

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
July 18- July 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
7-18	OPP	91154354	L.C. Licensing, Inc. and Liz Claiborne, Inc. v. CMR Industria e Comercio Ltda.	Seeherman Grendel* Kuhlke	2(d)	Opposition Sustained	"LIZWEAR," "LIZ SPORT," and "LIZGOLF" (all in standard form and with designs), "LIZ & CO.," "LIZWOOL," and "LIZFLEX" [various clothing items, hats, various footwear items, and handbags]	"LIZ" stylized [pantyhose, lingerie, blouses and tops]			No
7-18	EX	76269526	Viking Lifesaving Equipment A/S	Hairston* Bucher Zervas	2(d)	Refusal Affirmed		"VIKING LIFE-SAVING EQUIPMENT" and design [life saving rafts and boats; lifejackets; life buoys; fire fighting suits; warning lights, flares and signal whistles; radar reflectors; boxes and covers for some of these items; installation and maintenance of safety and life-saving equipment; training and classes and seminars in use of safety and life-safety equipment]	Three "VIKING" and design marks, each lined for red and blue [protective clothing, namely suits for protection against chemicals and gases; protective shoes and boots; fire fighting boots for protection against accidents, irradiation and fires]	Fink	No
7-19	EX	78172835	HIS Service Corp.	Seeherman Bucher Walsh*	2(d)	Refusal Affirmed		"CRITERION" [gloves for medical, dental and veterinary use]	"CRITERION" [artificial respiratory apparatus and instruments; respiratory monitors; masks used for respiratory therapy and anesthesia; inhalers; medical tubing]	Rauen	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

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

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
July 18- July 22, 2005 (continued)**

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
7-21	OPP	91158118	M2 Software, Inc. v. M2 Communications, Inc.	Quinn Drost* Zervas	2(d)	Opposition Dismissed	"M2" [computer software for business management in film and music industries; interactive multimedia applications featuring artists' performances and biographical information; instructions and information for playing musical instruments]	"M2 COMMUNICATIONS" [interactive multimedia CD-ROMs containing educational information in the fields of pharmaceutical and medical product information, therapies and strategies, and medical, pharmaceutical, and healthcare issues]			No
7-21	EX	78177402	Hoover Company	Seeherman* Walters Holtzman	2(e)(1)	Refusal Affirmed		"TWIN CHAMBER" [floor care appliances, namely, vacuum cleaners]		Gaynor	No
7-21	EX	76465812	The Murray Company	Hohein Hairston Kuhlke*	2(d)	Refusal Affirmed		"MURRAY COMPANY" and design [construction management]	"M MURRAY" [industrial, commercial and residential construction and general contractor services]	Kloiber	No
7-21	EX	76276283	InOvate Communications Group	Hairston* Holtzman Kuhlke	2(d)	Refusal Reversed		"KODIAK NETWORKS" [long list of wireless telecommunications equipment, including hardware and software items; retail and wholesale distribution of wireless and data networking equipment; installation, maintenance and repair of wireless networks and apparatus; training classes and seminars]	"THE KODIAK GROUP ELECTRONIC COMMERCE PLANNING + IMPLEMENTATION" [communication services, namely electronic transmission of messages and data]	Weimer	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

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

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
July 18- July 22, 2005 (continued)**

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
7-21	EX	76372314	My Virtual Model Inc.	Bucher* Zervas Kuhlke	6(a); 2(f)	Refusal Reversed on finding of acquired distinctiveness		"MY VIRTUAL MODEL" and design [computer software for on-line garment retailing applications; computer software for on-line weight loss product retailing applications]		Steplight	No
7-22	EX	78222753	Carlin Combustion Technology, Inc.	Bucher Kuhlke* Walsh	2(d)	Refusal Affirmed		"EZ-TEMP" [control to be mounted to a water heater, boiler or furnace to control the operating temperature of the appliance by cycling power to an oil or gas burner at the appropriate time]	"EASY TEMP" [thermostats for controlling heating and cooling systems]	Brown	No
7-22	EX	75878447	I.F.R.A. SRL	Quinn Zervas* Kuhlke	2(d)	Refusal Affirmed		"TT'S" [steering wheels, shift knobs, alloy wheels; pedal kits comprising brake pedal[s], acceleration pedals, and clutch pedals; products for decoration of cars, namely, side door stops, aluminum frame housing for shift handles, seat covers, steering wheel covers]	"TT-S" [antitheft alarms for vehicles]	First	No
7-22	OPP	91155798	Nikki Stark v. Jewelry Design & Repair, Inc.	Seeherman Holtzman* Rogers	2(d)	Opposition Sustained	"JEWELBIZ" and design [retail sales of jewelry, online retail store services featuring jewelry, and auction sales featuring jewelry]	"JEWELBID" and design [retail store and online retail store services featuring jewelry; auctioneering services and online auction services featuring jewelry]			No

- (1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration
(2) *=Opinion Writer; (D)=Dissenting Panel Member