

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

April 30 – May 4, 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
4-30	EX	75/559,756	Siemens AG	Simms Wendel Rogers*	2(d)	Refusal Affirmed		"ABM" [electronic components, namely, integrated circuits]	"ABM2" [optical fiber cables]	Fink	No
4-30	EX	75/512,827	Xomed Surgical Products, Inc.	Seeherman* Drost	2(d)	Refusal Affirmed		"P.C.S." [suction cutting instruments for use in head and neck surgery and accessories and parts therefor]	"PCS" [automated blood collection and separation units for a wide variety of medical uses]	DeFord	No
4-30	EX	75/566,625	O'Sullivan Industries, Inc.	Simms Seeherman Rogers*	2(d)	Refusal Affirmed		"XPRESSIONS" [furniture]	"EXPRESSIONS" [manufacture of upholstered furniture to the order and/or specification of others; retail furniture stores services]	Sparacino	No
4-30	EX EX	75/519,495 75/571,710	Zanova, Inc.	Quinn Wendel Rogers*	2(e)(1)	Refusal Affirmed (in both cases)		"TFOOL" [computer services, namely, providing custom services for web sites and design of web sites for others; computer software for use in creating web pages]		Faint	Yes
5-2	CANC (SJ)	30,509	Slip Guard Systems, Inc. v. Slip Guard Worldwide, Inc.	Hohein Bottorff Bucher [Opinion "By the Board" (Bucher)]	2(d)	Petition to Cancel Granted (petitioner's motion for summary judgment granted)	"SLIP GUARD" [skid-resistant compound in the nature of acid etching treatment for use on tile, ceramic and concrete surfaces]	"SLIP GUARD" [skid-resistant coatings in the nature of paint for use in bathtubs, showers, and ceramic surfaces]			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

April 30 – May 4, 2001 (continued)

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
5-2	CANC	29,441	Ralston Purina Co. v. Grain Processing Corp.	Hairston* Chapman Wendel	whether respondent's mark is capable of registration on the Supplemental Register	Petition to Cancel Granted		"WORLD'S BEST CAT LITTER" [cat litter]			No
5-2	OPP	106,617	Biflex Int'l., Inc. v. Superflex S.A. de C.V.	Hanak* Chapman Bucher	2(d)	Opposition Sustained	"BERLEI" [women's intimate apparel, including brassieres]	"BERLINA" [underwear, namely, panties, bras, camisoles, robes, shirts, sleepwear, and loungewear]			No
5-3	EX	75/521,635	Clark Refining & Marketing, Inc.	Quinn Hairston* Bucher	2(d)	Refusal Reversed		"WASH ON THE GO" [car wash services]	"WASH-N-GO" (and design) [vehicle washing machines and parts therefor]	Woldow	No
5-3	EX	75/473,538	Robert Bosch GmbH	Quinn Walters* Drost	whether applicant's specimens show use of its mark in connection with the recited services	Refusal Reversed		"ETAS" (in stylized lettering) [providing training in the use and application of computer programs which interface with embedded automotive control software for the purposes of testing, measuring and application of hardware, excluding all those aforesaid goods being used in the field of navigation including navigational systems for vehicles, in particular electronic travel pilots and electronic maps]		Striegel	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

April 30 – May 4, 2001 (continued)

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
5-3	EX	75/397,226	Sprayform Holdings Ltd.	Cissel Hairston* Walters	2(d)	Refusal Affirmed as to goods in Cl. 19; Refusal Reversed as to goods in Cls. 1, 6, 7, and 17		“STD SPRAYFORM” [<i>Class 1</i> : chemicals, namely, inorganic salts, oxides, metals and alloys for use in metallurgy; chemicals for use in the manufacture of tools and dies and in the manufacture of refractory bodies; chemical reagents for scientific research use; etc.; <i>Class 6</i> : metal cable wire, metal brazing rods and/or metal welding rods, metal tubing and metal castings; <i>Class 7</i> : dies for use with machines and machine tools, machines and machine tools including such dies, molding machines, and parts and fittings therefor, molds for molding plastic articles; <i>Class 17</i> : plastics in bars, blocks, and sheets for general industrial use, synthetic unprocessed thermosetting resins for general industrial use, cast plastic bodies for use in the manufacture of tools and dies; <i>Class 19</i> : shaped refractory articles]	“SPRAYFORM” [sprayable refractories]	Leipzig	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

April 30 – May 4, 2001 (continued)

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
5-3	EX	75/612,931	Keo Ltd.	Quinn Walters* Bucher	2(e)(4)	Refusal Reversed		“KEO” [brandy, namely, Cyprus brandy]		Spils	No
5-3	EX	75/573,049	Venture Insurance Co.	Cissel* Walters Holtzman	2(d)	Refusal Affirmed		“VENTURE” [claims administrative services and underwriting services solely in the field of property and casualty insurance]	“VENTURE” [life insurance services, namely, underwriting and administering annuities] and “VENTURE PRA” (and design) [life insurance services, namely, fixed and variable annuities]	Sloan	No
5-3	EX	75/415,705	Accu-Sort Systems, Inc.	Quinn Chapman Bucher*	whether applicant's specimens show use of the mark for which it seeks registration [mutilation]	Refusal Affirmed		design mark [automatic identification scanners and apparatus utilizing such scanners for reading labels and other identification markings on goods and packaging of goods to facilitate inventory control, tracking, sorting, and/or distribution of such goods]		Beverly	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