

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD  
March 26-30, 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
3-26	EX	75/428,345	Trek Bicycle Corp.	Walters Chapman* Drost	2(e)(1)	Refusal Reversed		"TREKKING" [educational services, namely, providing seminars and clinics relating to the use of exercise equipment]		Billings	No
3-26	EX	75/174,045	Specialty Tapes, Div. of RSW, Inc.	Quinn Walters Wendel*	2(d)	Refusal Affirmed (as to both cited registrations)		"WALLABY WALLET" (and design) [photograph albums]	"WALLABY" (and design) [books] and "WALLABIES" [paper and cardboard goods, namely, envelopes, calendars, writing pads, folders, greeting cards, index cards, napkins, postcards, posters, scrapbooks, and related stationery; mounted and unmounted photographs, etc.]	Miller	No
3-26	EX	75/439,399	eOn Communications Corp.	Cissel* Hohein Drost	2(e)(1)	Refusal Reversed		"VOICECLUSTERS" [voice processing systems comprising interactive computer telephony integration]		Tingley	No
3-28	EX	75/467,064	Hartford Life Insurance Co.	Hanak Quinn* Drost	2(e)(1); requirement for specimens showing use of the mark sought to be registered [mutilation]	Refusal Affirmed (on both grounds)		"STABLE PORTFOLIO" [investment of funds for others through annuity contracts by pension plan sponsors]		Dickinson	No

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3-28	EX	75/430,946	Sun Microsystems, Inc.	Walters Bottorff Rogers*	2(e)(1)	Refusal Affirmed		"AGENTBEANS" [computer software for use in the development and deployment of application programs on a global computer network]		Billings	Yes
3-28	OPP	111,846	Premdor, Inc. v. Safe & Sound, The Child Safety Specialists, Inc.	Hohein* Holtzman Rogers	2(d)	Opposition Sustained only as to applicant's "indoor door restraints"]	"SAFE 'N SOUND" [non-metal solid doors]	"SAFE & SOUND" [anti-scald devices for showers; non-metallic devices and apparatus designed to prevent injury to children and mentally or physically impaired persons, namely, cabinet and drawer restraints, interior gates and indoor door restraints]			No
3-28	OPP	110,160	Houlihan's Restaurants, Inc. v. Hooligan's Pub & Oyster Bar, Ltd.	Quinn Hairston Bucher*	2(d)	Opposition Sustained	"HOULIHAN'S" [restaurant and bar services; prepared entrees, prepared appetizers, soups, salads; ladies' and men's casual clothing and sportswear, namely, shirts, pants, sweaters, sweatshirts, and sweatpants] and "HOULIHAN'S" (in stylized form, incorporating a star design) [restaurant and bar services]	"HOOLIGAN'S" [restaurant, bar, and lounge services]			No

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3-28	EX	75/184,809	Patrick J. McGroder, III	Simms Quinn* Wendel	2(a) [false suggestion of a connection]; 2(d)	Refusal Affirmed (on 2(d) ground only)		"ROYAL PONTIAC" [clothing, namely, t-shirts and leather jackets sold in connection with a museum of high powered automobiles]	"PONTIAC" [maintenance and repair services for automotive vehicles, parts and accessories; automobile and truck dealership services; radios, calculators, and pre-recorded audio tapes concerning automobile operation for automobile purchasers; motor vehicle windshield sunshades; manuals, brochures, and catalogs pertaining to the features and controls, operation, maintenance, service and repair, and technical facts and specifications of motor vehicles; snow brushes for motor vehicle windows; motorists' emergency kits]	Berk	No
3-29	EX	75/324,564	Trailer Bridge, Inc.	Hanak Wendel* Bottorff	2(d); requirement for substitute specimens	Refusal Affirmed (on both grounds)		"TB" [ocean transportation of goods between and among ports in the mainland United States and Puerto Rico and other locations, and freight transportation by truck within the United States]	"TB GROUP" and design [handling, storage, and distribution via air, land and sea of fashion merchandise and fast moving consumer goods of all types]	Hayes	No

