

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

June 20-24, 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 |
|-------------|-----------------|-------------------------|--------------------------------------|--------------------------|---------|----------------------|---|--|--|--------------------|------------------------------|
| 6-21 | EX | 76573265 | Bearings Limited | Hairston Bucher Drost* | 2(d) | Refusal Affirmed | | "BL" [machine part, namely, a ball bearing used as part of a machine on which another part turns or slides] | "BL" (in stylized form) [metal bolts, metal nuts and metal screws] | Sloan | No |
| 6-21 | EX | 76477087 | NFE, Inc. | Seeherman Quinn* Walsh | 2(e)(1) | Refusal Affirmed | | "GLASSPAD" [fiberglass foundations for supporting enclosures for covering, securing, and otherwise protecting exterior plumbing assemblies] | | Bello | No |
| 6-21 | OPP | 91156752 | Carl B. Viniar v. Beverly Clark | Grendel* Holtzman Zervas | 2(d) | Opposition Sustained | "MEDIATION WORKS" [mediation and alternative dispute resolution services] | "MEDIATION WORKS" [mediation and dispute resolution services] | | | No |
| 6-21 | OPP | 91151771 | Wyeth Holdings Corp. v. Walgreen Co. | Seeherman Quinn Chapman* | 2(d) | Opposition Sustained | "FROM A TO ZINC" [vitamin and mineral preparations] | "A THRU Z ADVANTAGE" [dietary and nutritional supplements] | | | No |
| 6-21 | EX | 78110053 | Adept Data Technologies, Inc. | Seeherman Grendel* Drost | 2(d) | Refusal Reversed | | "DOCSS" (in stylized lettering) [downloadable computer software for electronic and scanned image document management for storing, organizing and retrieving data and documents via Internet, Intranet, or local computer network with integration of ability to fax and e-mail documents in and out of the software] | "DOCSSITE" [computer software programs for use in the field of document management, and in the field of electronic publishing on a global computer network and related instruction manuals sold or licensed as a unit] | Smith | No |

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

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| 6-21 | EX | 76487218 | Global Mentoring Solutions, Inc. | Hairston Walters Walsh* | 2(e)(1) | Refusal Affirmed | | "REAL TIME LEARNING" [training services in the field of computer applications and technical training for businesses via the Internet] | | McCauley | No |
| 6-21 | OPP | 91153852 | Knight Textile Corp. v. Jones Investment Co., Inc. | Quinn Grendel* Kuhlke | 2(d) | Opposition Dismissed | "ESSENTIALS" [women's clothing, namely, pants, blouses, shorts, and jackets for women] | "NORTON MCNAUGHTON ESSENTIALS" [ladies' sportswear, namely, shirts, shorts, pants, jumpers, dresses, skirts, jackets, blouses, and vests] | | | Yes |
| 6-22 | EX | 78269579 | Product Partners, LLC | Quinn* Holtzman Kuhlke | whether applicant's specimens show use of its mark in connection with its recited services | Refusal Affirmed | | "6 DAY EXPRESS" [weight reduction; and diet planning] | | Fletcher | No |
| 6-22 | EX | 78171270 | Love Bottling Company | Seeherman (D) Walters Kuhlke* | 2(a) [immoral or scandalous matter] | Refusal Affirmed | | "W.B. WIFE BEATER" [t-shirts] | | Clayton | No |
| 6-22 | EX | 75841424 | CT Realty Corp. | Hohein* Bucher Drost | genericness | Refusal Affirmed | | "STORAGE OUTLET" [providing self-service storage facilities for general consumer and business use] | | Mandir | No |
| 6-23 | OPP | 91153249 | Zanella Ltd. v. Saroyan Lumber Co. | Quinn* Grendel Drost | 2(d) | Opposition Dismissed | "ZANELLA" [a variety of men's and women's wearing apparel] | "ZANELLA" [wooden flooring] | | | No |

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| 6-24 | EX | 76476489 | Mssrs. Picchiotti S.r.l. | Hairston* Drost Kuhlke | 2(e)(4) | Refusal Affirmed | | "PICCHIOTTI" [jewelry; precious metals; precious stones, cuff links, tie pins, timepieces, and jewelry cases] | | Fisher | No |

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