

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

August 23-27, 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
8-24	EX	76280243	Petite Four, Inc.	Simms* Quinn Chapman	2(d)	Refusal Affirmed as to the goods in Class 9; Refusal Reversed as to the services in Class 35		"EMPEROR NORTON RECORDS" [<i>in Class 9</i> : musical sound recordings; <i>in Class 35</i> : promoting the goods and services of others through direct mail advertising and the distribution of printed and audio promotional materials in the field of sound recording and performances; advertising agency services in the field of sound recordings and musical performances of entertainment personalities; management of musical performers]	"NORTON RECORDS" [pre-recorded vinyl phonograph records, audio cassettes and CDs featuring music]	Cross	No
8-24	OPP	91153134	Federal National Mortgage Association v. Charles R. Carey	Quinn* Hairston Chapman	2(d)	Opposition Sustained	"FANNIE MAE" and a number of other marks incorporating the words "FANNIE MAE" [a wide range of mortgage-related services and financial services, including financing in the multi-family residential business]	"RENNIE MAE" [lease application, credit evaluation, payment processing and guarantee services]			No
8-25	EX	75857797	Consolidated Specialty Restaurants, Inc.	Simms Chapman* Holtzman	2(e)(3)	Refusal Affirmed		"COLORADO STEAKHOUSE" (and design) [restaurant services]		Souders	Yes

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

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8-25	EX	76095249	Reel Efx, Inc.	Seeherman Chapman* Holtzman	Section 6 disclaimer requirement (of "EFX"); whether applicant's specimens in Class 9 show use of its mark on its recited goods in that class	Refusal Affirmed in all four classes as to disclaimer requirement and in Class 9 as to failure to show use in commerce		"REEL EFX" [<i>in Class 9</i> : scientific and electronic apparatus for producing special effects in the advertising and entertainment industries, namely, computer controlled stop action motion picture camera arrays; <i>in Class 11</i> : apparatus for producing special effects for the entertainment and advertising industries, namely, lights, lighting, hazers, fluids for hazers, portable cooling systems, fans and inflatable and collapsible bodies sold as units with fans; <i>in Class 35</i> : providing mechanical special effects for the advertising industry; <i>in Class 41</i> : providing mechanical special effects for the entertainment industry]		Rupp	No
8-25	CANC (SJ)	92042416	Lancetti Cosmetics v. Renee Beauty Salons, Inc.	Quinn Walters Drost [Opinion "By the Board" (Zervas)]	abandonment	Petition to Cancel Denied (Respondent's motion for summary judgment granted)	"BEAUTY BAR" [color cosmetics, namely color kits consisting primarily of articles of manufacture for home self-application of color to face, eyes and lips]	"BEAUTY BAR" [beauty salon and cosmetology services]			No

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8-25	OPP	91121292	David J. Fox, D.M.D. v. David S. Hornbrook	Quinn Hohein* Chapman	2(d); genericness	Opposition Sustained on genericness ground only	“QUALITY DENTISTRY FOR DISCERNING ADULTS” [high quality, multidisciplinary, specialty level dental care and general adult dental services provided by a dentists with specialty certificates in prosthodontics and/or periodontics]	“DENTISTRY FOR THE QUALITY CONSCIOUS” [dental services]			No
8-26	EX	78076460	Trademark Management Co.	Hanak* Hairston Walters	2(d)	Refusal Affirmed		“BREAKFAST BITES” [frozen, packaged or prepared Mexican foods, namely, corn tortillas and flour tortillas]	“BREAKFAST BITE” [sandwiches, namely, sausages and buns for consumption on or off premises]	Hella	No
8-26	EX	76098361	Rockler Companies, Inc.	Seeherman Walters* Chapman	2(d)	Refusal Affirmed		“SURE-LOC” [accessories for table saws, namely, mitre gauges]	“SURE-LOCK” [hammers]	Gaynor	No

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