicant Had a *Bona Fide* Intent to Use the Mark in United States Commerce.**

An applicant who has applied to register his mark in the United States under Section 44(e), claiming priority based on a registration of his mark in a foreign country, must, in his United States application, verify, in writing, that he has a *bona fide* intent to use the mark in United States commerce. 15 U.S.C. § 1126(e). In determining whether an applicant under Section 44(e) has the requisite *bona fide* intent to use the mark in United States commerce, the Trademark Trial and Appeal Board employs the same objective, good-faith analysis that it employs in determining whether an applicant under Section 1(b) has the required *bona fide* intent to use the mark in United States commerce. *Lane Ltd. v. Jackson Int'l Trading Co.*, 33 U.S.P.Q.2d 1351, 1356 (T.T.A.B. 1994) ("In determining whether an applicant under Section 44 possesses the requisite bona fide intention to use the mark in commerce, the Board will employ the analysis suggested or required by the legislative history and case law pertaining to Section 1(b) applications."); *see also Commodore Elecs. Ltd. v. CBM Kabushiki Kaisha*, 26 U.S.P.Q.2d 1503, 1506 (T.T.A.B. 1993). This objective, good-faith analysis is a "fair, objective" determination based on all the circumstances. While certain circumstances may support or confirm the *bona fide* nature of an applicant's intent to use a mark in United States commerce, other circumstances may entirely disprove the *bona fide* nature of such intent, as the Trademark Trial and Appeal Board explained in *Commodore*:

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. . . absent facts which adequately explain or outweigh the failure of an applicant to have any documents supportive of or bearing upon its claimed intent to use its mark in commerce, ***the absence of any documentary evidence on the part of an applicant regarding such an intent is sufficient to prove that the applicant lacks a bona fide intention to use the mark in commerce*** as required by Section 1(b).

Commodore Elecs. Ltd., 26 U.S.P.Q.2d at 1507 (emphasis added); *see also L.C. Licensing Inc. v. Berman*, 86 U.S.P.Q.2d 1883, (T.T.A.B. 2008) (“... ‘the absence of documentary evidence on the part of an applicant regarding [*bona fide*] intent is sufficient to prove that the applicant lacks a [*bona fide*] intention to use the mark in commerce as required by Section 1(b)’”) (citing *Commodore Elecs. Ltd.*, 26 U.S.P.Q.2d at 1507). An applicant’s “mere statement of subjective intent,” however, without more, never will be insufficient to establish his *bona fide* intent to use the mark in United States commerce. *Lane Ltd.*, 33 U.S.P.Q.D.2d at 1356.

B. Discovery Has Shown That Applicant Has No Evidence to Corroborate His Claim That He Had a *Bona Fide* Intent to Use the Mark Shown in U.S. Application Serial No. 76/587,840 in United States Commerce When He Filed U.S. Application Serial No. 76/587,840.

Applicant’s responses to Opposer’s First Set of Interrogatories to Applicant, his responses Opposer’s Third Revised Second Set of Interrogatories to Applicant, and his responses to Opposer’s First Set of Requests for Production of Documents and Things to Applicant do not support and, in fact, entirely disprove, Applicant’s alleged *bona fide* intent to use the mark V.I.C. on or in connection with the goods identified in U.S. Application Serial No. 76/587,840 in United States commerce when he applied to register the mark because Applicant’s responses show that he does not have any documents supportive of, or bearing upon, his alleged *bona fide* intent. Specifically, on December 22, 2006, in response to Opposer’s First Set of Interrogatories

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to Applicant, Applicant answers as follows, with regard to his alleged *bona fide* intent to use the mark in United States commerce:

INTERROGATORY NO. 15: Describe the business plan, strategy, arrangements and methods made and/or employed by Applicant ... in connection with the use and/or intended use of the V.I.C. designation on or in connection with the applied for goods in the United States, namely, "[v]ehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft."

ANSWER: Applicant has not had activities in the United States and has not made or employed a business plan, strategy, arrangements or methods there.

INTERROGATORY NO. 16: Identify the channels of trade that are or will be used in the United States by or on behalf of Applicant in connection with the sale and/or offer for sale of the applied for goods, namely, "[v]ehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft."

ANSWER: Applicant has not had activities in the United States and has not identified channels of trade that will be used.

See Exhibit B. Additionally, on January 26, 2007, Applicant, in response to Opposer's Third Revised Second Set of Interrogatories to Applicant, with regard to his alleged *bona fide* intent to use the mark in United States commerce, again answers as follows:

INTERROGATORY NO. 34: State whether Applicant had a bona fide intent to use Applicant's Mark on or in connection with Applicant's Goods on the day the Application at Issue was filed.

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ANSWER: Yes.

INTERROGATORY NO. 36: If the response to Interrogatory No. [34] is affirmative, identify any and all evidence, including all documentary evidence, supporting Applicant's claim that it had an intent to use Applicant's Mark on or in connection with Applicant's Goods on the day the Application at Issue was filed.

ANSWER: Not applicable.

See Exhibit C. And on March 19, 2007, Applicant, in response to Opposer's First Set of Requests for the Production of Documents and Things to Applicant, with regard to his alleged *bona fide* intent to use the mark in United States commerce, answers as follows:

REQUEST FOR PRODUCTION NO. 9: Documents sufficient to identify all intended uses by or on behalf of Applicant's Mark on or in connection with the sale or offer for sale of any goods and/or services.

RESPONSE: No such documents exist.

REQUEST FOR PRODUCTION NO. 10: Documents sufficient to identify the products of Applicant associated with Applicant's Mark intended to be used, including, but not limited to, a list of all products, photographs, drawings and sketches.

RESPONSE: No such documents exist.

REQUEST FOR PRODUCTION NO. 12: All documents and things Applicant intends to use to promote, advertise, publicize or sell goods and/or services under Applicant's Mark, including, without limitation, signage, sales literature, printed materials, electronic materials, Internet materials, packaging, audio and video advertisements, flyers, catalogs, brochures, and the like, and include logs or documents sufficient to show where, when, and for how long, each advertisement or promotional item will be used.

RESPONSE: No such documents exist as pertain to the United States.

See Exhibit D.

Applicant's responses to Opposer's First Set of Interrogatories to Applicant, Opposer's Third Revised Second Set of Interrogatories to Applicant, and Opposer's First Set of Requests for Production of Documents and Things to Applicant, establish that Applicant does not have any documents that evidence his alleged *bona fide* intent to use the mark V.I.C. in United States commerce when he filed U.S. Application Serial No. 76/587,840 on April 21, 2004. And Applicant's responses to Opposer's First Set of Interrogatories to Applicant, Opposer's Third Revised Second Set of Interrogatories to Applicant, and Opposer's First Set of Requests for Production of Documents and Things to Applicant do not uncover any facts at all that "explain or outweigh" why Applicant does not have any documents supportive of, or bearing upon, his claimed *bona fide* intent to use the mark V.I.C. in United States commerce. Indeed, they do nothing for Applicant, but discredit him.

While three of Applicant other responses to Opposer's First Set of Requests for Documents and Things to Applicant, do refer to documents, the documents do not support Applicant's alleged *bona fide* intent to use the mark V.I.C. in United States commerce when he applied to register the mark on April 21, 2004. To clarify, Applicant, in response to Opposer's First Set of Requests for Production of Documents and Things, Applicant answers as follows:

REQUEST FOR PRODUCTION NO. 11: Documents sufficient to identify the types of vehicles Applicant intends to promote, advertise, publicize, offer to sell and/or sell in connection with Applicant's Mark.

RESPONSE: See Document A, printouts from Applicant's website.

REQUEST FOR PRODUCTION NO. 14: All documents that evidence, refer to, or relate to the advertising and promotional

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means intended to be used by Applicant to advertise and promote Applicant's Goods.

RESPONSE: See Document A, printouts from Applicant's website.

REQUEST FOR PRODUCTION NO. 16: Any documents that reflect, refer to or evidence Applicant's intent to use Applicant's Mark on vehicles in the United States.

RESPONSE: See documents A, B, and C1-C10.

See Exhibit D. Documents "A", "B", and "C1-C10", however, do not provide a shred of evidence to support Applicant's alleged *bona fide* intent to use the mark V.I.C. in United States commerce when he applied to register the mark on April 21, 2004. First, Applicant's "Document A" is not comprised of print outs from Applicant's website, but is, instead, comprised of copies of Applicant's foreign Certificates of Registration of the mark V.I.C. And while Applicant's foreign Certificates of Registration of the mark V.I.C. allow Applicant to claim priority in the United States, they do not support Applicant's claimed *bona fide* intent to use the mark in the United States. Second, Applicant's "Document B" (which is comprised of print outs from Applicant's website) is not in English, but in German. And while the print outs appear to show Applicant's use of the mark V.I.C. in Germany, they do nothing to corroborate Applicant's alleged *bona fide* intent to use the mark V.I.C. in the United States. And Applicant's Documents "C1-C10", which Applicant alleges are comprised of public documents relating to the prosecution of the mark V.I.C. in the United States Patent and Trademark Office, do not support Applicant's alleged *bona fide* intent to use the mark V.I.C. in the United States (it should be noted that Applicant never produced Document "C1-C10"). As such, Applicant's responses to Opposer's Requests for Production of Documents and Things to Applicant Nos. 11, 14, and 16 are mere assertions. Mere assertions, without more, do not establish that Applicant had a *bona*

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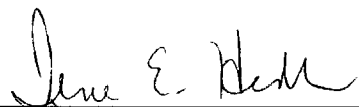
fide intent to use the mark in United States commerce when he applied to register the mark on April 21, 2004.

IV. CONCLUSION

As shown above, Applicant has failed to produce a shred of evidence sufficient to corroborate his alleged *bona fide* intent to use the designation V.I.C. on or in connection with the goods he identified in U.S. Application Serial No. 76/587,840 in United States commerce when he applied to register the mark on April 21, 2004. As such, no genuine issue of material fact exists for the Trademark Trial and Appeal Board to decide. Accordingly, Opposer respectfully requests that the Trademark Trial and Appeal Board grant Opposer's Motion for Summary Judgment, sustain its Opposition, and refuse to register Applicant's U.S. Application Serial No. 76/587,840 on the ground U.S. Application Serial No. 76/587,840 is void *ab initio*.

Respectfully submitted,

FISH & RICHARDSON P.C.

By: 

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Dated: July 16, 2008

Attorneys for Opposer,
HONDA MOTOR CO., LTD.

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CERTIFICATE OF SERVICE

This is to certify that, on this 16th day of July, 2008, a true and correct copy of the foregoing **OPPOSER'S MOTION FOR SUMMARY JUDGMENT AND OPPOSER'S MEMORANDUM OF LAW IN SUPPORT OF OPPOSER'S MOTION FOR SUMMARY JUDGMENT** has been sent by electronic mail, and by first-class mail, postage prepaid, to Applicant's Agent for Service of Record:

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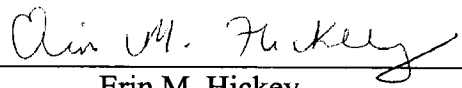
By: 
Erin M. Hickey

EXHIBIT A

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

In the matter of Application Serial No. 76/587,840
For the Mark **V.I.C.**
Published in the Official Gazette on October 25, 2005

HONDA MOTOR CO., LTD.,

Opposer,

v.

FRIEDRICH WINKELMANN,

Applicant.

Opposition No. 91170552

**OPPOSER'S MOTION TO AMEND NOTICE OF OPPOSITION
TO ALLEGE SECOND CLAIM FOR RELIEF**

MOTION

Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, and Rule 2.107(a) of the Trademark Rules of Practice, Opposer, Honda Motor Co., Ltd. ("Opposer"), hereby moves the Trademark Trial and Appeal Board for leave to file an Amended Notice of Opposition.

Opposer's Amended Notice of Opposition seeks to allege a Second Claim for Relief.

BRIEF IN SUPPORT

Background

Opposer has used continuously in United States commerce the mark CIVIC on or in connection with automobiles and their structural parts since at least as early as 1973. Opposer

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owns two (2) registrations for the mark CIVIC for automobiles and their structural parts, each of which is valid and subsisting, and one of which is also incontestable. Copies of Opposer's Certificates of Registration are annexed as Exhibit D and Exhibit E to Opposer's Amended Notice of Opposition, which Opposer annexes hereto as Exhibit A.

