

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
April 26-30, 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
4-27	EX	74/727,766	International Business Machines Corp.	Cissel Hairston Bucher*	whether the specimen of use shows a "substantially exact representation" of the mark shown in the drawing--i.e., whether the specimens demonstrate trademark use of the mark sought to be registered	Refusal Affirmed		design mark consisting of a cartoon representation of a "flying hero" [computer software and instruction manuals sold therewith for management of information on enterprise networks]		Madden	No
4-27	EX	74/688,038	QVC, Inc.	Simms Seeherman Hairston*	2(d)	Refusal Affirmed (as to both cited registrations)		"SPORT SAVVY" [women's clothing, namely, suits, jackets, t-shirts, shorts and vests sold through home shopping services through the use of television]	"SAVVY" (in stylized lettering) [men's and boys' sweaters, jackets, sport shirts, dress shirts, sweatshirts, slacks, trousers, belts, neckwear, and hosiery]; "SAVVY" (in stylized lettering) [women's and girls' dresses, shifts, skirts, sweaters, shirts, pants and shorts]	Stoides	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

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4-27	EX	74/707,130	International Data Group, Inc.	Cissel* Chapman Wendel	2(e)(1)	Refusal Affirmed		"GAMEMAKERS ONLINE" [providing a database of information online via global computer information networks for persons interested in careers in the video game industry]		Krisp	No
4-27	EX	75/066,504	Hewlett-Packard Co.	Cissel Hairston Wendel*	2(e)(1)	Refusal Affirmed		"AD" [computer firmware and software tool to measure and evaluate the average intensity of acoustic signals in a two-dimensional ultrasound image in real time for medical applications]		Charlon	No
4-27	EX	75/050,481	Mosby-Year Book, Inc.	Hanak Quinn Walters*	2(d)	Refusal Affirmed		"ACE THE BOARDS" [series of books on the subject of medicine]	"ACE THAT TEST" (and design) [printed teaching materials; educational services, namely, offering courses for teaching students to become test sophisticated]	Lauterbach	No
4-29	EX	75/105,514	John C. Somberg	Quinn Walters* Wendel	2(e)(1)	Refusal Reversed		"THERAPEUTIC WINDOW" [computer software for medical diagnosis and treatment]		Sparacino	No

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4-30	EX	75/031,114	Hinkle-Washington Joint Venture	Cissel Hanak Hohein*	2(e)(1)	Refusal Affirmed		"DRIVER-ID" [anti-theft alarms for vehicles]		Madden	No
4-30	OPP	86,368	Seattle Pacific Industries, Inc. v. Brieland Professional Graphics, Ltd.	Cissel Quinn* Walters	2(d)	Opposition Sustained	"HEET" [clothing and sportswear garments, namely, jeans, blouses, shirts, jackets, slacks, pants, tee-shirts, and sweaters]; "HEET" (in stylized lettering) [clothing and sportswear garments, namely, shirts, slacks, pants, blouses, jackets, tee-shirts, sweaters, jeans, and hats]	"DRY HEAT" [imprinted sportswear, namely, shirts, tank tops, sweatshirts, t-shirts and caps]			No
4-30	EX	75/143,885	Family Images, Inc.	Simms Cissel* Walters	2(d)	Refusal Affirmed		"FAMILY STORIES--CELEBRATING FAMILY HERITAGE" (and design) [providing customized videos for others]	"THE FAMILY STORIES COMPANY" [videotape production of keepsake videos]	Robinson	No

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