

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
April 15-19, 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
4-16	CANC (SJ)	40,059	Raymond F. Holland v. Scandinavian Natural Health and Beauty Products, Inc.	Cissel Hairston Chapman [Opinion "By the Board" (Kuhlke)]	res judicata	Petition to Cancel Denied (Respondent's motion for summary judgment granted)	"TIK PIK" [device used in removing ticks from animals]	"TICK PICK" [hand operated instrument for removal of ticks and other insects from animals and humans]			No
4-16	OPP	113,785	The Sports Authority Michigan, Inc. v. The PC Authority, Inc.	Simms Wendel Rogers*	2(d)	Opposition Dismissed as to both opposed applications	"THE SPORTS AUTHORITY," "THE SPORTS AUTHORITY" (and design) and other marks, all of which compose a family of marks incorporating the word "AUTHORITY" [all these marks for retail store services featuring sporting equipment and clothing and/or a range of specifically detailed products and services]	"THE PERSONAL COMPUTER AUTHORITY" and "PC AUTHORITY" (and design) [both marks for retail stores featuring computer hardware and software, computer accessories, computer networking products and peripheral devices; consultation and design for others in the field of computer hardware and software, computer accessories, computer networking products and peripheral devices]			Yes
4-16	CANC	25,256	Moosehead Breweries Ltd. v. Otto Brothers' Brewing Co., Inc.	Hairston Chapman* Bucher	2(d); affirmative defense of laches	Petition to Cancel Granted	"MOOSEHEAD" and a family of marks incorporating the word "MOOSE" [all marks for beer, clothing, and/or other goods and services]	"MOOSE JUICE" [beer]			No

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

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4-18	EX	75/853,488	Sashco, Inc.	Simms Wendel* Rogers	2(d)	Refusal Reversed		"CASCADE" [coating used as water repellant for log homes]	<i>four cited registrations, owned by three different entities:</i> "CASCADE" and "CASCADE 25" [both marks for fiberglass laminated shingles]; "CASCADE CREST" [wood paneling]; "CASCADE BLUE" [fluorescent dyes]	B. Rupp	No
4-18	EX	75/628,232	Fitch IBCA, Inc.	Cissel Seeherman Walters*	2(e)(1)	Refusal Affirmed		"PORTFOLIO UPDATE" [financial services, namely, providing information on securities, research and surveillance on securities via a global computer information network]		Feldman	Yes
4-18	EX	75/872,247	Konica Photo Imaging, Inc.	Seeherman Wendel* Drost	2(e)(1)	Refusal Affirmed		"PHOTO STATIONERY" [photofinishing services]		Vasquez	No
4-18	EX	75/252,479	Johnson & Johnson	Hanak* Wendel Drost	2(d)	Refusal Reversed		"EPIC MOCROVISION" [endoscopic fiber optic viewing system, namely, endoscopes and accessories there for]	"EPIC" [digital , electrophysiology imaging processing computer and work product for use in catheter positioning and electrophysiology imaging event recording and instruction manuals provided in connection therewith]	Brown	No

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4-18	EX	75/368,461	H. E. Butt Grocery Co.	Simms Holtzman Drost*	2(d); whether that which applicant seeks to register functions as a trademark or merely as informational matter	Refusal Affirmed on both grounds asserted and as to both cited registrations		"COSTS YOU LESS!" (and design) [retail supermarket services]	<i>two cited registrations owned by the same entity:</i> "COST -U-LESS" and "COST U LESS" (and design) [both marks for wholesale and retail warehouse stores featuring food and beverages, clothing and shoes, cleaning products and supplies, tools, jewelry, home electronics and appliance, blank video and audio cassette tapes, toys, sports equipment, home furnishings and decorations, outdoor furniture, books, computers and computer programs, compact discs and audio cassette tapes featuring music, tobacco products, dishes, glasses, silverware, film, film processing and paper products]	Vasquez	No

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