On April 21, 2004, Friedrich Winkelmann ("Applicant") filed U.S. Application Serial No. 76/587,840 for the mark V.I.C. for "[v]ehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft." U.S. Application Serial No. 76/587,840 is based solely on Section 44(e) of the Lanham Act. On April 24, 2006, Opposer filed a Notice of Opposition against U.S. Application Serial No. 76/587,840 on likelihood of confusion grounds.

The discovery period in the Opposition proceeding has closed. While Applicant did not engage Opposer in discovery at all, Opposer did engage Applicant in discovery. And as a result of that discovery, Opposer believes that Applicant's U.S. Application Serial No. 76/587,840 is void *ab initio* under Section 44(e) (and Section 1(b)) of the Lanham Act because Applicant cannot corroborate his claim that he had a *bona fide* intent to use the mark V.I.C on or in connection with the goods identified in U.S. Application Serial No. 76/587,840, namely, "[v]ehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, namely, motor propelled and self-propelled

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vehicles for use on land and on water and motor propelled and glider aircraft" in United States commerce when he applied to register the mark on April 21, 2004. This is why Opposer now seeks leave to amend its Notice of Opposition, as shown below:

SECOND CLAIM FOR RELIEF

19. Upon information and belief, Applicant did not have a *bona fide* intent to use the mark V.I.C. in United States commerce on or in connection with the goods he identified in U.S. Application Serial No. 76/587,840, namely, "[v]ehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft" when Applicant filed U.S. Application Serial No. 76/587,840 on April 21, 2004.

In the interest of time and expense, and since the Trademark Trial and Appeal Board liberally grants motions for leave to amend that do not prejudice the other party, on July 16, 2008, Opposer's attorney sent a copy of Opposer's Amended Notice of Opposition to Applicant's attorney via electronic mail, and stated, "It is our hope that you will agree to the filing of this Consented Motion to Amend the Notice of Opposition. Otherwise, we will be forced to so move." Applicant's attorney did not respond and, as such, Opposer's attorney placed a follow-up telephone call to Applicant's attorney later that day. During that telephone call, Applicant's attorney informed Opposer's attorney that Applicant would not consent to the filing of Opposer's Amended Notice of Opposition.

Argument

An applicant who has applied to register his mark in the United States under Section 44(e), claiming priority based on a registration of his mark in a foreign country, must, in his United States application, verify, in writing, that he has a *bona fide* intent to use the mark in United States commerce. 15 U.S.C. § 1126(e). In determining whether an applicant under Section 44(e) has the requisite *bona fide* intent to use the mark in United States commerce, the Trademark Trial and Appeal Board employs the same objective, good-faith analysis that it employs in determining whether an applicant under Section 1(b) has the required *bona fide* intent to use the mark in United States commerce. *Lane Ltd. v. Jackson Int'l Trading Co.*, 33 U.S.P.Q.2d 1351, 1356 (T.T.A.B. 1994) ("In determining whether an applicant under Section 44 possesses the requisite bona fide intention to use the mark in commerce, the Board will employ the analysis suggested or required by the legislative history and case law pertaining to Section 1(b) applications."); *see also Commodore Elecs. Ltd. v. CBM Kabushiki Kaisha*, 26 U.S.P.Q.2d 1503, 1506 (T.T.A.B. 1993). This objective, good-faith analysis is a "fair, objective" determination based on all the circumstances. While certain circumstances may support or confirm the *bona fide* nature of an applicant's intent to use a mark in United States commerce, other circumstances may entirely disprove the *bona fide* nature of such intent, as the Trademark Trial and Appeal Board explained in *Commodore*:

. . . absent facts which adequately explain or outweigh the failure of an applicant to have any documents supportive of or bearing upon its claimed intent to use its mark in commerce, ***the absence of any documentary evidence on the part of an applicant regarding such an intent is sufficient to prove that the applicant***

lacks a bona fide intention to use the mark in commerce as required by Section 1(b).

Commodore Elecs. Ltd., 26 U.S.P.Q.2d at 1507 (emphasis added); *see also L.C. Licensing Inc. v. Berman*, 86 U.S.P.Q.2d 1883, (T.T.A.B. 2008) (“... ‘the absence of documentary evidence on the part of an applicant regarding [*bona fide*] intent is sufficient to prove that the applicant lacks a [*bona fide*] intention to use the mark in commerce as required by Section 1(b)’”) (citing *Commodore Elecs. Ltd.*, 26 U.S.P.Q.2d at 1507). An applicant’s “mere statement of subjective intent,” however, without more, never will be sufficient to establish his *bona fide* intent to use the mark in United States commerce. *Lane Ltd.*, 33 U.S.P.Q.D.2d at 1356.

Here, the circumstances disprove Applicant’s alleged *bona fide* intent to use the mark V.I.C. in United States commerce when he applied to register the mark. Applicant admits, in his answers to Opposer’s First Set of Interrogatories to Applicant, in his answers to Opposer’s Third Revised Second Set of Interrogatories to Applicant, and in his answers to Opposer’s First Set of Requests for Production of Documents and Things to Applicant,² that he does not have any documents supportive of, or bearing upon, his alleged intent to use the mark V.I.C. in United States commerce on or in connection with the goods he identified in U.S. Application Serial No. 76/587,840 when he filed U.S. Application Serial No. 76/587,840 on April 21, 2004. Specifically, on December 22, 2006, in response to Opposer’s First Set of Interrogatories to

² Copies of Applicant’s answers to Opposer’s First Set of Interrogatories to Applicant, to Opposer’s Third Revised Second Set of Interrogatories to Applicant, and to Opposer’s First Set of Requests for Production of Documents and Things to Applicant have been submitted with Opposer’s Motion for Summary Judgment Ad Opposer’s Memorandum of Law in Support of Opposer’s Motion for Summary Judgment as Exhibits B through D, submitted contemporaneously herewith.

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Applicant, Applicant answers as follows, with regard to his alleged *bona fide* intent to use the mark V.I.C. in United States commerce:

INTERROGATORY NO. 15: Describe the business plan, strategy, arrangements and methods made and/or employed by Applicant Friedrich Winkelmann in connection with the use and/or intended use of the V.I.C. designation on or in connection with the applied for goods in the United States, namely, “[v]ehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft.”

ANSWER: Applicant has not had activities in the United States and has not made or employed a business plan, strategy, arrangements or methods there.

INTERROGATORY NO. 16: Identify the channels of trade that are or will be used in the United States by or on behalf of Applicant in connection with the sale and/or offer for sale of the applied for goods, namely, “[v]ehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft.”

ANSWER: Applicant has not had activities in the United States and has not identified channels of trade that will be used.

Additionally, on January 26, 2007, Applicant, in response to Opposer's Third Revised Second Set of Interrogatories to Applicant, with regard to his alleged *bona fide* intent to use the mark V.I.C. in United States commerce, again answers as follows:

INTERROGATORY NO. 34: State whether Applicant had a bona fide intent to use Applicant's Mark on or in connection with Applicant's Goods on the day the Application at Issue was filed.

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ANSWER: Yes.

INTERROGATORY NO. 36: If the response to Interrogatory No. [34] is affirmative, identify any and all evidence, including all documentary evidence, supporting Applicant's claim that it had an intent to use Applicant's Mark on or in connection with Applicant's Goods on the day the Application at Issue was filed.

ANSWER: Not applicable.

And on March 19, 2007, Applicant, in response to Opposer's First Set of Requests for the Production of Documents and Things to Applicant, with regard to his alleged *bona fide* intent to use the mark in United States commerce, answers as follows:

REQUEST FOR PRODUCTION NO. 9: Documents sufficient to identify all intended uses by or on behalf of Applicant's Mark on or in connection with the sale or offer for sale of any goods and/or services.

RESPONSE: No such documents exist.

REQUEST FOR PRODUCTION NO. 10: Documents sufficient to identify the products of Applicant associated with Applicant's Mark intended to be used, including, but not limited to, a list of all products, photographs, drawings and sketches.

RESPONSE: No such documents exist.

REQUEST FOR PRODUCTION NO. 12: All documents and things Applicant intends to use to promote, advertise, publicize or sell goods and/or services under Applicant's Mark, including, without limitation, signage, sales literature, printed materials, electronic materials, Internet materials, packaging, audio and video advertisements, flyers, catalogs, brochures, and the like, and include logs or documents sufficient to show where, when, and for how long, each advertisement or promotional item will be used.

RESPONSE: No such documents exist as pertain to the United States.

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Applicant's answers to Opposer's First Set of Interrogatories to Applicant, Opposer's Third Revised Second Set of Interrogatories to Applicant, and Opposer's First Set of Requests for Production of Documents and Things to Applicant, establish that Applicant does not have any documents that support his alleged *bona fide* intent to use the mark V.I.C. in United States commerce when he filed U.S. Application Serial No. 76/587,840 on April 21, 2004. And Applicant's answers to Opposer's First Set of Interrogatories to Applicant, Opposer's Third Revised Second Set of Interrogatories to Applicant, and Opposer's First Set of Requests for Production of Documents and Things to Applicant do not uncover any facts at all that "explain or outweigh" why Applicant does not have any documents supportive of, or bearing upon, his alleged *bona fide* intent to use the mark V.I.C. in United States commerce when he applied to register the mark on April 21, 2004. Indeed, they do nothing for Applicant, but discredit him.

While three of Applicant other answers to Opposer's First Set of Requests for Documents and Things to Applicant, do refer to documents, the documents do not support Applicant's alleged *bona fide* intent to use the mark V.I.C. in United States commerce when he applied to register the mark on April 21, 2004. To clarify, Applicant, in response to Opposer's First Set of Requests for Production of Documents and Things to Applicant, Applicant answers as follows:

REQUEST FOR PRODUCTION NO. 11: Documents sufficient to identify the types of vehicles Applicant intends to promote, advertise, publicize, offer to sell and/or sell in connection with Applicant's Mark.

RESPONSE: See Document A, printouts from Applicant's website.

REQUEST FOR PRODUCTION NO. 14: All documents that evidence, refer to, or relate to the advertising and promotional

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means intended to be used by Applicant to advertise and promote Applicant's Goods.

RESPONSE: See Document A, printouts from Applicant's website.

REQUEST FOR PRODUCTION NO. 16: Any documents that reflect, refer to or evidence Applicant's intent to use Applicant's Mark on vehicles in the United States.

RESPONSE: See documents A, B, and C1-C10.

Documents "A", "B", and "C1-C10", however, do not provide a shred of evidence that supports Applicant alleged *bona fide* intent to use the mark V.I.C. in United States commerce when he applied to register the mark on April 21, 2004.

First, Applicant's "Document A" is not comprised of print outs from Applicant's website, but is, instead, comprised of copies of Applicant's foreign Certificates of Registration of the mark V.I.C. And while Applicant's foreign Certificates of Registration of the mark V.I.C. allow Applicant to claim priority in the United States, they do not support Applicant's claimed *bona fide* intent to use the mark in the United States. Second, Applicant's "Document B" (which is comprised of print outs from Applicant's website) is not in English, but in German. And while the print outs appear to show Applicant's use of the mark V.I.C. in Germany, they do nothing to corroborate Applicant's alleged *bona fide* intent to use the mark V.I.C. in the United States on April 21, 2004. And Applicant's Documents "C1-C10", which Applicant alleges are comprised of public documents relating to the prosecution of the mark V.I.C. in the United States Patent and Trademark Office, do not support Applicant's alleged *bona fide* intent to use the mark V.I.C. in the United States on April 21, 2004 (it should be noted that Applicant never produced Documents "C1-C10"). As such, Applicant's answers to Opposer's Requests for Production of

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Documents and Things to Applicant Nos. 11, 14, and 16 are mere assertions. Mere assertions, without more, do not establish that Applicant had a *bona fide* intent to use the mark in United States commerce when he applied to register the mark on April 21, 2004.

When justice so requires, the Trademark Trial and Appeal Board liberally grants leave to amend pleadings, provided the adverse party would not be unduly prejudiced. Fed. R. Civ. P. 15(a); TBMP § 507.02. *See generally Caron Corp. v. Helena Rubenstein, Inc.*, 193 U.S.P.Q. 113 (T.T.A.B. 1976); *Anheuser-Busch, Inc. v. Martinez*, 185 U.S.P.Q. 434 (T.T.A.B. 1975). Here, Applicant cannot, in good faith, claim that he will be prejudiced by Opposer's Amended Notice of Opposition.

