

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD  
February 7-11, 2000**

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
2-7	EX	75/240,152	Carolina Apparel Trading	Wendel* Holtzman McLeod	2(d)	Refusal Affirmed		"CAT NAP" [children's sleeping pallets]	"CATNAPPER" [reclining chairs]; et al.	Altree	No

2-7	EX	75/229,462	Vista Hospice Care, Inc.	Hohein Walters* Holtzman	2(d)	Refusal Affirmed		“VISTA CARE - LIVE ALL THE DAYS OF YOUR LIFE.” (and “heart/hands” design) [hospice services, namely, providing health care and counseling services for terminally ill patients and their families]	“heart/hands” design [underwriting and administrative services, on a prepayment basis, relating to emergency medical care; prepaid financing and administration of medical care, pharmaceutical care and related health care services; health care services in the nature of an HMO and a preferred provider organization; a collective membership mark for an organization of persons and medical providers interested in health maintenance, preferred provider organizations, preventive medicine, prepaid medical plans, reduced health costs, and programs on fitness, prenatal care, substance abuse and other health-related topics]	Mullen	No
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2-7	OPP (R)	102,966	Daniel L. Kegan v. Marc S. Lane	Simms* Cissel Bottorff	2(d)	Request for Reconsideration Denied [Opposition Dismissed]	"MACGUIDE" and a family of marks that incorporate "GUIDE" as a suffix [computer products and services]	"LINEGUIDE" [providing access to a computer bulletin board service providing a wide range of information over a global online information network]			No
2-7	EX	75/273,823	Allan Block Corp.	Seeherman Hairston* Bucher	2(d); requirement for specimens showing trademark use of applicant's mark	Refusal Affirmed (on both grounds)		"NOVA BRIK" [mortarless concrete brick siding]	"NOVA IV" [vinyl siding]	Wellington	No
2-8	EX	75/119,406	Sabre Corp.	Hanak* Quinn McLeod	2(d)	Refusal Affirmed		"SABRE" [sailboats]	"SABRE" (and design) [marine engines and parts thereof]	Wellington	No
2-8	EX (R)	74/689,088	Armonds Mfg. Co., Inc.	Rice* Seeherman Hairston	de jure functionality; whether the configuration of applicant's goods is either inherently distinctive or has acquired distinctiveness through use in commerce (Sec. 2(f))	Request for Reconsideration Denied [Refusal Affirmed (on grounds of de jure functionality and lack of inherent distinctiveness)]		configuration of a toothpick [toothpicks]		Cordova	No

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2-8	EX	75/256,845	Richard A. Deer	Chapman* Wendel Bottorff	2(d)	Refusal Reversed		"MINI PSEUDO" [pharmaceuticals, namely, decongestant preparations]	"PSEUDO 60'S" [pharmaceuticals, namely, nasal decongestants]; "SUPER PSEUDO 60'S" [pseudoephedrine tablets]	Hamilton	No
2-8	EX	75/247,834	N-Able Group Int'l., Inc.	Cissel Seeherman* Bottorff	2(e)(1)	Refusal Affirmed		"SEMICONDUCTOR MANUFACTURING DATA EXCHANGE" [computer software containing a set of standardized data elements for semiconductor manufacturing processes and protocols for communicating those data elements, namely, nomenclature for products, inventory data, process control data, defect data, device electrical data, non- lot data, build information, capacity data, in-transit shipping information, specifications and manufacturing instructions that will be made available to outside parties to be utilized by outside parties in outside party computer software and computer software instruction manuals]		Suk	No

