

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

SYNGENTA CROP PROTECTION, INC.)
)
Opposer)
v.)
)
FARMSAVER.COM, L.L.C.)
)
Applicant.)

Opposition No. 91175022

APPLICANT FARMSAVER.COM, L.L.C.'S ANSWER TO NOTICE OF OPPOSITION AND
AFFIRMATIVE DEFENSES

Applicant, Farmsaver.com, L.L.C. ("Applicant"), submits this answer to the Notice of
Opposition filed by Syngenta Crop Protection, Inc. ("Opposer"):

ANSWER

In response to the first unnumbered paragraph, Applicant admits that it is the record
owner of Application Serial No. 76/570,365 for the mark ABBA for goods in International Class
5 and that the application was filed on January 12, 2004. Applicant is without knowledge or
information sufficient to form a belief as to the truth or falsity of the remaining allegations within
the first unnumbered paragraph and therefore denies those allegations.

Applicant denies any averments not expressly admitted and responds to the enumerated
paragraphs of the Notice of Opposition as follows:

1. Applicant admits that it is the record owner of Application Serial No. 76/570,365 for the
mark ABBA for agricultural pesticides and that the application was filed on January 12, 2004.
Applicant denies the remaining allegations contained in paragraph 1.



2. Applicant admits that it is the record owner of Application Serial No. 76/570,365 for the mark ABBA and that the application was filed on January 12, 2004. Applicant denies the remaining allegations contained in paragraph 2.

3. Applicant denies the allegations contained in paragraph 3.

4. Applicant denies the allegations contained in paragraph 4.

5. Applicant denies the allegations contained in paragraph 5.

6. Applicant admits that it did not seek permission or license from Opposer for use of Applicant's mark ABBA. Applicant denies all remaining allegations contained in paragraph 6.

7. Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 7 and therefore denies those allegations.

8. Applicant denies the allegations contained in paragraph 8.

9. Applicant denies the allegations contained in paragraph 9.

10. Applicant denies the allegations contained in paragraph 10.

FIRST AFFIRMATIVE DEFENSE

The relief sought by Opposer is barred by the equitable doctrine of laches.

SECOND AFFIRMATIVE DEFENSE

The relief sought by Opposer is barred by the equitable doctrine of acquiescence.

THIRD AFFIRMATIVE DEFENSE

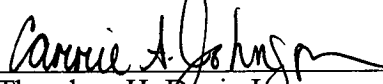
The relief sought by Opposer is barred by the equitable doctrine of unclean hands.

FOURTH AFFIRMATIVE DEFENSE

Opposer has failed to state a claim upon which relief may be granted.

Applicant therefore requests that the Notice of Opposition be dismissed and judgment entered in Applicant's favor.

Respectfully submitted,



Theodore H. Davis Jr.

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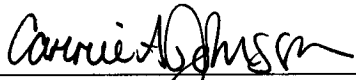
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CERTIFICATE OF SERVICE

This is to certify that I have served the foregoing *Applicant Farmsaver.com, L.L.C.'s Answer to Notice of Opposition and Affirmative Defenses* by placing a true and correct copy thereof in the U.S. Mail with proper postage affixed and addressed to:

James A. Zellinger, Esq.
Syngenta Crop Protection, Inc.
410 Swing Rd.
Greensboro, North Carolina 27409



Theodore H. Davis Jr.
Carrie A. Johnson
Date: February 19th, 2007