First, unlike Opposer's First Claim for Relief, which alleges likelihood of confusion, and is a claim on which Applicant should have sought discovery (but did not), Opposer's Second Claim for Relief, which alleges Applicant lacked a *bona fide* intent to use the mark V.I.C. in United States commerce when he applied to register the mark, is not a claim on which Applicant could seek discovery. This is because Opposer has no information regarding Applicant's alleged *bona fide* intent other than Applicant's answers to Opposer's First Set of Interrogatories to Applicant, Third Revised Second Set of Interrogatories to Applicant, and First Set of Requests for Production of Documents and Things to Applicant.

Second, Opposer's First Set of Interrogatories to Applicant, Opposer's Third Revised Set of Interrogatories to Applicant, and Opposer's First Set of Requests for Production of Documents and Things to Applicant put Applicant on notice that his alleged *bona fide* intent to use the mark V.I.C. in United States commerce would likely be an issue in the proceeding.

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Third, to support Opposer's claim that Applicant did not have a *bona fide* intent to use the mark V.I.C. in United States commerce when it filed U.S. Application Serial No. 76/587,840, Applicant intends to offer only Applicant's answers to Opposer's First Set of Interrogatories to Applicant, Applicant's answers to Opposer's Third Revised Set of Interrogatories to Applicant, and Applicant's answers to Opposer's First Set of Requests for Production of Documents and Things to Applicant. None of this is, or should be, a surprise to Applicant, which is why he will not be unduly prejudiced, or prejudiced at all, by Opposer's Amended Notice of Opposition.

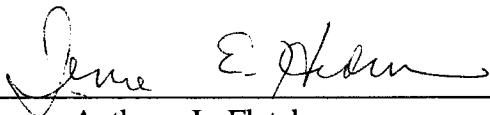
Conclusion

Accordingly, Opposer respectfully requests that the Trademark Trial and Appeal Board grant its Motion to Amend Notice of Opposition to Allege Second Claim of Relief.

Respectfully submitted,

FISH & RICHARDSON P.C.

Dated: July 16, 2008

By: 

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Attorneys for Opposer,
HONDA MOTOR CO., LTD.

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CERTIFICATE OF SERVICE

This is to certify that, on this 16th day of July, 2008, a true and correct copy of the foregoing **OPPOSER'S MOTION TO AMEND NOTICE OF OPPOSITION TO ALLEGE SECOND CLAIM FOR RELIEF** has been sent by electronic mail, and by first-class mail, postage prepaid, to Applicant's Agent for Service of Record:

JAMES C. WRAY, ESQ.
LAW OFFICES OF JAMES C. WRAY
1493 CHAIN BRIDGE ROAD
SUITE 300
MCLEAN, VIRGINIA 22101
jcwrap@starpower.net

FISH & RICHARDSON P.C.

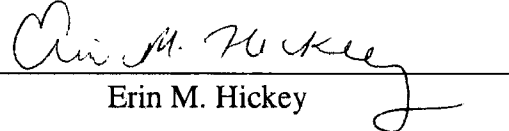
By: 
Erin M. Hickey

EXHIBIT A

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

In the matter of Application Serial No. 76/587,840
For the Mark V.I.C.
Published in the Official Gazette on October 25, 2005

HONDA MOTOR CO., LTD.,

Opposer,

v.

FRIEDRICH WINKELMANN,

Applicant.

Opposition No. 91170552

Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, Opposer hereby files the following:

AMENDED NOTICE OF OPPOSITION

Honda Motor Co., Ltd., a corporation organized under the laws of Japan, whose address is 1-1, 2-Chome, Minami-Aoyama, Minato-Ku, Tokyo 107-8556 JAPAN, believes that it will be damaged by registration of the mark shown in the above-identified application, and hereby opposes the same.

The grounds for opposition are as follows:

GENERAL ALLEGATIONS APPLICABLE TO BOTH CLAIMS FOR RELIEF

1. The above identified Opposer, itself and through subsidiaries, affiliates and related companies (hereafter, collectively, "Honda"), manufactures, markets and sells, among other products, automotive vehicles, including passenger automobiles, sport utility vehicles ("SUVs"), minivans and trucks and parts thereof throughout the world.

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2. Since 1959, Honda's subsidiary, American Honda Motor Co., Inc., has distributed, *inter alia*, automobiles and, subsequently, sport utility vehicles and trucks throughout the United States under the **HONDA** trademark and numerous other Honda-owned trademarks, including, as hereafter alleged, the **CIVIC** trademark.

3. Honda introduced its first automobile in United States commerce in 1970 when Honda exported the N600 to Honda dealers in the United States for resale to the public. Honda has continuously sold automobiles in United States commerce since that time.

4. In 1972, Honda introduced the **HONDA CIVIC** automobile in Japan for model year 1973. A picture of Honda's 1973 model year **HONDA CIVIC 1500** is annexed hereto as **Exhibit A**.

5. The **HONDA CIVIC** automobile was introduced to the trade in the United States in September 1972, and sold to Honda dealers for resale to the public by no later than March 1973. A picture of Honda's 1973 model year **HONDA CIVIC 1500** is annexed hereto as **Exhibit A**.

6. In 2002, Honda introduced a hybrid **HONDA CIVIC** automobile. A picture of Honda's 2003 model year **HONDA CIVIC HYBRID** automobile is annexed hereto as **Exhibit B**.

7. Honda's use of the **CIVIC** mark for automobiles and parts thereof has been continuous since model year 1973. Illustrative examples of Honda's current use of the **CIVIC** mark on and in connection with automobiles and on its website are annexed as **Exhibit C**.

8. Honda's **CIVIC** mark is registered for, *inter alia*, automobiles. Annexed as **Exhibit D** and **Exhibit E** are copies of the Registration Certificates for Registration Nos.

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1,045,160 and 2,573,521. Both registrations are valid and subsisting, and Registration No.

1,045,160 is also incontestable.

9. Honda's **CIVIC** automobile is the best-selling compact car model in the United States. In excess of 7 million **CIVIC** automobiles have been sold by Honda in the United States between 1973 and 2004. In 2003 alone, Honda sold in excess of 299,000 **CIVIC** automobiles.

10. Honda has developed exceedingly valuable goodwill in the **CIVIC** trademark, and enjoys a high degree of consumer recognition among consumers of automobiles and the general public.

11. Honda's model year 2006 **CIVIC** automobiles were recently awarded *Motor Trend* magazine's *Car of the Year* award.

12. Honda's **CIVIC** automobiles have also received the *Motor Trend* magazine's *Import Car of the Year* award many times, including in 1988 for the **HONDA CIVIC CRX Si**, in 1984 for the **HONDA CIVIC CRX** and in 1980 for the **HONDA CIVIC**.

13. Applicant seeks registration on the basis of an application filed on April 21, 2004, pursuant to Sections 44(d) and 1(b) of the Lanham Act for the mark **V.I.C.** for "[v]ehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft." This filing basis for this application is currently pursuant to Section 44(e) of the Lanham Act.

14. Applicant's applied for goods are broad enough to encompass automobiles, which are defined as "a usually four-wheeled automotive vehicle designed for passenger

transportation.”¹ For example, Honda’s **CIVIC** automobiles are vehicles for transportation on land. Honda’s **CIVIC** automobiles are also motor- (i.e., engine-) propelled vehicles for use on land.

15. Upon information and belief, Applicant has not begun using the **V.I.C.** mark on or in connection with any goods and/or services, including without limitation the applied for goods.

16. With over thirty years of prior use of the mark **CIVIC** for automobiles and structural parts therefor, Honda is entitled to exclusive use of the mark in connection with these goods.

FIRST CLAIM FOR RELIEF

17. Consumers, operators and passengers of Honda **CIVIC** automobiles are likely to be confused into believing that **V.I.C.** for identical goods – i.e. “[v]ehicles for transportation on land, ... namely, motor propelled ... vehicles for use on land ...” – are endorsed, manufactured or designed by Honda. Furthermore, consumers, operators and passengers of Honda **CIVIC** automobiles are likely to be confused into believing that **V.I.C.** “parts used in vehicles for transportation on land ... namely, motor propelled ... vehicles for use on land ...” – are suitable for and designed to be used in Honda’s **CIVIC** automobiles.

18. Applicant’s applied for mark, **V.I.C.**, consists of and/or comprises a mark which so resembles the mark **CIVIC**, used over the last thirty years in the United States by Honda for automobiles, as to be likely, when used on or in connection with “[v]ehicles for transportation on land, ... namely, motor propelled ... vehicles for use on land ...” and “parts used in vehicles for

¹ Merriam-Webster Online Dictionary copyright © 2005 by Merriam-Webster, Incorporated. See **Exhibit F**, at <http://www.m-w.com> (April 11, 2006).

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transportation on land ... namely, motor propelled ... vehicles for use on land ..." to cause confusion, or to cause mistake or to deceive.

SECOND CLAIM FOR RELIEF

19. Upon information and belief, Applicant did not have a *bona fide* intent to use the mark V.I.C. in United States commerce on or in connection with the goods he identified in U.S. Application Serial No. 76/587,840, namely, "[v]ehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft" when Applicant filed U.S. Application Serial No. 76/587,840 on April 21, 2004.

WHEREFORE, Opposer prays that the mark shown by the above-identified application be refused registration, and that this Amended Notice of Opposition be sustained in favor of Opposer.

No fee is believed due, as this is an Amended Notice of Opposition. For any charges not covered, however, please charge Deposit Account No. 06-1050, Order No. 10691-208PP1.

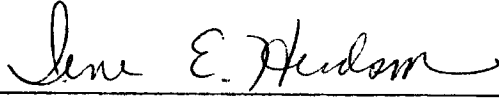
Applicant : Friedrich Winkelmann
Serial No. : 76/587,840
Filed : April 21, 2004
Mark : V.I.C.
Page : 6

Attorney's Docket No.: 10691-208PP1

Respectfully submitted,

FISH & RICHARDSON P.C.

Dated: July 16, 2008

By: 

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Attorneys for Opposer,

HONDA MOTOR CO., LTD.

Applicant : Friedrich Winkelmann
Serial No. : 76/587,840
Filed : April 21, 2004
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Attorney's Docket No.: 10691-208PP1

CERTIFICATE OF SERVICE

This is to certify that, on this 16th day of July, 2008, a true and correct copy of the foregoing **AMENDED NOTICE OF OPPOSITION** has been sent by electronic mail, and by first-class mail, postage prepaid, to Applicant's Agent for Service of Record:

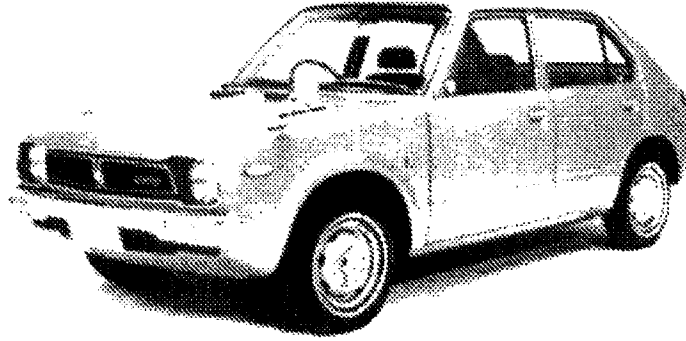
JAMES C. WRAY, ESQ.
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FISH & RICHARDSON P.C.

By: Erin M. Hickey
Erin M. Hickey

EXHIBIT A

1973 Honda Civic 1500



1973 Honda Civic 1500.

EXHIBIT B

2003 Honda Civic Hybrid



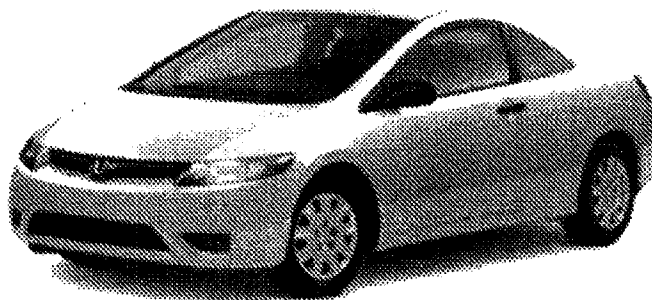
2003 Honda Civic Hybrid

EXHIBIT C



2006 Civic Coupe Specifications: Trim Level Descriptions

[Return to regular view](#)



The Civic DX coupe offers modern styling, fun-to-drive performance, practicality and an impressive list of standard features, all at a remarkably affordable price.

