

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
February 14-18, 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
2-14	OPP (SJ)	107,354	S Industries, Inc. and Central Mfg. Co v. Duron, Inc.	Simms Cissel Chapman [Opinion "By the Board"]	2(d)	Opposition Dismissed [Summary judgment granted to non-moving party]	"TERMINATOR" [sporting goods]	"TERMINATOR" [house paint primers for covering stains]			No
2-16	EX	75/243,307	MBM Co., Inc.	Seeherman Wendel* Holtzman	2(a) [geographically deceptive]; 2(e)(3)	Refusal Reversed		"LIMOGES" [jewelry, not including ceramic jewelry]		R. Clark	No
2-16	EX EX	75/117,256 75/117,694	HealthFirst, Inc.	Seeherman* Bucher McLeod	2(d)	Refusal Affirmed (in both cases)		"HEALTHFIRST" (and design) and "HEALTHFIRST 'WHERE THE CARE STARTS'" (and design) [both marks for primary health care services]	"HEALTHFIRST" [administration of employee health care benefit plans]	Perry	No
2-16	EX	75/348,130	Simoniz USA, Inc.	Walters Bucher* Rogers	2(e)(1)	Refusal Reversed		"WASH CLOCK" [computerized soap dispenser for identifying individuals and recording the times when the individuals wash themselves]		O'Hara	No
2-16	EX	75/184,786	Forecast Trading Corp.	Hohein Chapman* Bottorff	2(e)(1)	Refusal Affirmed		"ORIGINAL ENGINE MANAGEMENT" [mail order catalog services featuring automobile parts, namely, engine control components]		Fickes	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

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
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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
2-16	EX	74/560,560	Gates (U.K) Ltd.	Seeherman Quinn Wendel*	requirement to delete material from the drawing of the mark; whether the matter sought to be registered functions as a mark for applicant's goods	Refusal Affirmed (on the grounds that the matter sought to be registered fails to function as a mark)		mark consisting of a red rectangular border within which black colored indicia (i.e., varying words and designs) are displayed against a white background, the specific indicia forming no part of the mark [waterproof footwear]		Ryan	No
2-16	OPP	107,898	V.I.P. Limousine, Inc. v. V.I.P. Car Rental, LLC	Hohein* Walters Holtzman	2(d)	Opposition Dismissed	"V.I.P. LIMOUSINE" [chauffeur driven limousine services]	"V.I.P. CAR RENTAL" (in stylized lettering) [car rental services]			No
2-17	EX	75/285,366	Palladium Investors, Ltd.	Seeherman* Hairston Holtzman	2(d)	Refusal Affirmed (as to both cited registrations)		"HOLLYWOOD PALLADIUM" [t-shirts, jackets, outer jackets made of wind-resistant material, sweatshirts, tank tops, shirts, vests, pants, sweatpants, shorts, and hats]	"PALLADIUM" [shirts, pants, ties, scarves, suits, sweatshirts, jackets, teeshirts, pullovers, coats, raincoats, parkas, dresses and blouses]; "PALLADIUM" [footwear]	Singleton	No

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