

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
October 6-10, 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
10-8	EX EX	74/380,556 74/380,932	Nutrition Head-quarters, Inc.	Seeherman Hanak Hairston*	whether the matter asserted for registration functions as trademarks for the services recited in applicant's applications	Refusal Affirmed (in both cases)		a design consisting of a vertical arrangement of rectangles (in which the names and prices of applicant's products are displayed); a design consisting of a vertical arrangement of rectangles (in which the names and prices of applicant's products are displayed), with the word "FREE" enclosed within another rectangle to the side [both designs used in connection with mail order services for vitamin and mineral supplements, cosmetics, jewelry, wallets, housewares, kitchen accessories, health aids, and clothing accessories]		Sussman	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