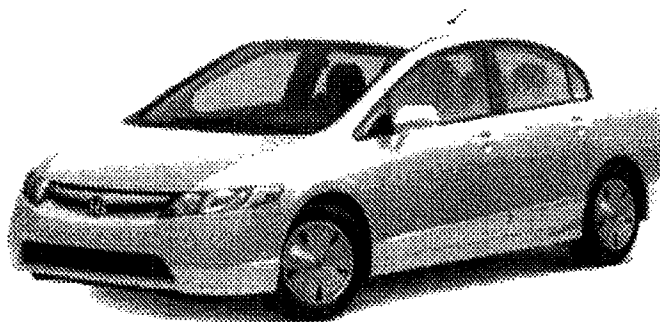
TRIM LEVEL

	MSRP* Manual Transmission	MSRP* Automatic Transmission
DX <ul style="list-style-type: none"> • 1.8-liter, SOHC i-VTEC® 4-cylinder engine • Drive-By-Wire Throttle System™ • ULEV-2 (Ultra-Low-Emission Vehicle) • 5-speed manual transmission • Available compact 5-speed automatic transmission • Control-link MacPherson strut front suspension • Reactive-link double wishbone rear suspension • Power-assisted rack-and-pinion steering • 15" wheels with full covers • P195/65 R15 89H all-season tires • Advanced Compatibility Engineering™ (ACE™) body structure • Daytime Running Lights (DRL) • Anti-lock braking system (ABS) with Electronic Brake Distribution (EBD) • Dual-stage, dual-threshold front airbags (SAB) • Front side airbags with passenger-side Occupant Position Detection System (OPDS) • Side curtain airbags • Active head restraints • Outboard Lower Anchors and Tethers for Children (LATCH) • Immobilizer Theft-Deterrent System • Integrated rear-window antenna • Power windows • Tilt and telescopic steering column • Driver's seat with manual height adjustment 	\$14,560.00 Manual Transmission	\$15,360.00 Automatic Transmission



2006 Civic Hybrid Specifications: Trim Level Descriptions

[Return to regular view](#)



With revitalized style and renewed spirit, the all-new 2006 Civic Hybrid is for those with the foresight to improve the future, and the spirit to enjoy the moment. The Civic Hybrid features a lightweight, low-friction 4-cylinder engine with torque-enhancing i-VTEC®. The engine is complemented by a powerful DC electric motor that's less than 2.5" wide. Power for the motor is stored in a compact battery pack behind the rear seat. And the Civic Hybrid IMA battery pack comes with an 8-year/50,000-mile limited battery warranty so you'll have even more peace of mind.

TRIM LEVEL

Hybrid

- 110-hp, 1.3-liter, 8-valve, i-VTEC® 4-cylinder gasoline engine
- Dual-point sequential ignition (i-DISI)
- Nickel-metal hydride (Ni-MH) battery pack
- Anti-lock braking system (ABS)
- Dual-stage, dual-threshold front airbags (SRS)
- Front side airbags with passenger-side Occupant Position Detection System (OPDS)
- Side curtain airbags
- Outboard Lower Anchors and Tethers for Children (LATCH)
- Blue backlit gauges with electronic IMA™ display

MSRP*

Continuously Variable Transmission

\$22,150.00

Continuously Variable Transmission

\$23,650.00

Continuously Variable Transmission
with Honda Satellite-Linked
Navigation System™

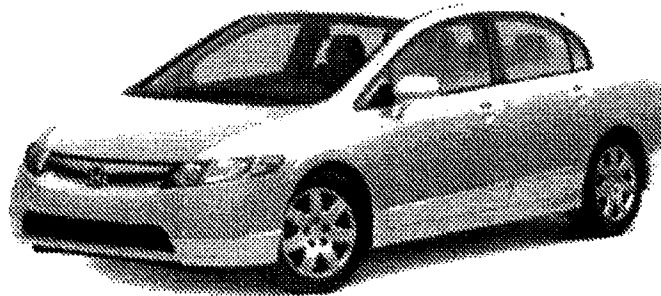
*MSRP excluding tax, license, registration, \$550.00 destination charge and options. Dealer prices may vary. The pricing of certain vehicles in California and select Northeastern states may vary slightly due to PZEV (Partial Zero-Emission Vehicle) standards. Please contact your dealer for complete pricing information.

[Return to regular view](#)



2006 Civic Sedan Specifications: Trim Level Descriptions

[Return to regular view](#)



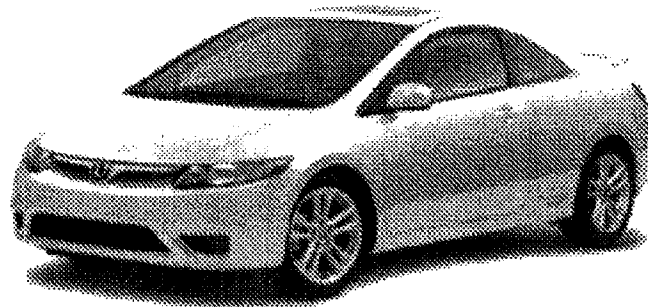
The Civic LX Sedan is a stylish, affordable vehicle with a long list of luxury and convenience features and a driving experience few competitors can match. The LX Sedan includes 16" wheels with full covers, a powerful audio system, cruise control, air conditioning as well as many other standard features not normally found in the compact class.

TRIM LEVEL	MSRP* Manual Transmission	MSRP* Automatic Transmission
LX <ul style="list-style-type: none"> • 1.8-liter, SOHC i-VTEC® 4-cylinder engine • Drive-by-Wire Throttle System™ • ULEV-2 (Ultra-Low-Emission Vehicle) • 5-speed manual transmission • Available compact 5-speed automatic transmission • Control-link MacPherson strut front suspension • Reactive-link double wishbone rear suspension • Power-assisted rack-and-pinion steering • 16-inch wheels with full covers • P205/55 R16 89H all-season tires • Dual-stage, dual-threshold front airbags (SRS) • Front side airbags with passenger-side Occupant Position Detection System (OPDS) • Side curtain airbags • Active head restraints • Outboard Lower Anchors and Tethers for Children (LATCH) • Immobilizer Theft-Deterrent System • Integrated rear-window antenna • Body-colored power side mirrors • Body-colored door handles • Power door locks with auto-lock feature • Cruise control • Air conditioning with air-filtration system 	\$16,710.00 Manual Transmission	\$17,510.00 Automatic Transmission



2006 Civic Si Specifications: Trim Level Descriptions

[Return to regular view](#)



The Civic Si offers customers one of the longest and most impressive lists of performance, comfort, convenience and safety features in its class. And with new styling and increased performance, the 2006 Civic Si presents an unmatched driving experience.

TRIM LEVEL

Civic Si

- 2.0-liter, DOHC i-VTEC® engine
- 157 hp @ 7800 rpm
- 139 lb.-ft. of torque @ 6100 rpm
- Helical limited-slip differential
- Drive-By-Wire Throttle System™
- Close-ratio 6-speed manual transmission
- MacPherson strut front suspension
- Double wishbone independent rear suspension
- 17" alloy wheels
- Rear wing spoiler
- Daytime Running Lights (DRL)
- Anti-lock braking system (ABS)
- Electronic Brake Distribution (EBD)
- Dual-stage, dual-threshold front airbags (SRS)
- Front-side airbags with passenger-side Occupant Position Detection System (OPDS)
- Side curtain airbags
- Active head restraints
- Security system with remote entry and trunk opener
- Power windows, door locks and mirrors
- Tilt and telescopic steering column
- Driver's seat with manual height adjustment
- Deep, bolstered front sport seats with red stitching
- 60/40 split fold-down rear seat
- Rear-seat beverage holders

MSRP* Manual Transmission

\$20,290.00

Manual Transmission

\$20,490.00

Manual Transmission
with Summer Tires

Honda Certified Used Cars

Civic Coupe

Overview

Gallery

Engineering

Safety

Specifications

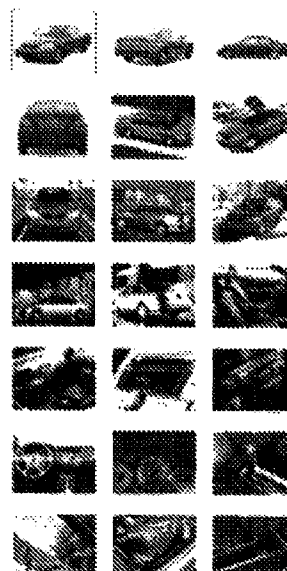


360° views

360° views



Click a thumbnail below to
view full-size version

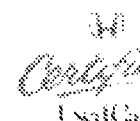


[SEARCH INVENTORY](#)
[LOCATE A DEALER](#)
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[GET PRE-APPROVED](#)
[0 FINANCING](#)

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Tip
CERTIFIED USED
Certified Used Car
Certification Steps
Warranty
Model Library
Program Comparison
Program Approval
Honda Care
Email this page
HOLD MODEL LIST
Select a model:
Civic Coupe
Select a year:
2005

Civic Coupe shown in Rallye Red.



Available Colors

INSTRUCTIONS:

Click on a color to paint the Civic Coupe.



Pearl White

or more

Customer Relations

Site Map

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Honda Certified Used Cars

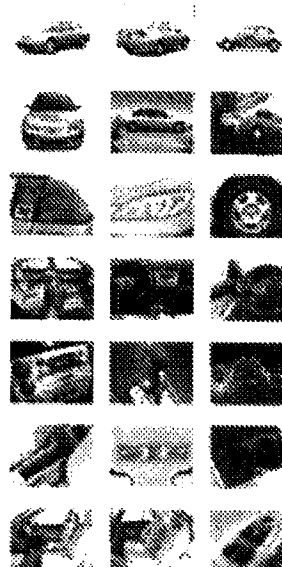
Civic Hybrid

[Overview](#) , [Gallery](#) [Engineering](#) [Safety](#) [Specifications](#)

 360° views



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view full-size version



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Tips

CERTIFIED USED

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Honda Care

E-mail this page

HONDA MODEL LIB

Select a model:

Civic Hybrid

Select a year:

2005

Make a downsize even when you bath your Civic Hybrid's sleek rear styling.

**Certified
Used**



360° view of the car

INSTRUCTIONS:

Click on a color to paint the Civic Hybrid.



Eternal Blue Pearl
Play

[Customer Relations](#)

[Site Map](#)

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Honda Certified Used Cars

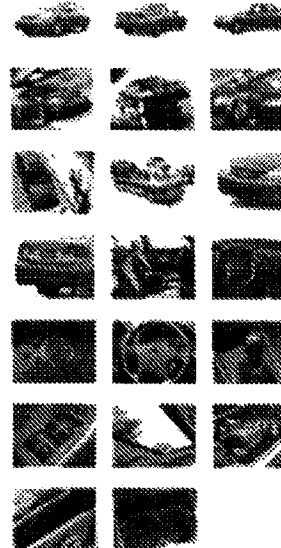
Civic Sedan

[Overview](#) [Gallery](#) [Engineering](#) [Safety](#) [Specifications](#)

25.8" views



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Tip

CERTIFIED USED

Certified Used

Certification St

Warranty

Model Library

Program Comp

Program Accol

Honda Cars

Learn this ac

HONDA MODEL LIB

Select a model:

Civic Sedan

Select a year:

2005

Expect a lot of attention in the attractive Civic Sedan.

Certified
Used Car



Available colors

INSTRUCTIONS

Click on a color to paint the Civic Sedan.

