

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
January 18-22, 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
1-19	EX	75/046,595	Baldwin Hardware Corp.	Simms* Chapman Wendel	2(d)	Refusal Affirmed		"THE ESTATE COLLECTION" [metal cabinet hardware, namely, handles, pulls and knobs and metal bathroom accessories, namely, towel bars, towel rings, tissue holders, soap dishes and toothbrush/tumbler holders]	"ESTATES COLLECTION" [drinking glasses, toothbrush holders, and waste baskets sold only in registrant's department stores; bed sheets, curtains, towels, shower curtains, etc., sold only in registrant's department stores; etc.]	F. Smith	No
1-19	EX	74/601,726	New Era Cap Co., Inc.	Cissel Hairston Wendel*	2(d)	Refusal Affirmed		design mark incorporating a baseball player, baseball bat, and four stars--on a rectangular background divided into one dark area and one white area [athletic caps]	design mark incorporating a baseball player, baseball bat, and four stars--on a dark, rectangular background [hats and caps]	M. Butler	No
1-19	OPP	100,065	Travel Impressions, Ltd. v. Intrav Receptive Services, Inc.	Hohein* Hairston Wendel	2(d)	Opposition Sustained	stylized design of a bear [arranging travel tours]	"TEDDY BEAR TOURS" [travel agency services, namely, arranging travel tours]			No
1-19	EX	75/061,491	Avedis Zildjian Co.	Simms* Hairston Bucher	2(d)	Refusal Affirmed		"ENSEMBLE SERIES" [musical instruments, namely, drumsticks]	"ENSEMBLE" [percussion musical instruments, namely, drum heads]	Straser	No
1-19	OPP	105,401	Latrobe Brewing Co. L.L.C. v. Prairie Rock Brewing Co.	Cissel Hanak* Bucher	2(d)	Opposition Sustained	"ROLLING ROCK," "ROCK," "ROCK LIGHT," and "ROCK BOCK" [beer]	"ROCK 'N RED" [beer and ale]			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
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1-19	OPP	97,115	Jet Tours v. The Mark Travel Corp.	Simms Quinn* Hohein	2(d)	Opposition Dismissed	design mark incorporating light-colored, highly stylized sun and moon designs on a background consisting of a dark, irregular rectangle (banner) [travel agency services, namely, conducting tours for others; hotel and vacation club reservation services; hotel and restaurant services; etc.]	design mark incorporating light-colored, highly stylized sun and horizon designs on a dark, rectangular background [wholesale and retail travel services, namely, arranging air transportation and ground accommodation travel packages for marketing by retail travel agents]			No
1-19	OPP	103,150	Britches of Georgetowne, Inc. v. Kinder Britches Inc.	Hairston Wendel Bucher*	2(d)	Opposition Sustained	"BRITCHES OF GEORGETOWNE," "BRITCHES GREAT OUTDOORS," and "BRITCHES" et al. [retail clothing store services]	"KINDER BRITCHES" (and design) [retail store for children's apparel and accessories]			No
1-20	EX	74/600,201	Edward Ski Products, Inc.	Seeherman Hairston Wendel*	de jure functionality; whether applicant's product configuration has acquired distinctiveness as a trademark, under Sec. 2(f)	Refusal Affirmed		configuration of applicant's ski mask [ski masks]		Lawrence	Yes

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