

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
November 22-26, 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
11-22	OPP (R)	99,058	Arnita Y. Boswell and James W. Clement v. Mavety Media Group Ltd. [Request for Reconsideration by Boswell only]	Cissel Seeherman* Hohein	2(a) [matter which may disparage; matter which may bring persons into contempt or disrepute]	Request for Reconsideration Denied [Opposition Dismissed]		"BLACK TAIL" [adult entertainment magazines]			No
11-22	OPP	105,760	Ty, Inc. v. Polymeric, Inc.	Simms Walters Chapman*	2(d)	Opposition Dismissed	"BEANIE BABIES" and "THE BEANIE BABIES COLLECTION" [plush animal toys]	"TEENIE BEANIES" [dolls and doll clothing]			No
11-23	EX	75/251,499	M C Y III Corp.	Hanak* Hohein Wendel	genericness	Refusal Reversed		"ENGINE FLUSH SYSTEM" [distributorship services featuring automotive engine flushing machines, parts therefor, and chemical flushes for automotive flushing machines]		Straser	No
11-23	OPP	108,443	Hillerich & Bradsby, Co. v. Carol Anne Spils	Seeherman* Quinn Holtzman	2(d)	Opposition Sustained	"GRAND SLAM" [baseball and softball bats and batting gloves, golf clubs, etc.]	"GRAND SLAM" (and design) [board game comprised primarily of game board depicting a baseball field and four types of category question cards]			No

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

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11-23	EX	74/642,431	D'Oro Cosméticos Internacional, S.A. de C.V.	Simms Hohein* Bucher	2(d)	Refusal Affirmed		"D'GOLD" (in stylized lettering) [cosmetics, namely, skin lotions, mascara, lipstick, nail hardeners, nail enamels, nail polishes, makeup, blush, eye shadows, deodorants for personal use, and hair shampoos]	"PARFUM D'ORO" (in stylized lettering) [perfume, essential oils for personal use, skin soaps, hair bleaching preparations, all purpose cleaning, polishing, scouring and abrasive preparations, hair lotions, and dentifrices]; "D'ORO U.S.A." (in stylized lettering) [nail polish, nail hardener and nail conditioner]	Luthey	No
11-23	OPP	101,101	Miguel Torres, S. A. v. Advantage Wine Group	Hanak* Chapman Bucher	2(d)	Opposition Dismissed	"VIÑA SOL" and "GRAN VIÑA SOL" [both marks for wine]	"DONA SOL" [wine]			No
11-23	EX	75/198,089	Gardner Resources, Inc.	Seeherman Walters* Chapman	2(d)	Refusal Reversed		"BLAIR'S DEATH" [hot sauce]	"BLAIR" (in stylized lettering) [food flavoring extracts and fruit flavorings used for food purposes; pie filling mix comprised principally of cornstarch, sugar and egg yolk, table syrup flavoring, and spices]	Moore	No

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11-24	OPP	98,988	Master Nursery-men's Ass'n. v. Star Nursery, Inc.	Simms Cissel* Hanak	2(d)	Opposition Sustained	"PAYDIRT" [all-purpose soil mulches and soil conditioners]	"PAYDIRT" (and design) [mulch used to plant trees and flowers]			No

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