☒ Eternal ☒ Magn

☒ Night ☒ Satin

☒ Silver ☒ Taffeta

Eternal Blue Pearl

Gray

Website: [Honda.com](#)

Site Map

©2005 Honda.com

Honda Certified Used Cars

Civic Si

Overview

Gallery

Engineering

Safety

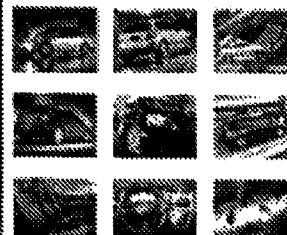
Specifications



3584 views



Click a thumbnail below to view full-size version



SEARCH INVENTORY
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ESTIMATE PAYMENT
GET PRE-APPROVAL

Type a question in search

Tips

CERTIFIED USED

Certified Used

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Warranty

Model Library

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Honda Care

E-mail this page

HONDA MODEL LIB

Select a model:

Civic Si

Select a year:

2005

Certified
Used Car

Civic Si shown in paint safety metallic

486 available colors

INSTRUCTIONS:

Click on a color to paint the Civic Si



Nighthawk Black Pearl
Black

Customer Relations

Site Map

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EXHIBIT D

Int. Cl.: 12

Prior U.S. Cl.: 19

United States Patent Office

Reg. No. 1,045,160
Registered July 27, 1976

TRADEMARK
Principal Register

CIVIC

Honda Giken Kogyo Kabushiki Kaisha (Honda Motor
Co., Ltd.) (Japanese corporation)
5, 3-chome, Yaesu
Chuo-ku, Tokyo, Japan

For: AUTOMOBILES, in CLASS 19 (INT. CL. 12).
Priority claimed under Sec. 44(d) on Japanese appli-
cation filed May 17, 1972; Reg. No. 1,100,281, dated
Dec. 16, 1974.

Ser. No. 441,295, filed Nov. 16, 1972.

CHARLES R. FOWLER, Supervisory Examiner
M. B. SILEN, Examiner

EXHIBIT E

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

Reg. No. 2,573,521

United States Patent and Trademark Office

Registered May 28, 2002

**TRADEMARK
PRINCIPAL REGISTER**

CIVIC

**HONDA GIKEN KOGYO KABUSHIKI KAISHA
(HONDA MOTOR CO., LTD.) (JAPAN COR-
PORATION)**

**2-1-1 MINAMI-AOYAMA
MINATO-KU, TOKYO 107, JAPAN**

**FOR: AUTOMOBILES AND STRUCTURAL
PARTS THEREFOR, IN CLASS 12 (U.S. CLS. 19, 21,
23, 31, 35 AND 44).**

FIRST USE 9-0-1972; IN COMMERCE 9-0-1972.

OWNER OF U.S. REG. NO. 1,045,160.

SER. NO. 76-284,956, FILED 7-12-2001.

EVELYN BRADLEY, EXAMINING ATTORNEY

EXHIBIT F



William Webster for Kids
Encyclopedia Britannica

Math in context ONLINE

Metam Webster College®, Metam Webster, Unabridged



Merriam-Webster Online Dictionary

automobile

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automobile[1, adjective]
automobile[2, noun]

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... a usually four-wheeled automobile vehicle designed for passenger transportation

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EXHIBIT B

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

Honda Motor Co., Ltd.

Opposer,

v.

Friedrich Winkelmann,

Applicant.

Opposition No. 91/170,552

**APPLICANT'S RESPONSE TO
OPPOSER'S FIRST SET OF
INTERROGATORIES**

INTERROGATORY NO. 1:

State whether Applicant has ever made, had made, sold, offered for sale, distributed advertised and/or marketed a vehicle for transportation on land, air or water in connection with the V.I.C. designation in the United States.

ANSWER: No.

INTERROGATORY NO. 2:

If the answer to the foregoing interrogatory is, in whole or in part, answered in the affirmative, identify with particularity each such vehicle.

ANSWER: Not Applicable.

INTERROGATORY NO. 3:

State whether Applicant has ever made, had made, sold, offered for sale, distributed

advertised and/or marketed a vehicle for transportation on land, air or water in the United States.

ANSWER: No.

INTERROGATORY NO. 4:

If the answer to the foregoing interrogatory is, in whole or in part, answered in the affirmative, identify with particularity each such vehicle.

ANSWER: Not Applicable.

INTERROGATORY NO. 5:

Identify with reasonable particularity all goods and/or services with which use has been made by Applicant of any V.I.C. – related mark(s) in the United States.

ANSWER: None.

INTERROGATORY NO. 6:

Identify with reasonable particularity all goods and/or services with which Applicant intends to use any V.I.C. – related mark(s) in the United States.

ANSWER: Vehicles for transportation on land, air or water, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, parts for motor propelled and self-propelled vehicles for use on land and on water and parts for motor propelled and glider aircraft, clothing, playthings and sports equipment.

INTERROGATORY NO. 7:

Identify with reasonable particularity the goods on which any use has been made by Applicant anywhere of any V.I.C. – related mark(s) on or in connection with each of the following applied for goods: “[v]ehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft.”

ANSWER: None.

INTERROGATORY NO. 8:

Identify with reasonable particularity the goods on which any use has been made by Applicant in the United States of any V.I.C. – related mark(s) on or in connection with each of the following applied for goods: “[v]ehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft.”

ANSWER: None.

INTERROGATORY NO. 9:

Identify with reasonable particularity the goods on which use of any V.I.C. – related mark(s) will be made or is intended to be made by Applicant in the United States.

ANSWER: None, at this time.

INTERROGATORY NO. 10:

Identify with reasonable particularity the type, class and model of vehicles that Applicant has made, sold, offered for sale, distributed, advertised and marketed in connection with the V.I.C. designation in the United States.

ANSWER: None.

INTERROGATORY NO. 11:

Identify with reasonable particularity the type, class or model of vehicles that Applicant intends to make, sell, offer for sale, distribute, advertise and/or market in connection with the V.I.C. designation in the United States.

ANSWER: Vehicles for transportation on land, air or water, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft. Type, class, or model of vehicles has not been identified by Applicant.

INTERROGATORY NO. 12:

Identify the line of business, means of making a living, job title, employer and address of employment of Applicant Friedrich Winkelmann.

ANSWER: Mr. Winkelmann is Managing Director of Friedrich Winkelmann, GMBH,

Velberter Str. 2, 45239 Essen, Germany. Its line of business is automotive sales, service and parts.

INTERROGATORY NO. 13:

Identify Applicant Friedrich Winkelmann's affiliation with or ownership of any business or entity engaged in or associated with vehicles, including without limitation, automotive land vehicles, and/or parts thereof.

ANSWER: Mr. Winkelmann is affiliated with MTW Motor Group of Essen, Germany.

INTERROGATORY NO. 14:

Describe Applicant Friedrich Winkelmann's expertise in or experience with vehicles, including without limitation, automotive land vehicles and parts thereof.

ANSWER: Mr. Winkelmann has been involved in operating vehicles, and in supervising automotive service, tuning and sales.

INTERROGATORY NO. 15:

Describe the business plan, strategy, arrangements and methods made and/or employed by Applicant Friedrich Winkelmann in connection with the use and/or intended use of the V.I.C. designation on or in connection with the applied for goods in the United States, namely, "[v]ehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, namely, motor propelled and self-propelled

vehicles for use on land and on water and motor propelled and glider aircraft.”

ANSWER: Applicant has not had activities in the United States and has not made or employed a business plan, strategy, arrangements or methods there.

INTERROGATORY NO. 16:

Identify the channels of trade that are or will be used in the United States by or on behalf of Applicant in connection with the sale and/or offer for sale of the applied for goods, namely, “[v]ehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft; parts used in vehicles for transportation on land, air or water, namely, motor propelled and self-propelled vehicles for use on land and on water and motor propelled and glider aircraft.”

ANSWER: Applicant has not had activities in the United States and has not identified channels of trade that will be used.

"I declare under penalty of perjury under the laws of the United States of America that
the foregoing is true and Executed on 22/12, 2006.



Friedrich Winkelmann

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **APPLICANT'S RESPONSE TO OPPOSER'S FIRST SET OF INTERROGATORIES** is being deposited this 22 day of December, 2006, with the United States Postal Service with sufficient postage as first class mail, postage prepaid, in an envelope addressed as follows:

FISH & RICHARDSON P.C.
Irene E. Hudson
Citigroup Center, 52nd Floor
153 East 53rd St.
New York, New York 10022-4611

By: 

Clifford D. Hyra
Law Offices of James C. Wray
1493 Chain Bridge Rd., Suite 300
McLean, VA 22101
Tel: (703) 442-4800
Fax: (703) 448-7397

EXHIBIT C

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

Honda Motor Co., Ltd.

Opposer,

v.

Friedrich Winkelmann,

Applicant.

Opposition No. 91/170,552

**APPLICANT'S RESPONSE TO
OPPOSER'S THIRD REVISED SECOND
SET OF INTERROGATORIES**

INTERROGATORY NO. 17:

Describe fully the process through which Applicant selected Applicant's Mark as a trademark for the applied for goods in the United States.

ANSWER: Applicant considered the abbreviation "V.I.P." for "Very Important Person" and selected an alteration of that abbreviation, V.I.C., meant to evoke the phrase "Very Important Car." The Applicant filed applications for registration in many countries including the United States, registrations which have been searched and allowed.

INTERROGATORY NO. 18:

Describe fully the factors considered by Applicant in selecting Applicant's Mark as a trademark for the applied for goods in the United States.

ANSWER: Applicant's mark V.I.C. was selected based on the fact that it is a play on the well known world-wide abbreviation for "Very Important Person," "V.I.P.," and is meant to evoke the phrase "Very Important Car."

INTERROGATORY NO. 19:

Describe fully all steps taken by Applicant to clear Applicant's Mark as a trademark for the applied for goods in the United States.

ANSWER: The Applicant filed an application for registration, which has been examined, allowed, and published.

INTERROGATORY NO. 20:

Explain fully how Applicant's Mark was chosen as a trademark for the applied for goods in the United States.

ANSWER: Applicant's mark V.I.C. was chosen as a play on the well known world-wide abbreviation for "Very Important Person," "V.I.P.," and is meant to evoke the phrase "Very Important Car."

INTERROGATORY NO. 21:

Identify any searches or investigations conducted by Applicant or any person acting on Applicant's behalf (including its attorneys) to determine whether Applicant's Mark was available for use as a mark.

ANSWER: Searches have been conducted in Europe and the United States by the German, European, and United States Trademark Offices.

INTERROGATORY NO. 22:

Specifically identify each and every type of vehicle intended to be manufactured, sold,

advertised, marketed and/or promoted by or on behalf of Applicant on which Applicant's Mark is intended to be used in the United States.

ANSWER: The mark is intended to be used on all of the vehicles identified in the application.

INTERROGATORY NO. 23:

For each type of vehicle identified in the response to the preceding interrogatory, identify the model year in which each such type of vehicle is intended to be introduced.

ANSWER: No model year is known.

INTERROGATORY NO. 24:

Specifically identify each and every type of land vehicle intended to be manufactured, sold, advertised, marketed and/or promoted by or on behalf of Applicant on which Applicant's Mark is intended to be used in the United States.

ANSWER: Light trucks, automobiles, recreational vehicles, motorcycles, bicycles, and tricycles.

INTERROGATORY NO. 25:

For each type of vehicle identified in the response to the preceding interrogatory, identify the model year in which each such type of vehicle is intended to be introduced.

ANSWER: No model year is known.

INTERROGATORY NO. 26:

Specifically identify each and every type of air vehicle intended to be manufactured, sold, advertised, marketed and/or promoted by or on behalf of Applicant on which Applicant's Mark is intended to be used in the United States.

ANSWER: Light and ultralight aircraft and gliders.

INTERROGATORY NO. 27:

For each type of vehicle identified in the response to the preceding interrogatory, identify the model year in which each such type of vehicle is intended to be introduced.

ANSWER: No model year is known.

INTERROGATORY NO. 28:

Specifically identify each and every type of water-vehicle intended-to be manufactured, sold, advertised, marketed and/or promoted by or on behalf of Applicant on which Applicant's Mark is intended to be used in the United States.

ANSWER: Boats and personal water recreation vehicles.

INTERROGATORY NO. 29:

For each type of vehicle identified in the response to the preceding interrogatory, identify

the model year in which each such type of vehicle is intended to be introduced.

ANSWER: No model year is known.

INTERROGATORY NO. 30:

Specifically identify each and every type of motor propelled vehicle intended to be manufactured, sold, advertised, marketed and/or promoted by or on behalf of Applicant on which Applicant's Mark is intended to be used in the United States.

ANSWER: All driver controlled, motor propelled vehicles for one or more persons.

INTERROGATORY NO. 31:

For each type of vehicle identified in the response to the preceding interrogatory, identify the model year in which each such type of vehicle is intended to be introduced.

ANSWER: No model year is known.

