

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
June 1-5, 1998

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
6-2	OPP OPP OPP OPP OPP OPP (SJ)	97,223 97,274 96,029 96,808 97,273 97,542	U.S. Olympic Committee v. Lifetime Products, Inc.	Sams Cissel Seeherman [opinion "By the Board"]	2(d)	Oppositions Sustained [motion for summary judgment granted]	"TEAM USA" [promoting Olympic Games; t-shirts and other items of clothing]	"TEAM USA" (and design) [portable basketball standards, backboards, and goals; basketballs; t-shirts and athletic shorts; basketball backboards]			No
6-2	EX	74/379,085	Storopack Hans Reicheneker GmbH & Co.	Sams Simms* Quinn	2(e)(1)	Refusal Affirmed		"PAPERFILL" [pourable packaging materials for use in shipping goods]		Lawrence	No
6-2	EX (R)	74/575,074	H. E. Butt Grocery Co.	Simms Cissel Walters*	Sec. 6 disclaimer requirement (of words "OUR OWN ORIGINAL")	Request for Reconsideration Denied (Refusal Affirmed)		"DR. B--OUR OWN ORIGINAL--H-E-B" (and design) [carbonated non-alcoholic soft drinks]		Altree	No
6-4	CANC	24,983	Christine D. Funcik v. B. Dazzle, Inc.	Simms Hanak* Hohein	2(d) [priority]; laches	Petition to Cancel Granted	"KIDS ON THE GO" [books]	"KIDS ON THE GO" [children's activity books]			No
6-4	EX	74/658,141	Carolina Apparel	Simms* Cissel Hairston	2(e)(2)	Refusal Affirmed		"CAROLINA APPAREL" [retail clothing services]		Mooney-Ritchey	No
6-4	EX	74/628,372	Lake Norman Chrysler-Plymouth-Dodge, Inc.	Cissel Quinn Hohein*	2(e)(2)	Refusal Affirmed		"THE TRUCK CENTER OF THE SOUTH" [vehicle dealership services]		Carruthers	No
6-4	CANC	23,598	The Scientist, Inc. v. MicroMath, Inc.	Hanak Quinn* Hohein	2(d)	Petition to Cancel Denied	"THE SCIENTIST" [newspaper]	"SCIENTIST" [computer software and instruction manuals, sold as a unit, for performing numerical analysis and plotting]			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

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
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6-5	OPP	93,813	Rudolf Wild GmbH & Co. KG v. 1 Uno Espresso, Inc.	Seeherman Hanak* Quinn	2(d)	Opposition Dismissed	"CAPRI SUN" [fruit drinks]	"CAPRI" [whole and ground coffee beans, espresso and other coffee beverages]			No
6-5	OPP (SJ)	93,830	Vaughn Russell Candy Co. and Toymax Inc. v. Cookies in Bloom, Inc.	Seeherman Quinn Wendel [opinion "By the Board"]	whether a contractual agreement between the parties negates applicant's claim of a right to use its mark in commerce	Opposition Sustained [motion for summary judgment granted]	"INCREDIBLE EDIBLES" [confections]	"COOKIES IN BLOOM 'INCREDIBLE EDIBLE COOKIE ARRANGEMENTS'" (and design) [decorated cookies]			Yes
6-5	EX	74/551,253	The Pilot Funds	Simms (D) Hanak Hohein*	2(d)	Refusal Reversed		"THE PILOT FUNDS" [mutual fund investment service offered to bank and trust company customers]	"PILOT PLUS" [security brokerage services, namely, securities executions in a brokerage account on an annual fee basis in lieu of commissions on individual transactions]	Stoides	No
6-5	EX	74/658,746	Auto Parts Club, LLC	Cissel Seeherman Hairston*	2(e)(1) [genericness]	Refusal Affirmed		"AUTO PARTS CLUB" [discount wholesale and retail store services in the field of automotive parts]		Masiello	No

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