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2-9	OPP	107,009	The Regents of the University of California v. Joel B. Hodgell	Simms Wendel* Bottorff	2(d); 2(a) [false suggestion of a connection and disparagement]	Opposition Sustained (on 2(d) grounds only)	"CAL" [wearing apparel]	"C@L" [clothing, namely, t-shirts, sweatshirts, long sleeve shirts, short sleeve shirts, sweatpants, shorts and full length pants, footwear and headwear]			No
2-9	EX	74/602,027	Glaxo Group Ltd.	Simms* Hohein Seeherman	whether the matter asserted for registration functions as a trademark or is merely product ornamentation	Refusal Affirmed		the colors dark green and light green covering the entire surface of applicant's goods [medical inhalers for use in conjunction with an aerosol can]		Rupp	Yes
2-9	EX	75/126,661	Underground Sounds Direct Marketing, Inc.	Walters* Wendel Rogers	2(d)	Refusal Affirmed		"THUG WEAR" [clothing, namely, shirts, pants, hats, jackets, jerseys, t-shirts, vests and shorts]	"THUGGS" (and design) and "THUGGS BY THUNDERWEAR" (in stylized lettering) [both marks for footwear]	Stoides	No
2-11	EX	75/272,584	Clint Eastwood	Cissel Walters Chapman*	2(e)(2)	Refusal Reversed		"TEHAMA" [musical sound recordings, namely, pre-recorded phonograph records, audio tapes, and compact discs; and musical video recordings; watches; handbags; shirts, jackets, sweaters, sweatshirts, t-shirts and sweatpants]		Fine	No

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2-11	EX	75/002,162	IKON Office Solutions, Inc.	Simms Cissel Bucher*	2(e)(1)	Refusal Affirmed		"INTERNATIONAL OFFICE SYSTEMS" [distributorship, maintenance, and repair services, all in the field of office equipment]		Vanston	No
2-11	EX	75/111,165	D.C.D. Global, Inc.	Bucher* Bottorff McLeod	genericness; whether applicant's identification of goods is acceptable	Refusal Affirmed (on both grounds)		"FISHIN' GEAR" [tools, namely, pliers, forceps, clippers, hones, files and spoolers-- <i>amended from the original identification, fishing tackle and tools</i> ]		Blohm	No
2-11	EX	75/185,582	Management Information Technology, Inc.	Seeherman Hanak Hohein*	2(d)	Refusal Affirmed		"SQRIBE" [computer software featuring information retrieval and dissemination tools for relational database management and accompanying manuals sold as a unit]	"SCRIBE" [computer programs in the form of printed listing, punched cards and magnetic tape; computer programming manuals]	Vanston	No
2-11	EX	75/197,967	Mothers and Fathers Italian Ass'n.	Hairston Chapman* Bottorff	2(a) [immoral or scandalous matter; matter which may disparage; matter which may bring persons into contempt or disrepute]	Refusal Reversed		"MAFIA BRAND" [cheeses, soups, olive oil, processed tomatoes, spaghetti sauce, pasta, seasonings, bread crumbs]		Cataldo	No

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2-11	EX	75/077,331	Leidseplein Presse B.V.	Simms Hairston Holtzman*	whether the matter applicant seeks to register functions as a trademark or is merely ornamental	Refusal Reversed		design incorporating a stylized representation of a devil [jewelry, namely, decorative pins; clothing, namely, t-shirts, hats, scarves]		Lawrence	No
2-11	OPP	107,594	Archer Daniels Midland Co. v. Chocolates a la Carte, Inc.	Cissel Hanak Bottorff*	2(d)	Opposition Dismissed	"THE CHOCOLATE RESOURCE" [various products and services related to the manufacture, sale and distribution of confectionery, chocolate, cocoa and related goods]	"THE RESOURCE FOR CHOCOLATE SENSATIONS" [custom manufacture of fine chocolate and chocolate desserts]			No
2-11	CANC	27,360	Stiefel Laboratories, Inc. v. VetGen, L.L.C.	Seeherman* Hanak Rogers	2(d)	Petition to Cancel Denied	"VETGENIX" [medicated dermatological animal health preparations, namely, shampoos, lotions, creams, and wound dressing for pets and livestock; anti-inflammatory, anti-infective, antiseptic and disinfectant preparations for veterinary use; insect repellent for pets and livestock and preparations for treatment of hoof diseases; etc.]	"VETGEN" [veterinary molecular biology services, namely, advanced genetic molecular disease detection and DNA profiling services]			No

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