INTERROGATORY NO. 32:

Specifically identify each and every type of self propelled vehicle intended to be manufactured, sold, advertised, marketed and/or promoted by or on behalf of Applicant on which Applicant's Mark is intended to be used in the United States.

ANSWER: Bicycles, tricycles, and gliders.

INTERROGATORY NO. 33:

For each type of vehicle identified in the response to the preceding interrogatory, identify the model year in which each such type of vehicle is intended to be introduced.

ANSWER: No model year is known.

INTERROGATORY NO. 34:

State whether Applicant had a bona fide intent to use Applicant's Mark on or in connection with Applicant's Goods on the day the Application at Issue was filed.

ANSWER: Yes.

INTERROGATORY NO. 35:

If the response to preceding interrogatory is affirmative, identify the specific types of vehicles on which or connection with which Applicant had an intent to use Applicant's Mark on the day the Application at Issue was filed.

ANSWER: All of the types of vehicles listed in the application.

INTERROGATORY NO. 36:

If the response to Interrogatory No. 31 is affirmative, identify any and all evidence, including all documentary evidence, supporting Applicant's claim that it had an intent to use Applicant's Mark on or in connection with Applicant's Goods on the day the Application at Issue was filed.

ANSWER: Not applicable.

INTERROGATORY NO. 37:

If the response to Interrogatory No. 31 is affirmative, describe in reasonable particularity the steps undertaken and planned to be undertaken by or behalf of Applicant to use Applicant's Mark on or in connection with Applicant's Goods.

ANSWER: Not applicable.

INTERROGATORY NO. 38:

State whether Applicant has had and continues to have a bona fide intent to use Applicant's Mark on or in connection with Applicant's Goods since the filing date of the Application at Issue.

ANSWER: Yes.

INTERROGATORY NO. 39:

If the response to preceding Interrogatory is affirmative, identify the specific types of vehicles on which or connection with which Applicant has an intent to use Applicant's Mark.

ANSWER: All of the types of vehicles listed in the application.

INTERROGATORY NO. 40:

If the response to Interrogatory No. 35 is affirmative, identify any and all evidence, including all documentary evidence, supporting Applicant's claim that it has an intent to use

Applicant's Mark on or in connection with Applicant's Goods.

ANSWER: Not applicable.

INTERROGATORY NO. 41:

If the response to Interrogatory No. 35 is affirmative, describe in reasonable particularity the steps undertaken and planned to be undertaken by or behalf of Applicant to use Applicant's Mark on or in connection with Applicant's Goods.

ANSWER: Not applicable.

INTERROGATORY NO. 42:

State whether Applicant had since the filing date of the Application at Issue and continues to have a bona fide intent to use Applicant's Mark on or in connection with passenger land vehicles.

ANSWER: Yes.

INTERROGATORY NO. 43:

State whether Applicant had since the filing date of the Application at Issue and continues to have a bona fide intent to use Applicant's Mark on or in connection with highway approved passenger land vehicles.

ANSWER: Yes.

INTERROGATORY NO. 44:

State whether Applicant had since the filing date of the Application at Issue and continues to have a bona fide intent to use Applicant's Mark on or in connection with automobiles.

ANSWER: Yes.

INTERROGATORY NO. 45:

State whether Applicant had since the filing date of the Application at Issue and continues to have a bona fide intent to use Applicant's Mark on or in connection with highway approved automobiles.

ANSWER: Yes.

INTERROGATORY NO. 46:

State whether Applicant had since the filing date of the Application at Issue and continues to have a bona fide intent to use Applicant's Mark on or in connection with sport utility vehicles.

ANSWER: Yes.

INTERROGATORY NO. 47:

State whether Applicant had since the filing date of the Application at Issue and continues to have a bona fide intent to use Applicant's Mark on or in connection with vans.

ANSWER: Yes.

INTERROGATORY NO. 48:

State whether Applicant had since the filing date of the Application at Issue and continues to have a bona fide intent to use Applicant's Mark on or in connection with motor powered personal watercraft.

ANSWER: Yes.

INTERROGATORY NO. 49:

State whether Applicant had since the filing date of the Application at Issue and continues to have a bona fide intent to use Applicant's Mark on or in connection with pontoon (or pedal) boats.

ANSWER: Yes.

INTERROGATORY NO. 50:

State whether Applicant had since the filing date of the Application at Issue and continues to have a bona fide intent to use Applicant's Mark on or in connection with speed boats.

ANSWER: Yes.

INTERROGATORY NO. 51:

State whether Applicant had since the filing date of the Application at Issue and continues to have a bona fide intent to use Applicant's Mark on or in connection with airplanes.

ANSWER: Yes.

INTERROGATORY NO. 52:

State whether Applicant had since the filing date of the Application at Issue and continues to have a bona fide intent to use Applicant's Mark on or in connection with jet planes.

ANSWER: No.

INTERROGATORY NO. 53:

Identify the steps undertaken by or on behalf of Applicant to manufacture, advertise, market, promote, offer to sell and/or sell the applied for goods on which Applicant's Mark is intended to be used in the United States.

ANSWER: None.

INTERROGATORY NO. 54:

If the applied for goods on which Applicant's Mark is intended to be used in the United States will be competitive with any vehicles branded under the HONDA and/or CIVIC trademark, specifically identify each such vehicle, including without limitation by model year and type or class of vehicle.

ANSWER: The vehicles may compete with Honda vehicles. It is understood that Honda uses CIVIC only on compact automobiles

INTERROGATORY NO. 55:

Describe in detail the channels of trade through which each of the applied for goods will be offered or sold under Applicant's Mark, including without limitation the stores, retail outlets, distribution channels, customers, potential customers or any other persons that Applicant intends to supply.

ANSWER: Applicant intends to sell products through dealers to all potential customers.

INTERROGATORY NO. 56:

Describe in detail the kind, class and category of customers to whom the applied for goods will be marketed, promoted, advertised, offered for sale and/or sold under Applicant's

Mark.

ANSWER: All persons are potential customers.

INTERROGATORY NO. 57:

Identify the geographical areas in which Applicant intends to market, promote, advertise, offer for sale and/or sell each of the applied for goods under Applicant's Mark.

ANSWER: Applicant intends to sell products in Europe, the United States, and worldwide under the mark.

INTERROGATORY NO. 58:

Describe fully the conditions under which consumers of each of the applied for goods will be exposed to Applicant's Mark.

ANSWER: All avenues of advertising will be used, and the mark V.I.C. will be applied to all products.

INTERROGATORY NO. 59:

Describe fully how Applicant's Mark will be displayed in connection with the advertising of each of the applied for goods.

ANSWER: The capital letters will be accompanied by periods indicating first letter abbreviations of words.

INTERROGATORY NO. 60:

Describe fully how Applicant's Mark will be displayed in connection with the sale or offer for sale of each of the applied for goods.

ANSWER: The capital letters will be accompanied by periods indicating first letter abbreviations of words.

INTERROGATORY NO. 61:

Describe the facts and circumstances under which Applicant first became aware of Opposer's Mark.

ANSWER: Applicant works in the field of engines and motor cars and is familiar with all motor car identifications.

INTERROGATORY NO. 62:

Describe the facts and circumstances under which Applicant first became aware of any of Opposer's goods that are sold or offered for sale in connection with the CIVIC trademark.

ANSWER: Applicant works in the field of engines and motor cars and is familiar with all motor car identifications.

INTERROGATORY NO. 63:

If Applicant was aware of Opposer's Mark when it filed its application to register Applicant's Mark, describe the facts and circumstances regarding such awareness.

ANSWER: Applicant works in the field of engines and motor cars and is familiar with all motor car identifications.

Applicant became aware of Opposer's mark in connection with its application after Applicant's attorney received a communication from Opposer's counsel.

INTERROGATORY NO. 64:

If Applicant is aware of any instance of confusion or association of Applicant with Opposer or Applicant's products with those of Opposer, describe the facts and circumstances of each such instances.

ANSWER: None exists.

INTERROGATORY NO. 65:

(a) Identify any surveys or market research studies (including focus groups) in the United States undertaken by or on behalf of Applicant in connection with products and/or in connection with any marks incorporating the term "CIVIC" or any portion thereof including without limitation the term "VIC" or letters "V," "I," "C."

(b) For each such survey or market research study conducted, state:

1. the date it was made;
2. the name, address, and qualifications of the person by whom it was made;
3. the name and address of the person who requested it; and

(c) whether any report of findings were made or recorded and, if so, identify such report or finding.

ANSWER: (a) : None exists.

(b) : Not applicable.


(c) : Not applicable.

INTERROGATORY NO. 66:

If there are any documents known or believed to exist which are requested to be produced in the accompanying First Request for Production of Documents and will not be produced, explain the reasons why such documents will not be produced, and identify the custodian(s) of all such documents.

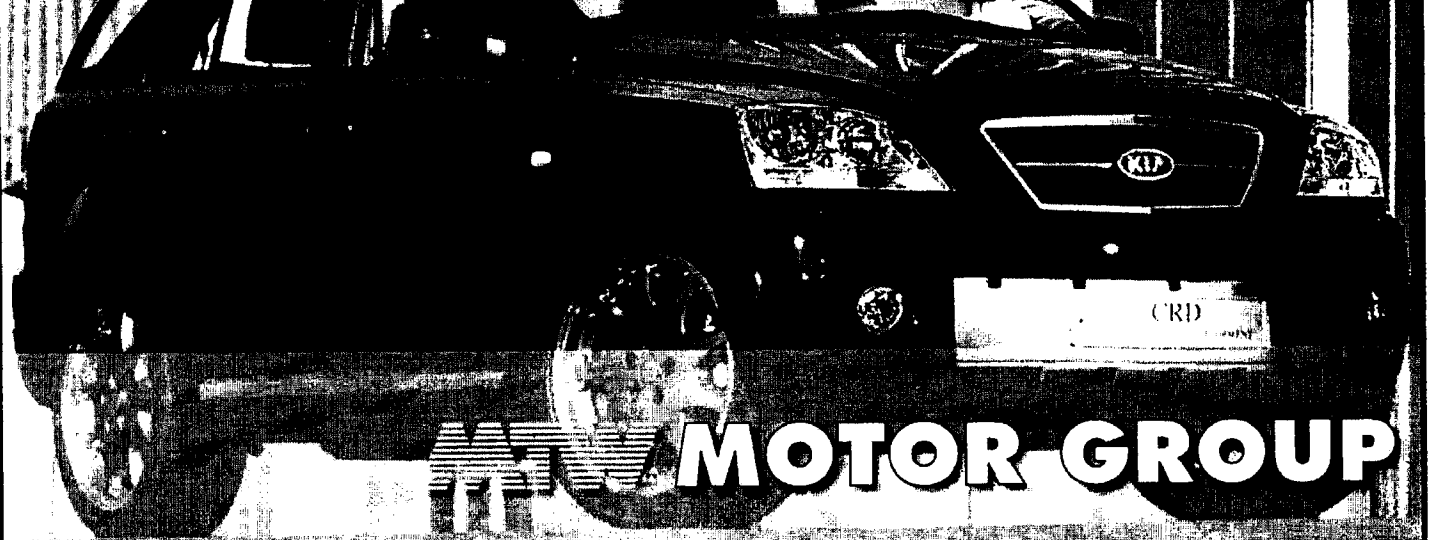
ANSWER: There are no such documents.

"I declare under penalty of perjury under the laws of the United States of America that
the foregoing is true and Executed on 26 Jan, 2006.

A handwritten signature in black ink, appearing to read 'F. Winkelmann', written over a horizontal line.

Friedrich Winkelmann

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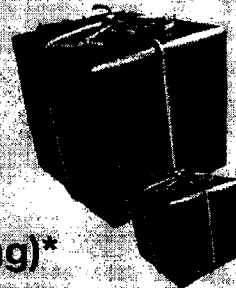
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Essen-Borbeck
Waldenring 25
45355 Essen
Telefon 02 01-6 46 37 47

Düsseldorf-Duisburg
Düsseldorfer Landstraße 29
47249 Duisburg-Duisburg
Telefon 02 03-70 21 50

Oberhausen-Kirchheide
Daxtoner Str. 53B
46119 Oberhausen
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44309 Dortmund-Brackel
Telefon 02 31-56 20 52 18

Bochum-Zentrum
Terner Straße 114-118
44791 Bochum
Telefon 0234-5 25 72

Essen - City
Schneiderstraße 2
45145 Essen
Telefon 02 01-23 70 24

Castrop-Rauxel
Weising 214A
44379 Castrop-Rauxel
Telefon 02 31-5 21 31

Oberhausen-Oberfeld
Fahnenstraße 28
46117 Oberhausen
Telefon 02 08-8 99 95 95

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Rundplatz 1-11
42285 Wuppertal
Telefon 02 02-44 40 36

Bochum-Herke
Auf der Dattböcker 23
44607 Bochum
Telefon 0234-54 10 01

www.mtwgroup.de
info@mtwgroup.de



EXHIBIT D

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

Honda Motor Co., Ltd.

