

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
May 24-28, 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
5-26	OPP	96,813	Mattec Corp. v. Charles Anthony Czarnecki	Hairston* Wendel Bucher	2(d)	Opposition Sustained	"MATTEC" (and design) [computer programs for monitoring industrial plant production; etc.]	"MATTECH" [computer software for material waste prevention and user manuals sold therewith]			No
5-26	EX	75/229,424	Nova Clothing Co., L.L.C.	Quinn Wendel Bucher*	2(d)	Refusal Affirmed (as to both cited registrations)		"NOVA" [women's dresses, blouses, skirts, jackets and pants]	"NOVA SHEERS" [pantyhose]; "HAGGAR NOVA" [men's and boys' slacks]	Dunn	No
5-26	EX	75/066,101	Joseph Edward Page	Simms* Cissel Hohein	2(e)(1); whether applicant must provide additional information, under Rule 2.61(b)	Refusal Affirmed (on both grounds)		"888 PATENTS" [legal services, namely, patent research, prosecution and enforcement; patent searching]		Tsai	Yes
5-26	EX EX EX EX	74/574,596 74/574,597 74/574,598 74/574,599	Virginia Rhodes	Cissel* Hohein Bucher	2(d)	Refusal Affirmed (in all four cases)		"BLACK HILLS MOTOR CLASSIC," "BLACK HILLS MOTORCYCLE RALLY AND RACES," "STURGIS RALLY AND RACES," "BLACK HILLS RALLY AND RACES" [all four marks for clothing, namely, t-shirts and caps]	"BLACK HILLS MOTOR CLASSIC--STURGIS--RALLY & RACES BLACK HILLS S.D." (and design)	Pologeorgis	No
5-26	EX	73/664,444	Peet Packing Co.	Simms Seeherman Hairston*	2(d)	Refusal Affirmed		"BONANZA" [hams]	"BONANZA" (and design)--3 different marks--[restaurant services]	Price	No

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

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5-26	EX	75/024,380	MovieFone, Inc.	Simms Quinn Hairston*	2(e)(2)	Refusal Affirmed		"AMERICA'S MOVIE GUIDE" [promoting the services and products of the movie industry by preparing and placing prerecorded telephone advertisements for others; transmission of movie listings and other advertisements for others via telephone and global computer network; arranging for the purchase of movie tickets via telephone and global computer network; etc.]		Glembocki	No
5-26	EX	75/117,428	Smokey Mountain Chew, Inc.	Simms Hohein Bucher*	whether applicant must comply with the requirements to submit a more definite identification of goods, to submit advertising or promotional materials, and to disclaim any descriptive matter in the mark	Refusal Affirmed (as to all three requirements)		"SMOKEY MOUNTAIN FLAVOR DROPS" [tobacco and non-tobacco snuff or chew products]		Tripi	No

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5-26	EX	75/159,724	Marvin Behar and Leslie E. Smith	Seeherman Hairston Bucher*	2(d)	Refusal Affirmed		"PORTA-RACK" [spacer and positioning rack for magnetically attaching to the top of an automotive vehicle]	"PORT-O-RAC" [load rack for pickup trucks]	Le	No
5-26	EX	75/095,168	ZD Inc.	Simms Cissel Walters*	2(e)(1); whether applicant must provide additional information, under Rule 2.61(b)	Refusal Affirmed (on both grounds)		"DIGITAL MERCHANDISING MAGAZINE" [providing information via an interactive computer information network about distribution channels for high technology products and information technology products]		Thayer	No
5-26	EX	75/100,086	Michael Brian Hinden and Janeen Mary Judge	Cissel Hohein Hairston*	2(e)(2)	Refusal Affirmed		"NEW YORK WATER" [bottled drinking water]		Givens	No
5-28	EX	75/046,615	Calidad Holdings Pty Ltd	Hohein* Walters Wendel	2(e)(1)	Refusal Affirmed		"CALIDAD" [toner for laser printers; ink jet cartridges and ink jet cartridge refills for printers; inked ribbons for typewriters, printers, cash registers and adding machines]		Cordova	No

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5-28	CANC	25,003	AGCO Corp. v. Scott Snyder	Simms* Quinn Hairston	2(d)	Petition to Cancel Denied	"FARMHAND" [agricultural and material-handling equipment, namely, loaders and grinder-mixer mills]	"FARMHAND" [consultation services in the field of agricultural information, namely, recommending proper usage of agricultural chemicals, fertilizers, and seeds]			No

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