

## SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

June 7-14, 1999

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
6-7	OPP	100,289	G. Frank Nasworthy, Jr. v. Jerry Madrid	Hanak* Hohein Chapman	2(d); whether opposer abandoned its trademark	Opposition Dismissed	"CADILLAC" and "CADILLAC WHEELS" [skateboards and accessories]	"CADILLAC" [trucks to support a pair of wheels under a skateboard]			No
6-7	OPP	94,387	Kimberly-Clark Tissue Co. v. Scot Fetzer Co.	Cissel Quinn* Walters	2(d)	Opposition Dismissed	"SCOTT" and "SCOTT"-formative marks [various cleaning, wiping, scrubbing and absorbing products]	"SCOT'S TUFF" [carpet shampoos and carpet cleaning preparations]			No
6-8	CANC	23,491	Grover Van Dexter v. Second Childhood, Inc.	Walters Wendel* Bucher	2(d)	Petition to Cancel Granted	"SECOND CHILDHOOD" [retail antique toy stores; clothing]	"SECOND CHILDHOOD INC.--DOLLS FOR THE YOUNG AT ♥" (and design) [collectible dolls and kits for making collectible dolls consisting primarily of body parts made of porcelain or gofum, fabrics and patterns for clothing, wigs and paints, sold as a unit]			No
6-8	EX EX	75/202,157 75/202,158	Johnstown Feed & Seed, Inc.	Seeherman Hairston* Chapman	2(d)	Refusal Affirmed (in both cases)		"PRECISE QUALITY FEEDS INC." (plus other wording and design) and PRECISE QUALITY FEEDS (and "Q" design) [both marks for livestock feed and animal feed]	"PRECISE" [pet food]	T. Lee	No

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

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**June 7-11, 1999 (continued)**

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
6-8	EX	75/102,761	Manufactura de Tabacos	Cissel Hohein Walters*	2(d)	Refusal Affirmed		"HERMES" (and design) [cigars]	"HERMES" (plus other wording and design) [pipes, cigarette holders, cigar holders, ash trays, non-electric cigar and cigarette lighters not for land vehicles, cigar cases and cigar cases not made of precious metal, and cigar cutters] et al.	Dalier	No
6-9	EX	74/405,242	Silmar S.p.A.	Seeherman Walters Chapman*	2(d)	Refusal Affirmed		"EMBROIDERED GOLD" [necklaces, bracelets and earrings, made of gold with or without precious stones]	"EMBROIDERED ENAMEL" [jewelry, and in particular bracelets, earrings, pendants, rings and beads]	Matthews	No
6-9	EX	75/089,246	Qreitem	Simms Hanak Hohein*	2(d)	Refusal Affirmed		"BACKYARD STEAKHOUSE" [restaurant services]	"BACK YARD BURGERS" [restaurant services]	Givens	No
6-9	EX EX	75/031,718 75/031,719	SunGard Development	Cissel Hanak Hairston*	2(d)	Refusal Reversed (in both cases)		"PANORAMA" and "SUNGARD PANORAMA" [both marks for computer software used by institutional and corporate capital market groups in managing market, credit and other financial risks in connection with the trading of securities, currency derivatives and other financial instruments]	"PANORAMA" [computer programs and instructional manuals sold as a unit and computer magnetic storage discs]	Mermelstein	No

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6-9	EX	74/643,905	William Carroll	Seeherman Hanak* Chapman	2(e)(1); whether the proposed amended drawing represents a material alteration of the mark shown in the original drawing	Refusal Affirmed (on both grounds)		"DISKBOOK" [a series of books and CD-ROMS, sold as a unit, all on the subjects of travel, historical walking tours, and tourist information]		Blandu	No
6-10	EX	75/059,147	Tomima L. Edmark	Simms Cissel Seeherman*	de jure functionality	Refusal Affirmed		configuration of a hair styling tool composed of a plastic loop attached to a straight handle [hair loop tool used for hair styling]		Fickes	No

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