Opposer,

v.

Friedrich Winkelmann,

Applicant.

Opposition No. 91/170,552

**APPLICANT'S RESPONSE TO OPPOSER'S FIRST SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS AND THINGS TO APPLICANT**

List & Description of Documents:

Document A: Printouts from Applicant's website, www.MTWGroup.de (enclosed)

Document B: Applicant's German, European, and WIPO trademark registrations (enclosed)

Documents C1-C10 are official correspondence with the United States Patent and Trademark Office and can be viewed online using the "View full files" option from the USPTO homepage.

Document C1: Notice of Publication

Document C2: Examiner's Amendment

Document C3: Response to Office Action

Document C4: Notation to File

Document C5: Office Action Outgoing

Document C6: XSearch Search Summary

Document C7: Paper Correspondence Incoming

Document C8: Filing Receipt Trademark Application

Document C9: Application

Document C10: Drawing

REQUEST FOR PRODUCTION NO. 1:

All documents and things concerning, involving or otherwise relating to Applicant's attempt, decision, plan or discussion to develop, create, adopt, or use the name, design and trademark Applicant's Mark.

RESPONSE: No such documents exist

REQUEST FOR PRODUCTION NO. 2:

All documents and things concerning, involving or otherwise relating to the decision making process undertaken to adopt and use Applicant's Mark, including documents sufficient to show the timing of the process, the persons involved in the process, the alternatives considered and the factors used or considered in selecting Applicant's Mark, all steps taken to clear Applicant's Mark, and why Applicant's Mark was chosen.

RESPONSE: No such documents exist

REQUEST FOR PRODUCTION NO. 3:

All documents sufficient to identify the persons involved in the conception, evaluation, development, or selection of Applicant's Mark.

RESPONSE: No such documents exist

REQUEST FOR PRODUCTION NO. 4:

Documents sufficient to identify the persons with knowledge about the conception, evaluation, development, selection, adoption, first use, and/or plans for future use of Applicant's Mark.

RESPONSE: No such documents exist

REQUEST FOR PRODUCTION NO. 5:

All documents and things that reflect, refer to, relate to, or evidence any studies, searches, investigations, focus groups, and legal opinions, whether or not a claim of privilege is made, conducted or prepared with respect to Applicant's Mark, including, but not limited to, those conducted or prepared to determine the availability or protectability of Applicant's Mark. If a claim of privilege is made, identify the documents for which such a claim is made and the basis of the claim.

RESPONSE: See documents C2, C4, C5, C6.

REQUEST FOR PRODUCTION NO. 6:

All documents that refer to, relate to, or evidence the reason why Applicant chose to adopt Applicant's Mark.

RESPONSE: See document A, printouts from Applicant's website www.mtwgroup.de.

REQUEST FOR PRODUCTION NO. 7:

All documents and things regarding or relating to Applicant's filing of Serial No. 76/587,840.

RESPONSE: See documents C1-C10.

REQUEST FOR PRODUCTION NO. 8:

All documents and things concerning any awareness by Applicant of Opposer's Mark or of any of Opposer's products sold or offered for sale under the CIVIC trademark.

RESPONSE: No such documents exist

REQUEST FOR PRODUCTION NO. 9:

Documents sufficient to identify all intended uses by or on behalf of Applicant of Applicant's Mark on or in connection with the sale or offer for sale of any goods and/or services.

RESPONSE: No such documents exist

REQUEST FOR PRODUCTION NO. 10:

Documents sufficient to identify the products of Applicant associated with Applicant's Mark intended to be used, including but not limited to a list of all products, photographs, drawings and sketches.

RESPONSE: No such documents exist

REQUEST FOR PRODUCTION NO. 11:

Documents sufficient to identify the types of vehicles Applicant intends to promote, advertise, publicize, offer to sell and/or sell in connection with Applicant's Mark.

RESPONSE: See document A, printouts from Applicant's website.

REQUEST FOR PRODUCTION NO. 12:

All documents and things Applicant intends to use to promote, advertise, publicize or sell goods and/or services under Applicant's Mark, including, without limitation, signage, sales literature, printed materials, electronic materials, Internet materials, packaging, audio and video advertisements, flyers, catalogs, brochures, and the like, and include logs or documents sufficient to show where, when, and for how long, each advertisement or promotional item will be used.

RESPONSE: No such documents exist as pertain to the United States.

REQUEST FOR PRODUCTION NO. 13:

All documents that evidence, refer to, or relate to the advertising and promotional means intended to be used by Applicant to advertise and promote Applicant's Mark.

RESPONSE: See document A, printouts from Applicant's website.

REQUEST FOR PRODUCTION NO. 14:

All documents that evidence, refer to, or relate to the advertising and promotional means intended to be used by Applicant to advertise and promote Applicant's Goods.

RESPONSE: See document A, printouts from Applicant's website.

REQUEST FOR PRODUCTION NO. 15:

All agreements entered into by Applicant or any other party or entity on his behalf relating to the design, manufacture, distribution, retailing, marketing, advertising, import or export, shipping, offer for sale and/or sale of goods and/or services that will be offered or sold under Applicant's Mark.

RESPONSE: No such documents relating to the United States exist.

REQUEST FOR PRODUCTION NO. 16:

Any documents that reflect, refer to, relate to or evidence Applicant's intent to use Applicant's Mark on vehicles in the United States.

RESPONSE: See documents A, B, and C1-C10.

REQUEST FOR PRODUCTION NO. 17:

Any documents that reflect, refer to, relate to or evidence Applicant's intent to design, manufacture, distribute, retail, market, advertise, import or export, ship, offer for sale and/or sell any vehicles that will be offered or sold under Applicant's Mark.

RESPONSE: See documents A, B, and C1-C10.

REQUEST FOR PRODUCTION NO. 18:

All documents that reflect, refer to, relate to, or evidence the channels of trade through which Applicant's goods and/or services will be offered or sold.

RESPONSE: No such documents exist as pertain to the United States.

REQUEST FOR PRODUCTION NO. 19:

Documents sufficient to identify the types of customers to whom Applicant will market, offer and/or sell goods and/or services under Applicant's Mark.

RESPONSE: No such documents exist

REQUEST FOR PRODUCTION NO. 20:

All documents referring or relating to Opposer, other than pleadings in this proceeding and correspondence to or from Opposer's counsel.

RESPONSE: No such documents exist

REQUEST FOR PRODUCTION NO. 21:

All documents referring or relating to any of Opposer's Marks, other than pleadings in this proceeding and correspondence to or from Opposer's counsel.

RESPONSE: No such documents exist

REQUEST FOR PRODUCTION NO. 22:

All documents that evidence, describe, discuss, or relate to any consumer research performed in connection with any of Opposer's Marks and/or Applicant's Mark including but not limited to any such consumer research undertaken to determine whether or not there is a likelihood of confusion between Opposer and Applicant and/or any of Opposer's Marks and Applicant's Mark.

RESPONSE: No such documents exist

REQUEST FOR PRODUCTION NO. 23:

All documents referring or relating to Applicant's ownership or other interest in Applicant's Mark, including without limitation all documents relating to any acquisition by Applicant of any rights in Applicant's Mark, the chain or title, and the date of each assignment or transfer of title.

RESPONSE: No such documents exist

REQUEST FOR PRODUCTION NO. 24:

All documents and things that reflect, refer to, relate to, or evidence any permission in any form, including but not limited to licenses or consents, given or received by Applicant to use Applicant's Mark, including any modifications thereto, and include all documents relating to the control (if any) of the nature and quality of the goods sold under Applicant's Mark.

RESPONSE: No such documents exist

REQUEST FOR PRODUCTION NO. 25:

All documents that reflect, refer to, relate to, or evidence instructions given to or received from employees, agents, customers, licensors, licensees, or any third party relating to the use of Applicant's Mark.

RESPONSE: No such documents exist

REQUEST FOR PRODUCTION NO. 26:

All documents and things provided to you, or relied upon, by any expert witness who may testify in Opposition Proceeding No. 91/170,552.

RESPONSE: No such documents exist

REQUEST FOR PRODUCTION NO. 27:

All documents, other than those produced in response to any of the foregoing requests, upon which Applicant intends to rely in connection with Opposition Proceeding No. 91/170,552.

RESPONSE: No such documents exist

REQUEST FOR PRODUCTION NO. 28:

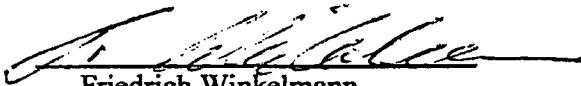
All documents identified or relied upon by Applicant in response to any interrogatory in Opposer's First Set of Interrogatories.

RESPONSE: See Documents C1-C10.

REQUEST FOR PRODUCTION NO. 29:

All documents identified or relied upon by Applicant in response to any interrogatory in Opposer's Second Set of Interrogatories.

RESPONSE: See Documents A, B, and C1-C10.

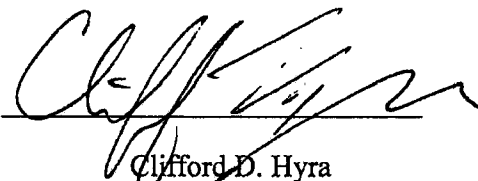
Dated: 09 Nov 2007 By: 
Friedrich Winkelmann

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **APPLICANT'S RESPONSE TO OPPOSER'S FIRST SET OF REQUESTS FOR PRODUCTION** is being deposited this 19 day of March, 2007, with the United States Postal Service with sufficient postage as first class mail, postage prepaid, in an envelope addressed as follows:

FISH & RICHARDSON P.C.
Irene E. Hudson
Citigroup Center, 52nd Floor
153 East 53rd St.
New York, New York 10022-4611

By: _____



Clifford D. Hyra
Law Offices of James C. Wray
1493 Chain Bridge Rd., Suite 300
McLean, VA 22101
Tel: (703) 442-4800
Fax: (703) 448-7397

DOCUMENT A

1-6

Eingetragen / Registered 17/08/2005

No 003756558

V.I.C.

