

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**November 8-12, 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
11-9 <i>(corrected copy mailed 11-10)</i>	EX	76286578	GeoMet, Inc.	Seeherman* Quinn Bottorff	2(d)	Refusal Reversed in all three classes		"GEOMET, INC" (and design) [in Class 39: public utility services in the nature of natural gas and coalbed methane gas distribution; in Class 40: oil and gas well treatment; gas production services, namely, natural gas and coalbed methane gas production services; in Class 42: geophysical exploration for the oil and gas industries; management and design of oil and gas well drilling; oil and gas well prospecting, namely, well logging and testing; coalbed methane resource assessment; development of coalbed methane resources]	2 cited registrations, owned by the same entity: "GEOMET" and "GEOMET" (and design) [both marks for environmental research services, namely, energy conservation and monitoring indoor air quality, ambient emission control, and technological research with respect to geographic information systems, electromagnetic fields, weather characterization and meteorological systems for utilities, radon mitigation and life cycle assessment]	Bell	No
11-10	EX	76490830	State Street Palazzo Trattoria Italiana, Inc.	Hanak* Chapman Drost	2(d)	Refusal Affirmed		"GO FISH AND CHIPS" [restaurant services]	"GO FISH" [restaurant services]	Nelson	No
11-10	OPP	91155623	Head Sport AG v. Dennis W. Ross	Hanak* Quinn Drost	2(d)	Opposition Sustained	"HEAD" [a wide variety of sporting equipment, including golf clubs and golf bags]	"HED GOLF" [golf clubs]			No

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

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11-10	EX	76331276	Hirschmann Electronics GmbH & Co., KG	Quinn Chapman* Bottorff	2(d)	Refusal Reversed in both classes		"HIVISION" [ <i>in Class 37</i> : network management, namely, installation and maintenance of network systems; <i>in Class 42</i> : administration of network systems, namely, integration of computer systems and telecommunications and data networks; telecommunications and network design for others and computer software development for telecommunications and data networks; monitoring the telecommunications or data systems of others for technical purposes, namely, for error detection and removal; and providing back-up computer programs and facilities in the field of telecommunications; and monitoring telecommunications and data systems for security purposes]	"HIVISION" [computer display monitors]	Snapp	No

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11-10	EX	75602873	Joanne Slokevage	Seeherman Quinn Bucher*	whether the matter asserted for registration has acquired distinctiveness as a trademark for applicant's goods	Refusal Affirmed, but refusal will be set aside upon submission of disclaimer of the "holes and flaps configuration" portion of mark		<i>mark described by applicant as:</i> "a configuration located on the rear hips comprised of: a label in the center with the words FLASH DARE! on a v-shaped background; and on each of the two sides of it there is a clothing feature (a cut-out area, or hole, and flap affixed to seat area with a closure device); the top borders of the "holes" also forming and continuing the "vee" shape]		Lee	No
11-10 <i>(corrected copy mailed 11-12)</i>	EX	78145553	Edward Lowe Foundation	Quinn* Walters Bottorff	2(e)(1)	Refusal Affirmed		"PEERNET" [providing computerized online databases featuring online peer group directories in the field of entrepreneurs, business surveys used to understand the needs and issues of entrepreneurial peer groups, directories of those wishing to ask entrepreneurial and business related questions of each other; and articles and information in the field of and relating to entrepreneurial and business development issues]		Dwyer	No

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11-10	OPP OPP	91122676 91124156	Miss Universe L.P., LLLP v. Rainbow Productions and Publications, Inc.	Hohein Chapman Bucher*	2(d)	Opposition Sustained in both cases <i>(by default in 91124156)</i>	a family of marks, including "MISS USA," "MISS TEEN USA, and variants of these marks having fifty state designations, e.g., "MISS [STATE] USA" [all marks for beauty pageants and promotional goods related to beauty pageants]	"MISS T-GIRL USA" [entertainment services in the nature of promoting and conducting gay beauty pageants] and "MISS DRAGQUEEN USA" [entertainment services in the nature of conducting gay beauty pageants]			No
11-12	EX	76470576	Phoenix Intangibles Holding Co.	Hanak Quinn Holtzman*	2(d)	Refusal Affirmed as to both cited registrations		"BRILLIANCE" [dishwashing detergents]	2 cited registrations, owned by different entities: "BRILLIANCE-GUARD" [dishwashing detergents in solid, fluid and gel with and without a disinfectant; and a number of other goods] and "BRILLIANCE" [floor cleaning preparations]	Smith	No

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