

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
April 18-22, 2005

| 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 |
|-------------|-----------------|-------------------------|---|-------------------------------|---|---|---|---|---|--------------------|------------------------------|
| 4-19 | CANC | 92032746 | U. S. Conference of Catholic Bishops v. Media Research Center | Chapman* Grendel Rogers | 2(d); affirmative defenses of genericness or non-distinctiveness, laches and estoppel | Petition to Cancel Denied (but not on the basis of the asserted affirmative defenses) | "CNS" and "CNS NEWS" [providing an on-line news service featuring news, cartoons, photos, etc. of interest to Catholics and/or from a Catholic perspective]; "CATHOLIC NEWS SERVICE" [newsletters, periodicals, and brochures containing information about current affairs, including news, features and photographs, from a Catholic perspective; distribution of news, features, and photographs of current events from a Catholic perspective via a global computer information network, postal services and print publications] | "CNS NEWS.COM CYBERCAST NEWS SERVICE" (and design) [computer services, namely, providing information on-line concerning news, special interest and opinions] | | | No |
| 4-20 | EX | 75627987 | Allianz Life Insurance Co. of North America | Quinn Rogers* Drost | 2(d) | Refusal Reversed | | "ACCUMULATOR BONUS MAXXX" [insurance services, namely, insurance underwriting, claims processing, claims administration, consultation and brokerage in the field of life insurance and annuities] | "BONUS MAX" [annuity underwriting services] | Hella | No |

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

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| 4-20 | EX | 76219917 | NetEnterprises, Inc. | Chapman* Bucher Drost | genericness (whether applicant's mark is registrable on the Supplemental Register) | Refusal Affirmed | | "NETENTERPRISE" [computer services, namely, connecting customer web sites and web applications for online access by users through the Internet, hosting and managing customer web sites and web applications at data centers, providing network management and support services to customers] | | Salemi | No |
| 4-21 | EX | 76422584 | Advanced Lighting Technologies, Inc. | Quinn Hairston* Bucher | 2(e)(1) | Refusal Reversed [<i>Note: Bd. had, on 11/15/04, affirmed the refusal to register, but it vacated that decision on 1/13/05 and set the case for oral hearing, which was held 3/9/05</i>] | | "E-LAMP" [<i>in Class 9: metal halide lighting system components, namely, ballasts and electrical controls; in Class 11: metal halide lamps and metal halide lighting systems consisting of lamps, ballasts, and electrical controls, sold as a unit</i>] | | Cain | No |

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| 4-21 | OPP | 91124869 | Nike Inc. v. Nikepal International Inc. | Hohein Hairston* Holtzman | 2(d); dilution | Opposition Dismissed | "NIKE" [athletic footwear and clothing, sports bags, posters, notebooks, watches, retail store services featuring footwear, clothing, sporting goods, and accessories; <i>and other goods</i>] | "NIKEPAL" [import and export agencies and wholesale distributorships featuring scientific, chemical, pharmaceutical, biotechnology testing instruments and glassware for laboratory use, electrical instruments, paper products, and household products and cooking appliances] | | | No |
| 4-22 | EX | 76469243 | Lynda Guber | Hanak* Hohein Rogers | 2(e)(1) | Refusal Affirmed | | "CONTACT YOGA" [books and magazines on the subject of meditation and exercise, manuals on the subject of instruction, newsletters featuring information about exercise, educational books and printed instructional, educational and teaching materials on the subject of meditation and exercise] | | Ayala | No |

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