

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**January 3-7, 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
1-3	EX	76431612	Snelling and Snelling, Inc.	Hairston Chapman* Bucher	2(d)	Refusal Affirmed		"CHECKS PLUS" (and design) [payroll preparation and preparing payroll related business reports for others]	"PAYCHECKS PLUS" (and design) [payroll services, namely, providing clients with payroll returns such as Form 941 and 940, Form W-2 and other state forms]	Ririe	No
1-4	EX	76351811	Daniel Zaharoni	Hairston* Walters Rogers	2(a) [immoral or scandalous matter]	Refusal Affirmed		"THE COMPLETE A**HOLE'S GUIDE TO..." [series of books providing information relating to advice, counseling, self-help, and humor]		Tierney	No
1-4	EX	76393570	Place Vendome Holding Co., Inc.	Walters* Chapman Holtzman	2(d)	Refusal Affirmed in all three classes		"STRATFORD HOME ACCENTS" [ <i>in Class 11</i> : decorative home furnishings, namely, lamps; <i>in Class 20</i> : decorative home furnishings, namely, pillows and shelves; <i>in Class 24</i> : decorative home furnishings, namely, fabric table runners, curtains and curtain tie-backs]	"STRATFORD" [upholstered furniture]	Kazazian	No

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

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1-6	EX	76016727	Great Thoughts, LLC	Hairston* Bottorff Drost	2(e)(1)	Refusal Affirmed in both classes		"PVDVD" [in Class 9: DVD-ROMS featuring movies and filmed products for general entertainment; DVD-ROMS containing computer software for word processing, data processing, graphic display, video display, entertainment in the nature of video games, etc.; and other goods; in Class 35: retail store, mail order catalogue, phone order and computerized on line ordering services in the field of audio and video recordings and hardware, video game software and hardware, computer software and hardware and related electronic home products and equipment]		Vanston	No
1-7	EX	76320844	Energy Efficiency Institute, Inc.	Hairston Walters* Chapman	2(e)(1)	Refusal Reversed		"PAY AS YOU SAVE" [promoting the sale of energy saving and resource efficient appliances and devices of others, namely, arranging for deferred repayment of the devices and appliances on monthly utility bills, the monthly payment relating to the savings from use of the appliance or device]		Foster	No

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1-7	EX EX	78102333 78102336	BrainLAB AG	Seeherman Bottorff Rogers*	whether applicant's identification of certain goods in Class 10 is sufficiently definite <i>[Note: Identification of most of the goods in Class 10 was found sufficiently definite, as were the identification of goods in Class 9 and recitation of services in Class 42]</i>	Refusal Affirmed in both cases		"CardioSUITE" and "BrainSUITE" [both marks for a wide range of goods in Class 10; the items held to be indefinite were identified as "electronic apparatus and image presentation apparatus for medical purposes"]		Leipzig	No

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