

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
April 22-26, 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 |
|-------------|-----------------|-------------------------|---------------------------|----------------------------|---------|------------------|--|--|---|--------------------|------------------------------|
| 4-23 | EX | 75/593,060 | Roche Diagnostics Corp. | Cissel Seeherman Chapman* | 2(e)(1) | Refusal Reversed | | "D-TECTOR" [medical apparatus, namely, an optical screening device for non-invasively measuring optic lens fluorescence from glycosylated end products and glycosylated proteins in the eyes of individuals potentially having diabetes, primarily for use by optometrists and ophthalmologists] | | Belenker | No |
| 4-23 | EX | 76/099,225 | Arrow Visual Design, Inc. | Hohein Bottorff* Drost | 2(e)(1) | Refusal Affirmed | | "PROMO-CARD" [preparing advertising for others, namely, preparing multi-media advertising stored on a business-card sized CD-ROM] | | Zukovcic | No |
| 4-23 | EX | 75/758,240 | Advanced Ordnance Corp. | Cissel Chapman Bucher* | 2(e)(1) | Refusal Affirmed | | "I GUN" [firearms, namely, handguns, rifles and shotguns with personalized recognition parts therefor] | | Gaynor | No |
| 4-23 | EX | 75/527,785 | NycoMed Amersham PLC | Cissel Hohein Wendel* | 2(d) | Refusal Reversed | | "TOMOJET" [medical apparatus, namely, devices for the administration of contrast media] | "TOMOSCAN" [medical x-ray scanning systems for total body and head studies] | Bell | No |
| 4-24 | EX | 75/793,263 | Paul Markowitz | Cissel Hanak* Hohein (D) | 2(e)(1) | Refusal Reversed | | "TACKLE-RACK" [fishing tackle boxes] | | Fisher | No |
| 4-24 | EX | 75/818,989 | Vina Lo Miranda Ltda. | Seeherman Wendel Holtzman* | 2(d) | Refusal Affirmed | | "STELLA SOLARIS" [wines and liqueurs] | "SOLARIS" [wine] | Delaney | No |

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

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| 4-24 | EX | 75/826,886 | Dr. Ing. h.c. F. Porsche AG | Wendel* Bucher Bottorff | 2(d) | Refusal Affirmed | | "CAYENNE" [clothing, namely, anoraks, beachwear, belts, blazers, blouses, blousons, body suits, cardigans, coats, dresses, footwear, foul weather gear, gloves, headwear, infant wear, jackets, jeans, jogging suits, leather coats, leather jackets, overalls, pants, parkas, polo shirts, scarves, shirts, shorts, ski wear, skirts, slacks, sleepwear, snow suits, socks, suits, sun visors, sweat bands, sweatshirts, sweaters, t-shirts, tennis wear, neckties, tights, tops, tracksuits, trousers, underwear, vests, and wrist bands] | "CAYENNE" (in stylized form) [leather and suede clothing, namely, coats, jackets, dresses, skirts, pants, vests, belts, shawls, and sweaters; cotton, wool, acrylic and man-made fiber sweaters] | Stoides | No |
| 4-24 | EX (R) | 75/762,329 | China Bluestar (USA) Group, Inc. | Cissel Bottorff* Holtzman | 2(e)(4) | Request for Reconsideration Denied (Refusal Affirmed) | | "MALAN" (depicted in stylized lettering, i.e., all lower case letters) [coffee shops, cafes, Chinese restaurants, buffet and fast food restaurants] | | Yontef | No |
| 4-25 | CANC | 29,940 | MCB, Inc. v. Fashion Exp. (Taiwan) Co., Ltd. | Simms Quinn* Drost | 2(d) | Petition to Cancel Granted | "WILD ROSE" [women's apparel, namely, jackets, vests, shirts, blouses, t-shirts, pants, shorts, skorts, suits, and dresses] | "WILD ROSE" [active, sport, casual, work and formal dress footwear, and boots] | | | No |

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| 4-25 | EX | 75/779,288 | ChanneLinx .com, Inc. | Simms Chapman Drost* | 2(d); whether applicant's identification of services in Class 35 is acceptable | Refusal Affirmed, but only on 2(d) ground and only with respect to the cited registration for the mark "CHANNELINK" for educational services, etc. | | "CHANNELINX.COM" [services in three different classes: computerized online services (Cl. 35), network installation services (Cl. 37), and software maintenance services (Cl. 42), all being services "for enabling electronic commerce in the fields of building materials and supplies, petroleum-related chemicals, industrial equipment and supplies, manufacturing equipment, and construction equipment and supplies"] | two cited registrations, owned by different entities: "CHANNELink" [computer hardware and software used in data transfer and data communications applications]; "CHANNELINK" [educational services, namely, offering seminars and training for others in the use and operation of computers and related equipment] | J. Dalier | No |
| 4-25 | EX | 75/819,459 | Polymer Flip Chip Corp. | Quinn* Chapman Holtzman | 2(e)(1) | Refusal Affirmed | | "FLIP TAG" [radio frequency identification (RFID) tags and smart cards embedded with a microchip] | | Chicoski | No |

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| 4-26 | OPP CANC (R) | 22,034 99,949 | Star Networks, Inc. v. Sprint Communications Co. L.P. | Hairston Chapman* Holtzman | 2(d) | Request for Reconsideration Denied (Petition to Cancel Denied; Opposition Dismissed) | Petitioner/Opposer pleaded use of seven registered marks and 27 unregistered marks incorporating the word "MOST" [<i>for a wide variety of goods and services, including banking and financial services, electronic funds transfer services, electronic data processing, ATM machines, credit card services, promotional items, etc.</i>] | "THE MOST" [telecommunications services] and "THE MOST WORLDWIDE" [telecommunications services, namely, telephone communications services]; "THE MOST FOR BUSINESS" [telecommunications services, namely, telephone voice communications services] | | | No |

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