

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD  
July 12-16, 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
7-13	CANC (SJ)	25,893	Suntrek Tours, Ltd. v. American Pioneer Tours, Ltd.	Quinn Hairston Walters [Opinion "By the Board"]	2(d)	Petition to Cancel Granted [motion for summary judgment granted]	"AMERICAN PIONEER" [travel agency services and charter and tour services throughout the world]	"AMERICAN PIONEER" (and design) [arranging and conducting travel tours]			No
7-13	OPP	103,575	Disney Enterprises, Inc. v. The Short Sport(s) Co.	Seeherman* Hairston Chapman	2(d)	Opposition Sustained	"MAGIC KINGDOM" [educational and entertainment services rendered in a theme park; souvenir merchandise, including recordings and videocassettes] et al.	"THE MAGIC SWINGDOM" [prerecorded video cassettes, namely sports training videos featuring animated and live characters for instructional purposes]			No
7-13	EX	75/163,283	The Web-Depot, Inc.	Cissel Seeherman Hohein*	2(d); 2(e)(1)	Refusal Affirmed (on both grounds)	"HOTSEX" [providing adult entertainment services and information regarding adult entertainment solely through an on-line global computer network]	"1-900-HOT-SEXY" [entertainment in the nature of adult-oriented telephone messages and the distribution of printed materials in association therewith]		Matthews	No
7-13	EX	74/705,433	USAir, Inc.	Cissel Hohein Bucher*	2(d)	Refusal Affirmed		"PRIORITY TRAVELWORKS" [computer software for accessing a reservation system to book and pay for airline flights, rental cars and hotel accommodations]	"TRAVEL WORKS" [travel agency services]	Thayer	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

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD  
July 12-16, 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
7-13	EX (R)	75/009,259	Big Entertainment, Inc.	Simms Hairston Walters*	2(d)	Request for Reconsideration Denied [Refusal Affirmed]		"ACORNA" [various items of clothing, including sneakers, shoes, socks, etc.]	"ACORN" (and design) [footwear made at least in part of leather or sheepskin, namely, boots, shoes, and slippers]	Weigell	No
7-15	EX	75/094,968	Liebel-Flarsheim Co.	Hohein* Walters Chapman	2(e)(1)	Refusal Affirmed		"POWER CATH" [power injectors for injecting contrast media into the body of a human or animal to facilitate imaging body organs and systems; medical tubing for administration and draining of fluids; syringes; etc.]		Jackson	No
7-15	CANC	21,244	Molcasalsa Mexican Food Intl., Inc. v. Alberto Giraldo	Quinn Hairston Bucher*	2(d)	Petition to Cancel Granted		"ALBERTO'S WORLD FAMOUS MEXICAN FOOD" (and design) [restaurant services]	"ALBERTOS" (and design) [restaurant and restaurant carry out services]		No
7-15	EX	75/135,828	Riggs & Forsythe Specialty Beverages Ltd.	Quinn Hohein Wendel*	2(e)(4)	Refusal Affirmed		"RIGGS" [soft drinks]		Mullen	No
7-15	OPP	96,881	Dexter S. King v. Trace Publishing Co.	Seeherman* Quinn Hohein	2(a) [false suggestion of a connection]; 2(d)	Opposition Sustained (but only on 2(a) grounds)	"I HAVE A DREAM" [goods and services sponsored by or affiliated with Dr. Martin Luther King, including t-shirts, posters, pens, key chains, etc.]	"WE HAVE A DREAM" [promoting sports competitions and/or events of others]			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

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD  
July 12-16, 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
7-15	CANC (SJ)	24,990	Philip W. Stanfield v. Osborne Industries, Inc.	Simms Seeherman Hairston [Opinion "By the Board"]	whether claim preclusion bars the petition to cancel under: 2(c), 2(a) [false suggestion of a connection] and 14(3) [use of the registered mark so as to misrepresent source]	Petition to Cancel Denied [motion for summary judgment granted]		"ORIGINAL STANFIELD PRODUCT" (and design) [livestock raising equipment, namely, heating pads for hogs and the like]			No
7-15	EX	75/159,603	Maharishi Ayur-Ved Products Intl.	Simms Seeherman* Wendel	2(d)	Refusal Affirmed		"HEALTHY HAIR & NAILS" [herbal dietary supplement]	"HEALTHY HAIR" (in stylized lettering) [vitamins and food supplements]	Snapp	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