

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
October 9-13, 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 |
|-------------|-----------------|-------------------------|---|---------------------------------|---------|----------------------------|---|---|---|--------------------|------------------------------|
| 10-10 | EX | 75/199,524 | Cullen/Frost Bankers, Inc. | Hanak* Chapman Wendel | 2(d) | Refusal Reversed | | "READYBANK" [consumer, commercial, and mortgage banking services; automated teller machine services; and providing bank account information by telephone] | "READY BANKER" [automated banking services] | Mandir | No |
| 10-11 | CANC | 27,183 | Digi International Inc. v. Universal Design, Inc. | Hairston Wendel Holtzman* | 2(d) | Petition to Cancel Granted | "DIGIFAX" [computer network connectivity hardware and software] | "DIGI-FAX" [digital facsimile transmission machines] | | | No |
| 10-11 | EX | 75/450,847 | Ghent Mfg., Inc. | Simms Chapman Bottorff* | 2(e)(3) | Refusal Affirmed | | "LINEA ITALIA" [furniture, namely, mobile and stationary computer workstations comprising shelving, storage, and filing systems for computer peripherals, keyboard platforms, computer hardware and computer software] | | Boagni | No |
| 10-11 | EX | 75/434,997 | Oren Benmoshe | Quinn Bucher* Bottorff | 2(d) | Refusal Affirmed | | "E-MALE AMERICA" [shirts, pants, jackets, shorts, sweaters, and t-shirts] | "E-MAIL" (and design) [clothing, namely, t-shirts, gloves, dresses, pull-overs, sweat shirts, sweat pants, caps, hats, vests, anoraks, skirts, shirts, blouses, tights, scarves, trousers, long underpants for women, socks, footwear and headwear] | D. Lee | No |

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

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| 10-11 | EX | 75/371,632 | Marc H. Blasser | Seeherman* Quinn Bucher | 2(d) | Refusal Affirmed | | design incorporating the silhouette of a rhinoceros, within a rectangle [urological and erectile dysfunction clinical services] | design incorporating the head of a rhinoceros in silhouette, within a circle [pharmaceuticals used to treat sexual dysfunction or to maintain male or female sexual health] | Tierney | No |
| 10-11 | EX | 75/419,109 | IA Corp. | Hanak Hohein* McLeod | 2(e)(1) | Refusal Reversed | | "INFOTRACT" [computer software for extracting selected data content from computer formats, namely, print data streams, report formats and database formats, and user manuals sold as a unit] | | Ferraiuolo | No |
| 10-11 | EX | 75/478,836 | Sun Up Int'l. Corp. | Cissel Seeherman* Bottorff | 2(d) | Refusal Affirmed (based on all four cited registrations) | | "CRYSTAL" (and design incorporating a flower) [women's and children's shoes] | "CRYSTAL" [ladies' dresses, coats, suits, blouses, skirts, and sweaters]; "CRYSTAL KNITS" [dresses and suits]; "A CRYSTAL COTTON" [ladies' dresses and dress ensembles]; "KRYSTAL" [t-shirts, golf shirts, polo shirts, hats, visors, shorts, sweaters, sweatshirts, sweatpants, jackets, wind breakers, and aprons] | Zak | No |

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| 10-11 | EX | 75/426,506 | Absopure Water Co. | Wendel* Bucher Bottorff | 2(e)(1) | Refusal Affirmed | | "HYDRATION CENTER" [retail beverage sampling booths] | | Thompson | No |
| 10-13 | EX | 75/434,577 | William E. Berner | Seeherman* Bottorff Rogers | 2(d) | Refusal Affirmed | | "GRANDMA BERNER'S" [gourmet hams] | "BERNER CHEESE" (and design) [processed cheese and processed cheese spread sold in plastic bottles and jars] | Spils | No |
| 10-13 | EX | 75/407,503 | Tropical Cheese Industries, Inc. | Walters Holtzman* McLeod | 2(e)(1) | Refusal Affirmed | | "FINEST LATIN AMERICAN REFRIGERATED FOODS" [cheese, sour cream, heavy cream, yogurt, butter, margarine, processed luncheon meats, soup, and prepared foods; salsas, cooking sauces, desserts, tortillas; fruit juices; etc.] | | Wilson | No |
| 10-13 | EX | 74/656,196 | Brand Institute, Inc. | Hanak Wendel* Holtzman | 2(e)(1) | Refusal Affirmed | | "BRANDSEARCH" [trademark screening services] | | Fisher | No |

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