

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
December 13-17, 2004

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
12-13	EX	76364167	David Adress	Chapman* Holtzman Rogers	2(d)	Refusal Affirmed as to both cited registrations		"PC WIZ" [consulting services in the field of design, selection, implementation and use of computer hardware and software systems for others]	<i>2 cited registrations, both owned by the same entity: "PC WIZARDS" and "PC WIZARDS" (and design) [both marks for the following services: in Class 37: repair services for computer hardware, namely, personal computer and network installations and maintenance services; in Class 42: computer consulting services, namely, technical support services in the nature of troubleshooting of computer hardware and software problems via e-mail, by telephone, or in person; maintenance of computer software; custom website design and hosting for others]</i>	Madden	No
12-13	OPP	91125166	Centocor, Inc. v. Celltech Therapeutics Ltd.	Walters* Rogers Drost	2(d)	Opposition Sustained	"REMICADE" [pharmaceutical compositions for treatment of autoimmune diseases and disorders]	"HUMICADE" [anti-tumor necrosis antibodies for the treatment of Crohn's disease and rheumatoid arthritis]			No

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

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12-13	EX	76345954	George Christopher Fischer	Hanak* Holtzman Rogers	whether applicant's amended recitation of services is within the scope of the original recitation [Rule 2.71(a)]	Refusal Affirmed		"OFFSHORE ADVENTURES" [production of television programs and distribution of television programs, production and presentation of visual and audio works, movies, videos and television programs for cultural and entertainment purposes] <i>Note: applicant's original recitation of services was: "production and distribution of television programs"</i>		Dawe	No
12-14	OPP (R)	91151960	InUnison Integrated Systems Ltd. v. Appiant Technologies, Inc.	Simms (D) Quinn Hohein*	2(d)	Request for Reconsideration Denied (Opposition Dismissed)	"INUNISON" [website design and maintenance services]	"INUNISON" [providing online application hosting services in the field of contact management, personal information hubs and calendar management]			No
12-15	EX	78160641	Vegard Ulvang	Quinn Chapman* Holtzman	2(e)(4)	Refusal Affirmed		"ULVANG" [socks]		Krisp	No
12-16	EX	76383794	R. Torre & Co.	Hanak* Chapman Drost	whether applicant's drawing of its mark comports with the mark as shown on its specimens of use	Refusal Affirmed		a swirl design in red and yellow [fruit puree base for use in the preparation of fruit drinks, smoothies, and the like]		Mullen	No

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12-16	EX	76201822	Dunn-Edwards Corp.	Simms Hanak* Rogers	whether the matter applicant seeks to register functions as a trademark for its goods	Refusal Affirmed		design mark [paint for use on masonry]		Hickey	No
12-16	EX	76407344	WMAC, Inc.	Hohein Rogers* Drost	2(e)(1)	Refusal Affirmed		"ROLE MODEL" [printed publications, namely, magazines containing articles of interest to women]		Fisher	No
12-17	OPP (SJ)	91115198	The Vermont Teddy Bear Co., Inc. v. Build-A-Bear Workshop, LLC	Simms Quinn Chapman [Opinion "By the Board" (Welling-ton)]	2(d)	Opposition Dismissed (applicant's motion for summary judgment granted)	providing the means for customers to place a heart-shaped object in a stuffed toy animal [stuffed toy animals]	a three dimensional heart-shaped object placed inside a stuffed or plush toy animal [plush animals and stuffed toy animals]			No
12-17	EX	76159040	Univar USA Inc.	Hairston Holtzman Rogers*	2(d)	Refusal Affirmed [as to the cited mark CONTROL (and design) only]		"KONTROL" [pesticides for domestic, industrial and agricultural use]	2 cited registrations: "CONTROL" (and design) [insecticides for domestic use] and "PRO-CONTROL" [insecticide for domestic, commercial, agricultural and industrial use]	DeFord	No

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12-17	EX	75624180	Miriam Jacob and Norma Sawdy	Quinn* Walters Chapman	2(d); Section 6 disclaimer requirement (of term "US")	Refusal Affirmed on both grounds		"US ANGELS" [children's clothing, namely, dresses, wedding gowns, shirts, skirts, pants, jackets, vests, coats, sweaters, shorts, and pajamas]	"AMERICAN ANGEL" [shoes]	Baird	No

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