

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
July 23-27, 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
7-23	EX	75/584,594	Team Financial Management Systems, Inc.	Cissel Hanak* Chapman	2(d)	Refusal Reversed		"TELE TEAM" [computer software for use in an automated telephone time keeping and attendance management system, namely, computer software for use in verification of employee attendance and location, employee scheduling and work scheduling]	"TELETEAM" [computer software and instructional manuals sold therewith for integration of telephone technology, equipment, systems and services into a call center or help-desk environment]	LeMothe	No
7-23	EX	75/215,495	Industrial Business Services, Inc.	Hanak* Hohein Hairston	whether applicant's mark is registrable on the Supplemental Register (genericness)	Refusal Reversed		"INDUSTRIAL BUILDING SERVICES" [plumbing services; electrical contracting; installation, repair and maintenance of air conditioning apparatuses, heating apparatuses, refrigeration apparatuses, ventilating apparatuses, electrical apparatuses and air conditioning apparatuses; general contracting services for construction and building renovation; installation, maintenance and repair of automation systems, namely, heating, air conditioning, ventilating, electrical, and refrigeration]		Engel	No
7-26	EX	75/660,935	Omega Foods Inc.	Cissel Hanak Walters*	2(d)	Refusal Affirmed		"BAR-B-Q KING" [barbecue restaurant services]	"BARBECUE KING" [barbecue sauce]	Leizear	No

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

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7-26	EX	75/524,117	Jeffrey Kellogg	Hanak* Bucher Rogers	2(e)(1)	Refusal Affirmed		"SKEETER VAC" [electrically powered insect control devices, namely, a fan driven vacuum cleaner using air to trap and kill insects and to clean up debris]		Dickinson	No
7-26	EX	75/749,666	Impact Imaging, Inc.	Simms Walters Chapman*	2(d)	Refusal Affirmed		"IMPACT" (in stylized lettering) [digital printing services, namely, wide format short run reproductions of customer graphics as, for example, billboards, banners, wall displays, truck sides and backlits]	"IMPACT GRAPHICS" [graphic design and offset printing services for modelling agencies, models, entertainment industry, public relations firms and advertising agencies]	Vanston	No
7-26	EX	75/739,014	Pliant Technologies, Inc.	Simms Seeherman Hanak*	2(d)	Refusal Affirmed		"ELF" [house mark for a complete line of computer programs that use a non-hierarchical structure for the organization, storage, integration and retrieval and exchange of data, information and applications]	"ELF" [computer programs and instructional manuals sold as a unit for spreadsheet and graphics-based statistical data entry, manipulation and analysis]	Goodman	No
7-26	EX	74/734,869	Daimler-Chrysler AG	Simms Bucher Drost*	2(e)(1)	Refusal Reversed		"SMART" [sub-compact automobiles featuring colored exterior body panels which can be changed easily, low fuel consumption, ease of parking, and crash protection comparable to larger cars]		Oh	No

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7-26	OPP	110,756	Mayo Foundation for Medical Education and Research v. PNS & WSS, Inc.	Hairston Wendel Holtzman*	2(d)	Opposition Sustained	"CARDIOLOGY TODAY AND TOMORROW" [educational services, namely, seminars in the field of cardiology; audiovisual and printed materials in the field of cardiology]	"CARDIOLOGY TODAY" [medical newspaper]			No
7-26	CANC (R)	24,265	Mark R. Newman v. Unlimited Concepts, Inc.	Seeherman Hairston* Chapman	abandonment (as to Reg. No. 1,809,488); ownership and fraud (as to Reg. No. 1,811,017)	Request for Reconsideration Denied [Petition to Cancel Reg. No. 1,809,488 Granted; Petition to Cancel Reg. No. 1,811,017 Denied]	"GRAFFIX" (and design) [tobacco water pipes and t-shirts]	Reg. No. 1,809,488: "GRAFFIX" (and design) and Reg. No. 1,811,017: "GRAFFIX" (and design) [both marks for smoking pipes]			No
7-27	OPP	108,296	Carol Ihlenburg v. Antoinette Young	Hohein* Hairston Wendel	2(d)	Opposition Sustained	"DIGGERS" [softball and paintball shoes; t-shirts]	"DIGGERS" [clothing, namely, jackets, vests, pants and shirts]			No
7-27	EX	75/481,117	Matsui Int'l. Co., Inc.	Hanak* Hairston Walters	2(d)	Refusal Affirmed		"UNIMARK" [heat transfer labels]	"UNIMARK" [self-adhesive unprinted labels and marking tabs]	Quinn	No

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7-27	EX	75/326,191	Set Secure Electronic Transaction LLC	Hohein Wendel* Drost	2(d)	Refusal Affirmed		“SET SECURE ELECTRONIC TRANSACTION” (and design) [computer consulting services regarding development and testing of software developed by others, in the fields of encryption and protection of information, banking, credit, debit and payment services, and fund transfers]	“SET” (and design) [computer consultation, programming and software design for others; up-dating of computer software; and design of computer systems for others]	Satchi	No
7-27	OPP	112,337	Shuttle Technology Group Ltd. v. Smart Storage Solutions Corp.	Hanak Quinn Wendel*	2(d)	Opposition Sustained	“SHUTTLE TECHNOLOGY” (and design) [computer equipment, namely, computer hardware and peripherals; computer software for the control of computer peripherals, including archival storage devices; computer software for control of computer networks and accompanying operating manuals therefor; and parallel to SCSI adapters]	“SMART SHUTTLE” [computer equipment, namely, computer hardware for changing the hard drive of a computer]			No

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