

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
May 13-17, 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
5-14	EX	75/873,722	Afendi, Inc.	Cissel* Hairston Rogers	2(d)	Refusal Affirmed		"AFENDI" (in stylized lettering and incorporating a double "A" design) [boxes made of precious metal, ankle and wrist bracelets, brooches, cases made of precious metal, chains, findings, identification bracelets, jewelry, jewelry pins made of precious metal for use on hats, lapel pins, and rings being jewelry]	"FENDI" (in stylized lettering and incorporating a double "F" design) [watches not made wholly or in part of precious metals, costume jewelry, namely earrings, cufflinks, and ornamental pins, bracelets and necklaces]; "FENDI" (in stylized lettering) [watches and parts therefor]	Baird	No
5-14	EX	75/531,517	Inktec Co., Ltd.	Hanak* Quinn Walters	2(d)	Refusal Reversed		"INKTEC" (in stylized design format) [ink cartridges for computer printers; computer peripherals and computer printers]	"INKOTECH" [printing inks; ultraviolet acrylic coating for use on compact disks, printing paper and as insulation on fiber optic cable]	Santo- martino	No
5-14	EX EX	75/178,161 75/178,162	Comark, Inc.	Quinn Wendel Bucher*	genericness; whether, if not generic, applicant's mark has acquired distinctive-ness under Section 2(f)	Refusal Affirmed as to lack of 2(f) distinctive-ness, but PC WHOLESALE found not generic		"PC WHOLESALE" and "PC WHOLESALE" (in design format) [both marks for catalogs featuring personal computers and computer peripherals; telephone, mail and fax order services featuring computer hardware, software, and computer peripherals; computer hardware and peripherals installation]		Berk	No

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

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5-14	EX	75/819,592	Masco Corp. of Indiana	Seeherman* Hanak Hairston	2(d) (with consent from owner of cited registration)	Refusal Reversed		"SIGNATURE" [plumbing products, namely, faucets]	"SIGNATURE" [shower heads]	J. McMorrow	No
5-14	EX	75/523,702	Thomson Consumer Electronics, Inc.	Cissel* Hohein Drost	2(d)	Refusal Affirmed		"HORIZONS" [flat-screen televisions]	"HORIZON" [satellite antennas]	I. Williams	No
5-14	EX	75/719,666	Mental Images GmbH & Co. KG	Cissel* Wendel Bucher	2(e)(1)	Refusal Reversed		"INCREMENTAL IMAGES" [computer software for use by software developers in creating applications that provide for interactive visualization manipulation and modification of three-dimensional digital content over worldwide global computer networks, together with printed instructional manuals and printed instructional and teaching guides sold therewith as a unit]		E. Perkins	No
5-14	EX (R)	75/858,278	Leonard P. Gietz, M. D.	Simms* Seeherman Walters	whether applicant's composite mark is inherently distinctive	Request for Reconsideration Denied (Refusal Affirmed)		<i>mark comprising:</i> the disclaimed term "RENT-A-PHONE," displayed in light green letters (in an italicized sans serif font) within an elliptical field providing a white background with a light green border		K. Le	No

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5-14	EX	75/707,361	Advanced Cardio-vascular Systems, Inc.	Cissel* Chapman Bottorff	2(d)	Refusal Affirmed		“VERSASAIL” [dilation catheters]	“VERSASEAL” [trocar seal components]	Mooneyham	No
5-14	EX	75/709,532	Tower Tech, Inc.	Seeherman Walters Chapman*	2(e)(1)	Refusal Affirmed		“SMARTTOWER” [commercial and industrial cooling towers and accessories therefor, sold as a unit]		E. Martin	Yes
5-14	EX	75/568,851	The Holland Company Inc. of the Carolinas	Hanak Walters* Rogers	whether the matter applicant seeks to register has acquired distinctive-ness as a trademark	Refusal Affirmed		the configuration of applicant's goods, “featuring an octagonal housing with dual chimneys thereon” [outdoor cooking grills]		Pino	No
5-15	EX	76/082,254	American Library Association	Cissel* Walters Holtzman	2(d)	Refusal Affirmed		“ALA EDITIONS” (and design) [series of fiction and non-fiction books on a variety of topics]	“ALA” [educational services, namely, providing instruction by classes, residential school programs and the like, to others for development of English language skills and cultural background, and the training of teachers and development of multi-media materials for such instruction]	B. Smith	No

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5-15	OPP	120,088	RA Brands, L.L.C. v. Pure Fishing, Inc.	Seeherman Walters Wendel*	2(d)	Opposition Dismissed	design mark incorporating a graphic representation of a fish and fishing line [fishing tackle, fishing line, fishing hooks, fishing leaders and flying discs, along with clothing and cloth patches for clothing]	"BERKLEY CATCH MORE FISH" (and fish design) [a variety of goods related to fishing, including: fishing line strippers; fishing hand tools, namely, pliers, fishing knives, scissors, hook files, crimpers, line cutters, and manually-operated line spooling machines; shirts, caps, hats, jackets, coats and windshirts; fishing rods; fishing reels; fishing line; artificial fishing lures; artificial fishing baits; fish attractants; fishing tackle, namely, fishing hooks, leaders used for fishing, etc.]			No

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