

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
March 4-8, 2002**

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
3-1**	EX	75/769,920	Johnson & Johnson	Quinn Walters* Bucher	2(e)(1)	Refusal Affirmed		"ODOR BLOCK" [soothing non-medicated foot gel preparation]		Rademacher	No
3-7	EX EX EX EX EX	75/788,509 75/788,510 75/788,855 75/788,856 75/788,860 75/788,861	Sterling Software, Inc.	Cissel Seeherman Drost*	2(d)	Refusal Affirmed in all six cases		"EUREKA: INTELLIGENCE" [computer software for personalized, browser-based, integrated searching, analyzing and creating a wide variety of reports using an organization's internal information and intelligence over computer networks]; "EUREKA:STRATEGY" [software for creating and managing large databases and performing calculations on, and generating a wide variety of reports from, such databases, using an organization's internal information over computer networks]; "EUREKA: ANALYST" [software that performs high-speed multidimensional analysis on an organization's internal information over computer networks]; <i>(cont'd next page)</i>	"EUREKA SOFTWARE" (and "ES" design) [software development and consulting services]	Fairbanks	No

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

**Inadvertently omitted from Summary of Final Decisions for the week of January 28 – February 1, 2002

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<i>(cont'd from previous page)</i>	<i>(cont'd from previous page)</i>		<i>cont'd from previous page:</i> "EUREKA:PORTAL" [software for providing a single point of network entry for accessing and viewing an organization's internal information and intelligence over computer networks]; "EUREKA:SUITE" [software that enables organizations to organize, manage, and distribute internally and externally stored information via a global communication network]; "EUREKA:REPORTER" [software for producing production reports based on an organization's internal information over computer networks]	<i>(cont'd from previous page)</i>	<i>(cont'd from previous page)</i>	<i>(cont'd from previous page)</i>					
3-8	EX	75/501,608	Mine Safety Appliances Co.	Seeherman Hohein* Drost	2(e)(1); whether applicant's mark has become distinctive under Section 2(f)	Refusal Reversed		"WORKMASK" [safety equipment, namely, self-contained breathing apparatus]		L. Thompson	Yes
3-8	EX	75/575,781	Modular International, Inc.	Simms* Bucher Hohein	2(e)(1)	Refusal Affirmed		"LINEAIRE" [recessed wall and ceiling electric lighting fixtures]		Coleman	No

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3-8	OPP	110,800	Deutsche Telekom A.G. v. GTE Corp.	Seeherman Quinn* Walters	2(d)	Opposition Dismissed	"T-ACCESS" [a variety of telecommunications-related goods and services, including electronic, electric and digital transmission of voice, data, information, images, signals and messages]	"GTE ACCESS" [telephone calling card services; telephone communication services]			No
3-8	EX	75/723,416	IMP InterMedia-Post Inc.	Cissel Hohein Wendel*	2(d)	Refusal Affirmed		"IMP INTERMEDIAPOST INTERNATIONAL MULTIMEDIA & POST PRODUCTION" (and design) [video editing, audio post production and multimedia production services for the entertainment and advertising industries in connection with the production of motion pictures, videos, commercials, infomercials and online advertising]	"INTERMEDIA" [prerecorded video cassette tapes, interactive laser discs, computer software programs, CD-ROMs and multimedia containing both live and animated action in the fields of drama, comedy, music, sports, documentaries, political and social issues, self help and instruction in a variety of disciplines; production services, wholesale distributorship services, and mail order catalog services relating to the above products]	Crockett	No

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3-8	OPP (SJ)	120,682	Monster Cable Products and Monster Cable International, Ltd. v. Henry Schmoller dba Hula Monster Music	Simms Chapman Drost [Opinion "By the Board" (Butler)]	2(d)	Opposition Sustained (Opposer's motion for summary judgment granted)	a family of marks containing the word "MONSTER," for a wide variety of goods and services; <i>among the marks pleaded:</i> "MONSTER MUSIC" [compact discs; production of compact discs, audio tapes and phonographic records; distribution services in the field of prerecorded compact discs, audio tapes and phonographic records of various artists]	"HULA MONSTERS" [compact discs and cassette tapes with recorded music]			No
3-8	EX	75/773,575	Cashell Enterprises, Inc.	Cissel Seeherman* Hairston	2(d)	Refusal Affirmed		"ALAMO TRAVEL CENTER" [retail gasoline and diesel fuel supply services; truck washing and truck repair and maintenance]	"ALAMO BODY & PAINT" [auto repair services]	B. Rupp	No
3-8	OPP	103,612	Interlego AG, Lego Systems, Inc. and Kirkbi AG v. Abrams / Gentile Entertainment, Inc. and MJJ Multimedia LLC	Cissel Hanak* Quinn	2(d)	Opposition Sustained	"LEGO" [a wide variety of toys, including doll figures and vehicular toys]	"MEGO" [children's toys, namely, action figures, vehicles, dolls and accessories therefor]			Yes

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3-8	EX	75/649,068	Atmel Corp.	Quinn* Walters Chapman	2(e)(1)	Refusal Affirmed		"SMARTRF" [semiconductor devices, computer programs to develop software applications using semiconductor devices, and software for evaluating semiconductor devices]		Blandu	No
3-8	EX	75/735,648	Rene Rey Swiss Chocolates, Ltd.	Cissel Hairston* Bottorff	2(d)	Refusal Reversed		"OUT OF THIS WORLD" [confectionery goods, namely, chocolates]	"THEY'RE OUT OF THIS WORLD CARVEL FLYING SAUCER" (and design) [edible ice cream cones, wafers, waffles, crackers, cookies, ice creams, custards and sandwiches made from layers of wafers, waffles, crackers and cookies with interlayers of ice creams and custards]	Whittaker-Brown	No
3-8	EX	75/613,067	HID Corp.	Simms Walters Wendel*	2(d)	Refusal Affirmed		"EPROX" [radio frequency identification components, namely, proximity modules and electronic door locks, for security access control systems]	"PROXX" [electrical, electromagnetic and electronic locks, metal detectors, infrared motion detectors, remote controls for security purposes and burglar alarms]	Wahlberg	No
3-8	EX	75/931,278	WD Music Products, Inc.	Hairston* Wendel Rogers	2(d)	Refusal Affirmed		"MONTEREY" [stringed musical instruments, namely, electric guitars]	"MONTERREY" [accordions]	Gaynor	No

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3-8	EX EX	75/426,140 75/530,919	Humanetics Corp.	Seeherman Bottorff Drost*	2(e)(1); Section 6 disclaimer requirement (of the term 7-KETO)	Refusal Affirmed in both cases		"7-KETO" and "7-KETO" (and design) [<i>both marks for</i> derivatives of dehydroepiandrosterone (DHEA) used as an ingredient in the manufacture of dietary supplements; derivatives of dehydroepiandrosterone (DHEA) used an integral component of dietary supplements]		French	No
3-8	EX	75/414,711	Elizabeth Marie Cameron Alfstad	Seeherman Bucher* Drost	2(d)	Refusal Affirmed		"BETSY CAMERON" [furniture, namely, beds, pillows, chairs, couches, ottomans, dressers, chests, desks, stools, mirrors, tables, armoires, wardrobes, settees and vanity tables]	"BETSY CAMERON'S STORYBOOK" [furniture]	Gilbert	no
3-8	EX	75/672,039	Caldwell Tanks, Inc.	Seeherman* Bottorff Rogers	whether the matter applicant seeks to register identifies the services recited in the application	Refusal Reversed		"STAC-4" (and design) [construction of elevated tanks]		Sweeney	No

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