Der Präsident / The President

Wubbo de Boer



- 210 003756558
- 220 19/04/2004
- 400 17/01/2005
- 151 17/08/2005
- 450 10/10/2005
- 186 19/04/2014
- 541 V.I.C.
- 732 Winkelmann Friedrich
Unterer Pustenberg 21
45239 Essen
DE
- 740 SCHULTE & SCHULTE
Hauptstr. 2
45219 Essen
DE
- 270 DE EN
- 511 ES - 12
Vehículos, aparatos de locomoción terrestre, aérea o acuática, piezas de vehículos aéreos, terrestres y acuáticos.
ES - 25
Vestidos, calzados, sombrerería.
ES - 28
Juegos, juguetes; Artículos de gimnasia y de deporte, comprendidos en la clase 28.
DA - 12
Køretøjer, befordringsmidler til brug på land, i luften eller i vandet, dele af befordringsmidler til brug i luften, befordringsmidler til brug på land og i vandet.
DA - 25
Beklædningsgenstande, fodtøj, hovedbeklædning.
DA - 28
Spil og legetøj; gymnastik- og sportsartikler, indeholdt i klasse 28.
DE - 12
Fahrzeuge, Apparate zur Beförderung auf dem Lande, in der Luft oder auf dem Wasser, Teile von Luft-, Land- und Wasserfahrzeugen.
DE - 25
Bekleidungsstücke, Schuhwaren, Kopfbedeckungen.
DE - 28
Spiele, Spielzeug; Turn- und Sportartikel, soweit in Klasse 28 enthalten.
EL - 12
Οχήματα, μηχανήματα κινήσεως στην ξηρά, τον αέρα ή το νερό, μέρη μηχανημάτων κινήσεως στον αέρα, την ξηρά και το νερό.
EL - 25
Είδη ένδυσης, υποδήματα, είδη πλοηγοίας.
EL - 28
Παιχνίδια, αθλήματα· είδη γυμναστικής και αθλητισμού, περιλαμβανόμενα στην κλάση 28.
EN - 12
Vehicles, apparatus for locomotion by land, air or water, parts for air, land and water vehicles.
EN - 25
Clothing, footwear, headgear.
- EN - 28
Games, playthings; gymnastic and sporting articles, included in class 28.
- FR - 12
Véhicules, appareils de locomotion par terre, par air ou par eau, pièces de véhicules aériens, terrestres et nautiques.
- FR - 25
Vêtements, chaussures, chapellerie.
- FR - 28
Jeux et jouets; Articles de gymnastique et de sport compris dans la classe 28.
- IT - 12
Veicoli, apparecchi di locomozione terrestri, aerei o nautici, parti di veicoli aerei, terrestri e nautici.
- IT - 25
Articoli d'abbigliamento, calzature, cappelleria.
- IT - 28
Giochi, giocattoli; articoli per la ginnastica e lo sport compresi nella classe 28.
- NL - 12
Voertuigen, middelen voor vervoer over land, door de lucht of over het water, onderdelen van luchtvaartuigen, voertuigen en vaartuigen.
- NL - 25
Kledingstukken, schoeisel, hoofddekseis.
- NL - 28
Spellen, speelgoederen; gymnastiek- en sportartikelen, voorzover begrepen in klasse 28.
- PT - 12
Veículos, aparelhos de locomoção por terra, por ar, ou por água, componentes de veículos aéreos, terrestres e aquáticos.
- PT - 25
Vestuário, calçados e chapelaria.
- PT - 28
Jogos, brinquedos; artigos de ginástica e de desporto, incluídos na classe 28.
- FI - 12
Kulkuneuvot, maa-, ilma- ja vesikulkuneuvot, ilma-, maa- ja vesikulkuneuvojen osat.
- FI - 25
Vaatteet, jalkineet, päähineet.
- FI - 28
Pelit, leikkikalut; Voimistelu- ja urheiluvälineet luokassa 28.
- SV - 12
Fordon och fortskaffningsmedel för transport till lands, i luften eller på vatten samt delar av luft-, land- och vattenfarkoster.
- SV - 25
Kläder, fotbeklädner, huvudbonader.
- SV - 28
Spel, leksaker; gymnastik- och sportartiklar, ingående i klass 28.
- 300 DE - 24/10/2003 - 303 54 374.4 /

Deutsches Patent- und Markenamt

München, den 26.02.2004

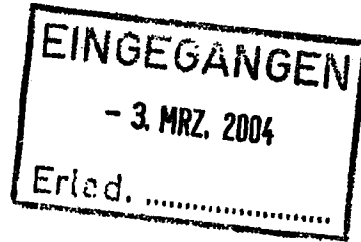
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Schulte & Schulte
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45219 Essen

Aktenzeichen: 303 54 374.4 / 12

Inhaber: Friedrich Winkelmann



Ihr Zeichen: E 10493 J

Bitte Aktenzeichen und Inhaber bei
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BESCHEINIGUNG über die in das Register eingetragenen Angaben

Die Marke mit der Registernummer **303 54 374** ist mit den folgenden Angaben in das Register des Deutschen Patent- und Markenamts eingetragen.

Die Schutzdauer der Marke beginnt mit dem Anmeldetag und endet am **31.10.2013**.
Eine Verlängerung um jeweils zehn Jahre ist gemäß § 47 Markengesetz möglich.



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Registerauszug, Stand: 26.02.2004

[111] Registernummer: 303 54 374

[220] Anmeldetag: 24.10.2003

[511] Leitklasse: 12

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[151] Tag der Eintragung: 23.02.2004

[450] Tag der Veröffentlichung der Eintragung: 26.03.2004

[540] Marke: V.I.C.

[---] Markenform: Wortmarke

[591] Farbige Eintragung mit folgenden Farben: -

[551] Kollektivmarke: -

Satzungsdatum: -

geändert am: -

[---] Der Anmeldung ist eine Beschreibung beigelegt: -

[521] Durchgesetzte Marke: -

[521] Durchgesetzter Markenbestandteil: -

[---] Internationale Registrierung (Datum, Aktenzeichen): -

[390] Telle-Quelle-Marke: -

[521] Verlängert mit Wirkung vom:

[732] Name und Sitz des gegenwärtigen Inhabers der Marke:

Friedrich Winkelmann, 45239 Essen

[750] Zustellanschrift:

Patentanwälte, Schulte & Schulte, Hauptstr. 2, 45219 Essen,

[740] Name und Sitz des gegenwärtigen Vertreters:

Schulte & Schulte, 45219 Essen

[300] Unionspriorität (Datum, Land, Aktenzeichen):-

[300] Gemeinschaftspriorität (Datum, Behörde, Aktenzeichen): -

[230] Ausstellungspriorität (Datum, Angaben zur Ausstellung): -

[510] Verzeichnis der Waren und Dienstleistungen mit Zeitrang vom Anmeldetag:

12: Fahrzeuge, Apparate zur Beförderung auf dem Lande, in der Luft oder auf dem Wasser, Teile von Luft-, Land- und Wasserfahrzeugen; 25: Bekleidungsstücke, Schuhwaren, Kopfbedeckungen; 28: Spiele, Spielzeug, Turn- und Sportartikel, soweit in Klasse 28 enthalten

[511] Klassen: 12, 25, 28

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The International Bureau of the World Intellectual Property Organization (WIPO) certifies that the indications appearing in the present certificate conform to the recording made in the International Register of Marks maintained under the Madrid Agreement and Protocol.

A handwritten signature in black ink, appearing to read 'G. Bisson', is written over a horizontal line.

G. Bisson
Head

Examination and Registration Section
International Registrations Administration Department

Geneva, October 27, 2005

863 800

Registration date: August 16, 2005
Date next payment due: August 16, 2015

Friedrich Winkelmann
Unter Pustenberg 21
45239 Essen
(Germany).

Name and address of the representative: Schulte & Schulte,
Patentanwälte, Hauptstr. 2, 45219 Essen (Germany).

V.I.C.

Indication relating to the nature or kind of mark: standard characters

List of goods and services - NCL(8):

- 12 Vehicles, machines for locomotion by land, air or water, parts of air, land or water vehicles.
- 25 Clothing, footwear, headgear.
- 28 Games and playthings; gymnastics and sporting articles included in this class.

Basic registration: Germany, 23.02.2004, 303 54 374.4/12.

Designations under the Madrid Agreement: Belarus, Bosnia and Herzegovina, Bulgaria, China, Croatia, Liechtenstein, Monaco, Romania, Russian Federation, Serbia and Montenegro, Switzerland.

Designations under the Madrid Protocol: Australia, Japan, Norway, Turkey.

Date of notification: 27.10.2005

Language of the international application: English

** As of the 4th February 2003, the name of Serbia and Montenegro is to be used instead of the Federal Republic of Yugoslavia*

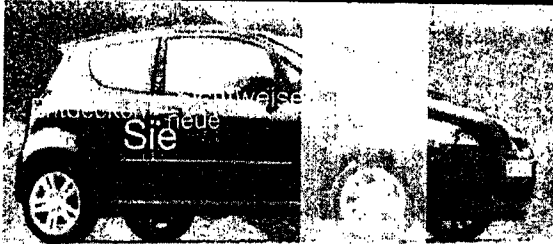
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2. März 2007

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Der neue KIA cee 'd: ein 100%iger Europäer für Europa! Hier wurde die Idee zum cee 'd geboren, entwickelt und schließlich auch umgesetzt, sprich gebaut. Dabei hatte KIA sich ein hohes Ziel gesteckt: er soll das beste Fahrwerk, Handling und Bremsverhalten seiner Klasse anbieten. Und mit Ausstattungsmerkmalen wie zum Beispiel sechs Airbags und ESP Standard auch der Sicherste seiner Klasse sein. Auch mit der 7-Jahres-Garantie* setzt der cee 'd in Europa ebenso ganz neue Maßstäbe wie mit seinen fünf neuen Motoren (mit Leistungen zwischen 90 und 143 PS), die sich durch technische Innovationen auszeichnen, welche den Wartungsaufwand reduzieren und die Lebensdauer erhöhen. Äußerlich präsentiert sich der cee 'd kompakt und harmonisch - auffällig aber nie aufdringlich. Innen erwarten Sie perfekt abgestimmte Materialien, Soft-Touch-Haptik und edle, natürlich auch in Europa gefertigte Stoffe. Besuchen Sie uns ab sofort in unseren MTW-Fillialen und erfahren Sie den neuen cee 'd bei Ihrer persönlichen Probefahrt!

* 7 Jahre/150.000 km für den Antriebsstrang und 5 Jahre/150.000 km für das komplette Fahrzeug. Gültig für den Kia cee'd in allen EU-Staaten (plus Norwegen, Schweiz, Island und Gibraltar).

Mitsubishi Outlander

Der Herausforderer



Ein markant-schlankes Design, modernste Technologie, innovative Detaillösungen und nicht zuletzt siebzig Jahre Allradkompetenz vereinen sich im neuen Outlander. In seinem Innern präsentiert sich das dynamische Kraftpaket mit modernem Wohnraumflair und verfügt über hochwertige und anspruchsvolle Ausstattungselemente, wie beispielsweise das Innovative Festplattensystem mit Navigationsanlage, integrierter Musikserver-Funktion, Sieben-Zoll-Touchscreen-Monitor und DVD-Player. Je nach Anforderung ist der Outlander ein Fünfsitzer mit großem Stauraum oder ein praktischer Fünf-plus-zwei-Sitzer, der sich Dank des bewährten „Hide&Seat“-Systems von Mitsubishi in sekundenschnelle verwandelt: bei Bedarf kann die dritte Sitzreihe vollständig im Fahrzeugboden versenkt werden. Und auch die zweite Sitzreihe kann mit einem neuen Klappmechanismus kinderleicht gehändelt werden: eine Taste im Gepäckraum lässt in einem Zug die Kopfstützen einklappen, die Sitzbank nach vorne gleiten und nach vorn klappen. Der sportlich-variable Allrounder und Tourer für Straße und Gelände, der sich in punkto Fahrqualität und aktive Sicherheit mit jeder Limousine messen kann, ist in einer Euro-4-Norm gerechten Dieselausführung mit Partikelfilter erhältlich. Besuchen Sie uns ab dem 24. Februar 2007 in unseren MTW-Fillialen und lernen Sie den neuen Mitsubishi Outlander bei einer Probefahrt persönlich kennen!

Mitsubishi Pajero

Starker Luxus



Nach 11 Dakar-Siegen und 2,5 Millionen verkauften Fahrzeugen in 170 Ländern, beginnt ein neues Kapitel der 25-jährigen Erfolgsgeschichte des Mitsubishi Pajero. Er ist der luxuriöseste und leistungsstärkste Offroader, der je von Mitsubishi gebaut wurde. Kraftvoller, schneller und auch ruhiger, bietet der neue Pajero on- und offroad bei jedem Wetter ein Maximum an Fahrspaß, Sicherheit und höchstem Komfort und trumpft dabei mit dem Allradsystem Super Select 4 WD auf. Auch sein Inneres lässt keine Wünsche offen:

die luxuriöse Wertigkeit sämtlicher Materialien sowie die innovativen Ausstattungsdetails setzen hier ganz neue Maßstäbe. Ganz gleich, was Sie mit dem neuen Pajero vorhaben - sein großzügiges Raumangebot wird Sie begeistern. Beim Wochenend-Ausflug zu zweit verwandelt er sich ebenso schnell in ein gemütliches Bett, wie er zum Offroad-Abenteuer mit Freunden seine fünf Sitze wieder herausklappt. Und auch für die Reise mit der ganzen Familie ist der neue Pajero bestens gerüstet: dann präsentiert er sich als 7-sitziger Luxus-Familien-Van. Ab dem 24. Februar 2007 steht Ihnen der neue Pajero in unseren MTW-Fillialen für eine Probefahrt zur Verfügung. Besuchen Sie uns - wir freuen uns auf Sie!

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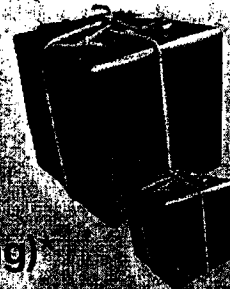
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