

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

**August 21-25, 2006**

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
8-22	EX	78397347	CFA Properties, Inc.	Quinn Grendel* Kuhlke	2(d)	Refusal Affirmed		"TRIM TRIO" [restaurant services]	"TRIO" [restaurant services]	Spils	No
8-22	EX	76220155	Golf Club of Nevada	Grendel* Holtzman Rogers	2(d)	Refusal Reversed		"SECRETARIAT" (and design) [wearing apparel, namely, shirts, pants, dresses, swimwear, golf gloves, caps and a number of other clothing items, to be marketed and sold in relation to golf course services]	"SECRETARIAT" [entertainment services, in the nature of thoroughbred racing]	Gaynor	No
8-22	EX	78350479	Eutectic Corporation	Drost Walsh Cataldo*	2(d)	Refusal Affirmed		"XUPERARC" [electric welding machines for resistance welding, incandescent welding, sparc welding and arc welding; autogenous soldering machines; machines and machine tools for the cutting and forming of materials; plasma etching machines; cutting torches; and jets, tips and nose pipes for use with plasma cutting torches]	"SUPERARC" [welding wire electrodes]	S.K. Lawrence	No
8-22	EX	76636336	David M. Chester	Quinn Holtzman Kuhlke*	2(e)(1)	Refusal Affirmed as to goods in Class 42 [Note: Refusal as to goods in Class 35 was withdrawn.]		"SETTLE MY CLAIM" [in Class 42: legal services and attorney services including litigating in-court settlements and negotiating out of court settlements]		Carruthers	No

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8-22	EX	78146593	Coherix Corporation	Quinn* Bucher Walsh	2(e)(1)	Refusal Affirmed		"TEMPORAL HOLOGRAM" [digital imaging of an object at different times]		Kim	No
8-22	EX	76597662	Globe Union Industrial Corp.	Seeherman* Kuhlke Cataldo	2(d)	Refusal Affirmed in both classes		"TIBURON" [in Class 11: plumbing fixtures, namely, toilets, bidets, bathtubs, whirlpool tubs, sinks, water closets, and other goods; in Class 21: bathroom accessories, namely, towel bars, washbowls, soap dishes, and other goods]	"TIBERON TILEWORKS" [ceramic field wall, floor, border, and counter tiles]	Lincoski	No
8-22	CANC (SJ)	92044693	Concorde Apparel, LLC v. International Mark Management S.A.	Holtzman Rogers Kuhlke [Opinion "By the Board" (Skoro)]	2(d)	Opposition Sustained (Opposer's motion for summary judgment granted)		"ZAGATO" (and design incorporating the letter "Z") [various clothing items, including coats, jackets, trousers, and overcoats]	"ZAGATO" (in stylized format) [men's topcoats, raincoats, slacks, sport coats, and suits]		No
8-23	EX	76481092	Red Magnet Marketing, LLC	Hohein Zervas Cataldo*	2(d)	Refusal Affirmed		"RED MAGNET MARKETING" [business marketing and direct mail consulting services for financial services]	"REDMAGNET" [providing multiple-user access to a global computer information network; web site creation and design, maintenance and implementation for others, graphic art design]	Spils	No
8-23	EX	76490897	CDG Holding Company	Quinn Drost* Zervas	2(d)	Refusal Affirmed		"CEOS WALK THE WALK" [charitable fundraising through organizing and conducting group activities, namely, participation in a group walk]	"WALK THE WALK" (and design) [organization of fundraising walks and marathons; and other services]	Case	No

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8-23	OPP	91118587	Tea Board of India v. The Republic of Tea, Inc.	Holtzman* Rogers Zervas	2(d); counterclaim to cancel opposer's pleaded registration on ground that opposer does not control—or is unable to exercise control over—its certification mark	Opposition Sustained; Counterclaim to Cancel Dismissed	"DARJEELING" (and design) [certification mark that certifies that a blend of tea contains at least 60% tea originating in the Darjeeling region of India and that the blend meets other specifications established by the certifier]	"DARJEELING NOUVEAU" [tea]			Yes
8-24	EX	76583583	Light Effects, Inc.	Hairston Walters* Zervas	2(e)(1)	Refusal Affirmed		"MOSAIC" [window coverings, namely, translucent window film]		Holtz	No
8-24	EX	76428109	FineLine Lakeshore Services, LLP	Quinn Zervas Walsh*	2(d); 2(e)(1)	Refusal Affirmed under 2(d) only		"POLYDECK" [polyethylene dock sections]	"POLYDECK" [vinyl boards for building products]	Dawe	No

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8-24	OPP (IM)	91157923	Georgia-Pacific Corporation and Fort James Operating Company v. Solo Cup Company	Wolfson (Interlocutory Attorney)	whether to modify protective order to permit in-house counsel access to confidential information; whether to re-designate certain evidence as non-confidential	Opposer's motion to modify protective order denied; opposer's motion to re-designate granted in part; opposer required to disclose and permit discovery of any expert witness it intends to depose for rebuttal		configuration of applicant's goods [plastic cup lids]			Yes
8-25	EX	78377250	Calcium Software Limited	Zervas* Kuhlke Cataldo	2(d)	Refusal Affirmed		"MAILPRIMER" [multimedia messaging software; computer software for the writing, sending, storage, processing, control, organization and/or management of email and other forms of communication]	"PRIMER" [software enabling documents to be read on hand-held computers and Internet appliances]	Blandu	No

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8-25	EX	78648759	Fallen Angels Production, Inc.	Hairston Kuhlke* Walsh	2(d)	Refusal Affirmed		"FH" (in stylized lettering) [jewelry; <i>and a number of other goods in Class 14</i> ]	"FH" [jewelry]	Sloan	No
8-25	EX	78221800	Sikorsky Aircraft Corporation	Quinn Holtzman* Drost	2(e)(4)	Refusal Reversed in all nine classes		"SIKORSKY" [a large number of goods in Classes 8, 9, 14, 16, 18, 21, 25, 26, and 28]		C.B. King	No
8-25	EX	76608812	JMH Productions, Inc.	Hohein* Bucher Walsh	2(e)(1)	Refusal Reversed in both classes		"MISS NUDE CENTERFOLD SEARCH" [ <i>in Class 9</i> : pre-recorded videotapes, CD-ROMs, and DVDs featuring adult entertainment; <i>in Class 41</i> : entertainment services, namely, a TV series featuring adult entertainment]		Estrada	No

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