

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
May 25-29, 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
5-26	EX	74/673,178	Bridgewater Auto Body Shop, Inc.	Hanak Hohein Walters*	2(e)(1)	Refusal Affirmed		"MANAGED CARE FOR COLLISION REPAIR" [motor vehicle body repair services]		Front	No
5-26	EX	74/674,719	Mutoh Industries, Inc.	Simms Hohein Hairston*	2(d)	Refusal Affirmed		"HI-PURE" (and design) [water purification and distillation units for household and office use]	"HI-PURE" [sodium free drinking water]	Carruthers	No
5-26	EX	74/673,773	Sun Mountain Sports, Inc.	Cissel Hairston Walters*	2(d); whether identification of goods is sufficiently definite	Refusal Affirmed [on 2(d) ground only]		"ALTOS" [clothing, namely, shells, jackets, rainwear, cardigans, vests, sweaters, pullovers, shirts, slacks, shorts and upper body wear, consisting of, wind resistant suits, all particularly designed for use by golfers]	"ALTO" and "ALTO CANADA" [wearing apparel, namely, jackets, pants, shorts, rain coats, sweaters, vests, etc.]	Quinn	No
5-27	EX (R)	74/692,688	Andre Romanelli, Inc.	Cissel* Hairston Walters	2(d)	Request for Reconsideration Denied (Refusal Affirmed)		"MARIO RINALDI" [men's clothing, namely, suits, pants, jackets, coats, rainwear, shirts, ties and sweaters]	"RINALDI" (in stylized lettering) [women's shoes]	Stoides	No
5-27	OPP	93,750	Uncle Ben's, Inc. v Stubenberg Int'l, Inc.	Simms* Cissel (D) Quinn	2(d)	Opposition Sustained	"UNCLE BEN'S" [rice, dehydrated vegetables, chicken or meat extracts, spices, seasonings, poultry dressing mix, peanut-pretzel snack, gravies, sauces]	"BEN'S BREAD" [bread mixes composed primarily of flour and other ingredients for bread baking]			Yes

(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

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
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5-29	OPP	95,968	Sabroso Co. v. Sabroso Foods Enterprises, Inc.	Cissel Quinn Hohein*	2(d)	Opposition Sustained	"SABROSO" [fruit puree concentrates] and "SABROSO COMPANY" trade name	"S SABROSO!" (and design) [canned peas, dry peas, frozen peas, canned black beans, canned soursop, coconut milk and prepared sausage, barbecue sauce, sour orange sauce, garlic and onion sauce]			No
5-29	OPP OPP	97,379 97,470	Success Holdings Co., LLC v. Napoleon Hill Foundation	Seeherman Quinn Hairston*	2(d)	Oppositions Dismissed	"SUCCESS" (and design) [magazines pertaining to all aspects of personal, professional and financial achievement]; "SUCCESS!" (in stylized lettering) [general interest magazines]	"LAW OF SUCCESS" [education and entertainment services, namely, providing workshops and seminars relating to personal achievement and presenting awards relating to personal achievement; newsletters and printed teaching activity guides relating to personal achievement, calendars, diaries, memorandum books]			No

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