

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
September 20-24, 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
9-20	EX	74/244,767	Frank H. Robinson & Company, Inc.	Hohein* Walters Chapman	Genericness	Refusal affirmed		MARKET VALIDATION [consulting services in the field of product and market development and market research; seminars and management training courses in the field of product and market development and market research]		Hines	No
9-20	EX	74/119,966	Yves Levenson	Simms* Hohein Wendel	2(d)	Refusal affirmed		DIVA [ladies' footwear]	DIVA and design [articles of clothing, namely, neckties, scarves and men's belts]	Altree	No
9-20	OPP	105,122	Duck Head Apparel Company, Inc. v. Domestic Industries, Inc.	Simms Seeherman Wendel*	2(d)	Opposition dismissed	HEALTHKNIT [various items of wearing apparel]	HEALTH-MESH [knitted fabrics made of cotton and of cotton and polyolefins]			No
9-20	EX	75/075,318	Microcal, Inc.	Cissel Chapman* Bottorff	2(d)	Refusal affirmed		MICROCAL [scientific instruments, namely, calorimeters; computer software programs for the collection, analysis, and presentation of scientific data, and user manuals sold as a unit]	MICROCAL [various laboratory measuring equipment]	Steplight	No
9-23	EX	75/178,365	Glasfloss Industries, Inc.	Cissel,* Hohein Bottorff	2(d)	Refusal affirmed		PURACELL [air filters]	PURECEL [air filters]	First	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
September 20-24, 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
9-23	EX	75/140,359	Kewaunee Scientific Corp.	Simms Cissel* Wendel	2(d)	Refusal reversed		FLEXTECH [furniture, namely, workstations that include desks, computer tables, riser units and pedestals]	TECHNO FLEX (stylized) [various types of office furniture]	Smiga	No
9-23	EX	74/176,705	Dal-Con Promotions, Inc.	Quinn,* Walters Wendel	2(d)	Refusal reversed		RIVER RUN [souvenir novelty jewelry pins and T-shirts, all sold in connection with a motorcycle rally; organizing and conducting a motorcycle rally]	RIVER RUN [various items of clothing for skiing, hunting and fishing]	Cordova	No
9-23	OPP	89,370	American Forests v. Barbara Sanders	Hanak* Hairston Bucher	2(d); lack of bona fide intent to use	Opposition sustained, but only on the issue of lack of bona fide intent	GLOBAL RELEAF and RELEAF [association services, namely, promoting tree planting to halt global warming]	LEAF RELEAF and design [leaf bagging equipment, namely, flexible plastic round sheets with drawstrings]			No
9-23	EX	75/109,738	Fleet Mortgage Group, Inc.	Cissel Hairston* Wendel	2(e) (1) and 2(d)	Refusal affirmed under 2(e)(1); refusal reversed under 2(d)		EXPEDITER [home mortgage loan programs which provide expeditious credit approval without an underlying security property, or expeditious credit approval with an underlying security property]	EXPEDITE SERVICES and design [banking services]	Hines	No
9-23	OPP (SJ)	104,381	Bodywaves, Inc. v. Stephen Malouf	Simms Cissel Holtzman	2(d) (on summary judgment)	Summary judgment granted; opposition sustained	MY BOYFRIEND [various items of clothing]	MY BOYFRIEND'S T [various items of clothing]			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
September 20-24, 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
9-23	CANC	24,725	Summit Learning, Inc. v. Summit Learning Systems, Inc.	Cissel Quinn Wendel*	2(d)	Petition denied	SUMMIT LEARNING [direct mail catalogs offering educational products; educational toys and scientific instruments]	SUMMIT LEARNING SYSTEMS and design [educational videotape and audiotape sets containing marketing and salesmanship education matter, and instruction sheets sold as a unit]			No
9-24	OPP	106,245	Origins Natural Resources, Inc. v. One World, Inc.	Quinn* Bucher Bottorff	2(d); 2(a) [false suggestion of a connection]	Opposition Dismissed	"ORIGINS" [cosmetics, including soaps, cleansers, bubble bath and shower gel, etc.]	"ORI-GINA" (and design) [cosmetics, namely, skin, medicated and body soaps]			No
9-24	CANC	23,473	Pace American, Inc. and Jack Bender v. Haulmark Industries, Inc.	Hanak Hairston Bucher*	2(e)(1) [genericness]	Petition to Cancel Granted		"RACE TRAILERS" [towable storage trailers]			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