

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**October 27-31, 1997**

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
10-27	EX	74/641,262	Smith & Jones, Inc.	Quinn* Hairston Walters	2(d)	Refusal Affirmed		"BRATZ" (and design) [infants' and children's clothing, namely, tops, bottoms, sleepwear, hats, coats, jackets and parkas, excluding footwear]	"BRATS" [footwear]	Saito	No
10-28	OPP CANC CANC CANC	87,389 20,853 20,854 21,092	V. La Rosa & Sons, Inc. v. John Zidian Co., Inc.	Simms (D, in part) Hanak Walters*	2(d)	Opposition Sustained [but only as to the pleaded mark "LA ROSA"]	"LA ROSA" (and design) [spaghetti, lasagna, macaroni, noodles and bread crumbs]; "RUSSO's" (in stylized lettering) [alimentary pastes]	"LA RUSSA" (and design) [processed tomatoes and tomato based sauces]			No
10-29	EX EX	74/574,876 74/574,878	No Fear, Inc.	Sams Hairston* Walters	whether the matter asserted for registration functions as trademarks for applicant's goods or functions merely as product ornamentation	Refusal Reversed		"NO DOUBT" and "NO CLUE" [both marks for wearing apparel, namely, t-shirts, shirts, shorts, pants, sweat shirts, sweat pants, hats, visors, shoes, sandals, and belts]		Zak	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) \*=Opinion Writer; (D)=Dissenting Panel Member