

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**April 16-20, 2001**

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
4-17	EX	74/619,905	Computer People Inc.	Simms Bucher* Bottorff	2(d)	Refusal Affirmed		"ALPINE" [computer network system installation and maintenance support services; computer consulting services in the fields of physical infrastructure systems, security and disaster planning]	"ALPINE" [computer keyboard terminals; floppy disk drives; mobile, office, and personal computers; computer programs used to create and develop computer software, and used to support creating and developing micro-computers, recorded on cards, tapes, and disks; modems; computer and facsimile interfaces; and mobile facsimile machines and parts thereof]	Stine	No
4-17	EX	75/650,281	Nonu, Inc.	Cissel Hohein Drost*	2(e)(1)	Refusal Affirmed		"NONU" (and design) [herbal tea for medicinal purposes and herbal supplements]		Mattessich	No
4-17	EX	75/551,180	Jerry Cairo	Quinn Hairston* Bottorff	2(e)(1)	Refusal Affirmed		"CERTIFIED FAX" [communication services, namely, verification of delivery of facsimile and other messages delivered electronically through a public switch telephone network by means of causing a facsimile machine to output a page of the message with indicia of delivery printed thereon]		Carruthers	No

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4-17	EX	75/600,235	Sonnet Technologies, Inc.	Cissel Wendel* Bucher	2(d)	Refusal Affirmed		"SONNET" (in a stylized design format) [computer hardware]	"SONNET" [computer software for analyzing electronic circuits]	Cross	No
4-17	EX	75/008,309	Dolphin Acquisition Corp.	Hairston Chapman Bucher*	2(d)	Refusal Affirmed		"I.D." (in stylized lettering) [cosmetics, namely, foundation, blush, eye shadow, lipstick and mascara]	"ID" [cologne, perfume and fragrances for personal use]	Alfieri	No
4-17	EX	75/406,436	Working Hands Creme Inc.	Hairston Wendel* Holtzman	2(d)	Refusal Affirmed		"WORKING HANDS CREME" (and design) [medicated skin care preparations, namely, cream preparation for treatment of skin splits and cracks, abrasions and burns]	"WORKING HANDS" [lotion type hand soap]	Leipzig	No
4-17	EX	75/242,114	Fortis Benefits Insurance Co.	Cissel* Hairston Hanak (D)	whether applicant's specimens show use of its mark in connection with its recited services	Refusal Affirmed		"DCP" [insurance services, namely, claims administration and processing provided by employees who have completed specialized training in the subject]		Matthews	No
4-17	EX	74/523,981	The Post Office	Chapman* Bottorff Drost	whether applicant's use of its mark would be unlawful under 18 U.S.C. §1729; 2(e)(2)	Refusal Affirmed (but only on 2(e)(2) grounds)		"BRITISH POST OFFICE" [a wide variety of goods and services related to processing and delivering mail (letters, packages, messages, etc.) by manual and/or electronic means; and other services]		Axilbund	No

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4-17	EX	75/706,371	Indspec Chemical Corp.	Cissel Wendel* Rogers	2(e)(1)	Refusal Affirmed		"HER" [chemicals, namely, aromatic diols for use as polymer components or additives in manufacturing]		Chicoski	No
4-17	EX	75/594,821	American Payroll Institute	Simms* Hairston Drost	whether applicant's claimed mark functions only as the title of a single written work	Refusal Affirmed		"ESSENTIAL PAYROLL SKILLS" [educational instruction books]		Badagliacca	No
4-17	OPP (SJ)	112,383	Daniels Pull Plow, Inc. v. Biggs Mfg., Inc. and P.O.R. Inc.	Quinn Walters Drost*	2(d)	Opposition Sustained (Opposer's motion for summary judgment granted)	"SPEEDHITCH" [mechanism that attaches a rear snow plow to the back of a vehicle]	"SPEEDHITCH" [vehicle towing accessories, namely, hitches and ball mounts]			No
4-17	OPP (SJ)	114,000	Ariel Remos v. Ariel Feierman	Quinn Hairston Bottorff*	2(d)	Opposition Sustained (Opposer's motion for summary judgment granted)	"ARIEL" [entertainment services in the nature of a live or recorded performing musical group]	"ARIEL" [entertainment services, namely, live performances rendered by a musical group]			No
4-19	EX	75/599,276	Utopia Optics, LLC	Simms Cissel* Seeherman	2(d)	Refusal Affirmed (as to all three cited registrations)		"U" (in stylized form) [eyeglasses and sunglasses, and lenses, frames, and cases therefor]	"U," "U3," and "U4" [all three marks for contact lenses]	Kazazian	No

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4-19	EX	75/769,784	IMARK Communications, Inc.	Cissel* Quinn Rogers	Section 6 disclaimer requirement (of the words BROAD-BAND YEAR)	Refusal Affirmed		"BROADBAND YEAR" (and design) [arranging and conducting business conferences and expositions]		Faint	No
4-19	EX	75/538,082	Southwest Bank of Texas, N.A.	Cissel* Seeherman Quinn	2(d); whether recitation of services is sufficiently definite	Refusal Reversed		"BILL P@Y" [banking and financial services, namely, payment of third-party bills and otherwise dealing with third-party payees electronically via PC or telephone]	"USAA BILLPAY" [financial services, namely, payment of third-party bills on telephone authorization of account holder]	Benmaman	No
4-19	EX (R)	75/460,970	Innovative Marble & Tile Inc.	Quinn* Hairston Bottorff	whether applicant's specimens demonstrate use of its mark in connection with its recited services	Request for Reconsideration Denied (Refusal Affirmed)		"IMT ITALIA" [providing product information services for others in the nature of printed materials concerning the source of ceramic and porcelain tile, marble, granite, limestone, and agglomerates]		Johnson	No
4-19	EX	75/342,976	Altavest Worldwide Trading, Inc.	Walters Chapman* Holtzman	2(e)(1)	Refusal Affirmed		"PAPERTRADER" [computer software used for computational data base manipulation, for simulating transactions and not for actual performance of trading and not related to commercial paper]		Boulton	No

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4-19	OPP	110,278	American Maze Co. v. Shady Brook Farm, Inc.	Hohein Walters Bottorff*	2(d)	Opposition Sustained	"THE AMAZING MAIZE MAZE" [cornfield maze entertainment services and related promotional goods]	"AMAIZEING CORN MAZE" [conducting entertainment exhibitions in the nature of a maze made of corn]			No
4-19	CANC (SJ)	30,109	Royal BodyCare, Inc. v. Miracle Minerals, Inc.	Hohein Hairston Walters [Opinion "By the Board" (Walters)]	2(d)	Opposition Sustained [Opposer's motion for summary judgment granted]	"MAGICAL" [calcium and magnesium dietary supplement]	"MAGICAL" [calcium and magnesium dietary supplement]			No
4-19	OPP	115,881	Playmore Inc., Publishers and Waldman Publishing Corp. v. John H. Bertholl	Cissel Quinn Wendel [Opinion "By the Board" (Quinn)]	2(d)	Opposition Sustained [Opposer's motion for summary judgment granted]	"PLAYMORE," "PLAYMORE/WALDMAN," and "PLAYMORE/WALDMAN" (and design) [all three marks for children's books and card games]	"PLAYMORE" [card games]			No

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