

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
February 2-6, 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
2-2	EX	74/651,834	Valley Dental, Inc.	Cissel* Seeherman Hanak	whether, as evidenced by the specimens of record, the matter sought to be registered is being used as a service mark for the services recited in the application; whether a more definite recitation of services is required	Refusal Reversed		"BERTHA BISCUSPID" [promoting dental services and dental health to children through the use of cartoon characters displayed upon promotional materials including balloons, pins, erasers, puppets, pencils, stickers, magnets, certificates, and club membership identification cards]		Salemi	No
2-2	EX	74/582,029	Metaltec Steel Abrasive Co.	Cissel Hanak Walters*	2(d)	Refusal Reversed		"METALTEC STEEL ABRASIVE CO." [abrasive polish compositions used in connection with shot peening and blasting, for general industrial purposes]	"METAL-TECH" [protective coatings, namely, compounds used for repairing, patching or sealing surfaces subject to abrasion, erosion or corrosion]	Martin	No
2-3	EX EX	74/661,944 74/661,770	Cavco Industries, Inc.	Simms Cissel Hanak*	2(a) [deceptiveness]	Refusal Reversed (in both cases)		"CEDAR SPRINGS" and "CEDAR COURT" [both marks for prefabricated residential and commercial buildings manufactured primarily of non-metallic materials]		Micheli	No

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2-3	EX (R)	74/528,628	American Biomimetics Corp.	Seeherman Hanak Quinn*	2(e)(2)	Request for Reconsideration Denied [Refusal Affirmed]		"AMERICAN BIOMIMETICS CORPORATION" [financial services in the field of materials, namely, raising capital, organizing ventures, and providing financial management in connection with searching for and creating new materials, development of techniques for their manufacture in commercial quantities, and research and engineering in connection with their commercial utilization; consulting and research services for others in the field of materials, namely, searching for and creating new materials, development of techniques for their manufacture in commercial quantities, and research and engineering in connection with their commercial utilization]		Rauen	No

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

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2-3	EX	74/509,840	Remington Products Co.	Hanak* Hohein Hairston	2(e)(4)	Refusal Reversed		"REMINGTON" [computers; laptop computers; word processors; electronic learning devices, namely, hand-held computers; audio products, namely, video tape recorders, camcorders, televisions; and telecommunications machines, namely, telephones and telephone answering machines]		Dunn	No
2-3	EX	74/527,855	Garmin Corp.	Hanak Hairston* Walters	2(d)	Refusal Reversed		"GPSMAP" [global positioning indicators, namely, electronic receivers used in marine and avionic navigation for use in locking onto a plurality of signals emitted from global satellites to determine the geographical locale of a positioning indicator]	"GPS MAP-KIT" [audio receivers of global positioning satellite signals combined with a CD-ROM geographic data storage device]	Glynn	No
2-3	EX	74/496,104	McCaffrey & Associates, Inc.	Simms Hanak* Hairston	whether the matter sought to be registered functions as a trademark for the goods identified in the application	Refusal Affirmed		"HAPPY HOLIDAYS FROM" [postcards]		Carroll	No

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2-5	EX	74/530,175	ERA Productions USA Corp.	Rice* Hanak Hohein	2(d)	Refusal Affirmed		"ERA INTERNATIONAL LTD" [production and distribution of motion picture films and production of videotapes]	"ERA" [phonograph records, pre-recorded audio tapes and compact discs featuring music and various entertainment themes; "ERA" (and design) [phonograph records, pre-recorded audio tapes and compact discs featuring music]	Greenbaum	No
2-5	EX	74/617,171	The Perfumer's Workshop, Ltd.	Sams Cissel Hairston*	2(d)	Refusal Affirmed		"PERFUMER'S WORKSHOP WATERCOLORS" (and design) [perfumes, eau de toilette, and cologne]	"WATERCOLORS BY H 2 O PLUS" [lip gloss, lip stick, lip pencil, face powder, pressed powder, nail polish, etc.; retail store services in the fields of personal care and beauty products]	Pologeorgis	No
2-5	EX	74/589,365	Don Shapiro Industries, Inc.	Seeherman* Hanak Hohein	2(d)	Refusal Affirmed		"CONTOUR" [jeans, denim jackets, button-down shirts, shorts and dress pants for women and children]	"CONTOURS" [women's panties]	LaMothe	No
2-5	OPP	98,994	Viacom Int'l. Inc. v. Komm, Merritt and Niemann	Sams Seeherman* Quinn	2(d)	Opposition Dismissed	"MIGHTY MOUSE" and "MIGHTY MOUSE" (and design) [film series of animated cartoons for motion pictures and television]	"MY-T-MOUSE THE SOFTWARE THAT MAKES YOUR MOUSE A MOUSE THAT TYPES" [computer software that enables the user to type by making selections from an on-screen keyboard with a mouse]			No

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2-5	OPP	91,991	Moore Business Forms, Inc. v. Richard A. Harder, Jr.	Hanak Quinn Walters*	2(d)	Opposition Dismissed	"MCP" [paper business forms]	"MCP" [business management and consulting services to dentists]			No
2-6	EX	74/651,841	Valley Dental, Inc.	Cissel* Seeherman Hanak	whether, as evidenced by the specimens of record, the matter sought to be registered is being used as a service mark for the services recited in the application; whether a more definite recitation of services is required	Refusal Reversed		"SAMMY CENTRAL" [promoting dental health to children]		Salemi	No

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