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3-29	EX	75/731,013	Zero Surge Inc.	Simms* Wendel Bucher	2(e)(1)	Refusal Reversed		"ZERO SURGE" [electrical circuit protection apparatus, namely, surge suppressors]		Pendleton	No
3-29	EX	75/526,870	Ticket America, Inc.	Hanak Chapman Holtzman*	2(d)	Refusal Reversed		"TICKETAMERICA" [printed tickets; entertainment ticket agencies; arranging for ticket reservations for shows and other entertainment events]	"AMERICA'S TICKET" [ticket reservation services for entertainment events]	Linnehan	No
3-29	EX	75/391,347	Preferred Capital Corp.	Cissel* Rogers Drost	2(e)(1); requirement for information under Rule 2.61(b)	Refusal Affirmed (on both grounds)		"PREFERRED CAPITAL CORPORATION" (in a design format) [financial services specializing in the lease purchase financing of office equipment]		Pernell	No
3-29	EX	75/467,141	S. Smith & Son Pty Ltd.	Quinn* Hairston Holtzman	2(d)	Refusal Affirmed		"NAUTILUS" [wines]	"NAUTILUS" (in stylized lettering) [non-carbonated vitamin and mineral isotonic soft drinks; carbonated soft drinks; mineral waters]	Wilson	No
3-29	EX	75/477,608	IntraGroup, Inc.	Simms Hairston Drost*	genericness; 2(e)(1); whether applicant's mark has become distinctive of its services under Section 2(f)	Refusal Affirmed (on all grounds)		"ITJOBS" [providing online via a global computer network resumes and job placement information in the information technology field]		Mayer-schoff	No

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3-29	EX	75/640,650	J&R Electronics, Inc.	Simms Hanak* Drost	2(e)(1); whether the matter asserted for registration functions as a mark or merely as an informational phrase	Refusal Affirmed (on both grounds)		"WALK IN, PHONE IN, LOG IN" [computerized on-line ordering services, retail store services, telephone shop-at-home services, and mail order services, all being services in the fields of computer hardware, computer software, audio equipment, video equipment, and recorded music videos]		Zak	No
3-30	EX	75/396,043	Comexa Ltda.	Simms* Hanak (D) Quinn	2(d)	Refusal Affirmed		"AMAZON" (and design) [chili sauce and pepper sauce]	"AMAZON" [restaurant services]	Strzyz	Yes
3-30	EX	75/392,138	Sharp Kabushiki Kaisha	Simms* Seeherman Hanak (D)	2(e)(1)	Refusal Affirmed		"SCANNING STATION" [personal computer software for imaging scanners]		Borsuk	No
3-30	EX	75/592,344	Solar Protective Factory, Inc.	Quinn* Chapman Bottorff	2(e)(1)	Refusal Affirmed		"SPF" [chemical additive used in the manufacture of textile products]		I. A. Clarke	No
3-30	CU	1014	Fare Deals Ltd. v. Fare Deal Travel v. Fare Deals, Inc.	Quinn Holtzman* Drost	whether applicant established its right to a concurrent use registration for the geographic area claimed in its application	Applicant found to be entitled to concurrent use registration for the area claimed in its application		"FARE DEALS LTD." [travel agency services, namely, arranging travel tours for others—for the area comprising the entire United States east of the Mississippi River]			No

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3-30	EX	75/534,346	Transit Audio Technologies, Inc.	Quinn Hohein* Bottorff (D)	2(e)(1)	Refusal Reversed		"VOCAL BUS" [software, namely, software for accessing text, .TXT, or voice, .WAV, files in response to indicia of location and providing audio and/or visual output to a human in a selectable language and speech font for use in conjunction with an automatic announcement and position locator system for a vehicle based on a global positioning system]		Faint	No
3-30	EX	75/537,251	Chi-Chi's, Inc.	Hairston* Wendel Bottorff	whether the matter asserted for registration functions as a mark for applicant's recited services	Refusal Affirmed		"SALSAFICATION" [restaurant services]		Erenburg	No
3-30	EX	75/536,690	Chi-Chi's	Hairston* Wendel Bottorff	whether the matter asserted for registration functions as a mark for applicant's recited services	Refusal Affirmed		"SALSAFIED" [restaurant services]		Erenburg	No

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3-30	EX	75/376,063	Adriana Sanchez Manriquez	Cissel* Hanak Holtzman	2(d)	Refusal Affirmed		"CONCORD" (and design) [athletic shoes and sneakers]	"CONCORD JEANS STORES" [retail clothing store services featuring sportswear, footwear, and men's and women's wearing apparel—namely, jackets, sneakers, shirts, pants, jeans and sweaters]	Rossman	No
3-30	EX	75/583,572	Expeditors Int'l. of Washington, Inc.	Cissel Holtzman* Drost	2(d)	Refusal Reversed		"TRADEWIN" [computer software for use by businesses in performing transactions in the field of import and export trade; business consultation services relating to the importing and exporting of goods, government trade regulations, in compliance with government import and export trade regulations]	"WINTRADE" [computer software and data bases for use in document processing and facilitating work flow in the fields of international business and financial transactions]	Smiga	No

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