

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
January 9-13, 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
1-10	OPP	91116242	Standard Knitting, Ltd. v. Toyota Jidosha Kabushiki Kaisha	Walters Holtzman* Kuhlke	2(d); counterclaim to cancel on the grounds of fraud	Opposition Dismissed; Counterclaim to Cancel Granted	"TUNDRA" [men's, ladies' and children's clothing, namely, sweaters, hats, jackets, coats, t-shirts, vests and shirts] and "TUNDRA SPORT" [men's, ladies' and children's clothing, namely, sweaters, hats, jackets, coats, shorts, t-shirts, vests and shirts]	"TUNDRA" [automobiles and structural parts thereof]			Yes
1-10	OPP	91122373	Johnson & Johnson v. Natural Thoughts, Inc.	Seeherman* Zervas Walsh	2(d)	Opposition Sustained	"PURPOSE" [toilet soap, hair shampoo; skin care products, namely, a moisturizer for use on the face and elsewhere on the body] <i>and other marks incorporating the word PURPOSE, for the same or related goods</i>	"DUAL-PURPOSE MASSAGE CREME" [massage creme]			No
1-10	EX	78405703	Lawman Holdings Limited	Quinn Bucher Walsh*	2(d)	Refusal Affirmed		"PETROJEANS" [wearing apparel, namely, jeans, pants, shorts, skirts, jackets, outerwear, woven shirts, t-shirts, blouses, dresses, hats, headwear, footwear, belts, for sale through retail channels of trade excluding truck stops and the marketing, sales and trade channels for truck stops]	"PETRO" (and design) [work shirts, t-shirts, polo shirts, sweaters, overalls and hats]	Smith	No

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

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1-10	EX	76513338	Held	Hohein Zervas* Kuhlke	2(d)	Refusal Affirmed		"CITRUS SPARKLE" [air freshener that applies directly to the intake vent of an air vent register]	"SPARKLING CITRUS" [candles; air fresheners and deodorizers; fragrances sold as an integral component of air fresheners and deodorizers]	Mizelle-Howard	No
1-12	EX	78044745	Petrielli	Quinn Hohein Hairston*	2(d)	Refusal Affirmed		"VEX CLOTHING" [latex clothing, namely, pants, jackets, dresses, shirts and lingerie; custom made latex clothing, namely, pants, jackets, dresses, body suits, shirts, and lingerie]	"VEXX" [sporting apparel, namely, t-shirts, jackets, sweatshirts, long sleeved shirts, board shorts, cargo pants, hats, beanies, windbreakers, and golf shirts]	Blohm	No
1-12	EX	76554285	Advertising Marketing Services, Inc.	Grendel Rogers Drost*	Section 6 disclaimer requirement (of the word MERCHANDISER)	Refusal Affirmed		"THE MERCHANDISER NEWSPAPERS 'ADVERTISING NEWS CONSUMERS USE'" (in stylized form) [newspapers primarily featuring classified advertisements and news articles]		Webster	No
1-12	OPP	91125266	Ava Enterprises, Inc. v. Audio Boss USA, Inc.	Hairston* Walsh Zervas	2(d)	Opposition Sustained	"BOSS AUDIO SYSTEMS" (in stylized form) [automobile audio components, namely AM/FM stereo receivers, cassette tape decks, CD players, power amplifiers, equalizers, electronic cross overs and speakers]	"AUDIO BSS USA" (in design format) [car power amplifiers, car speakers, car stereos, and home theater speakers]			Yes

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1-12	EX	78269442	SimDesk Technologies, Inc.	Seeherman Hohein Drost*	2(e)(1)	Refusal Affirmed as to both classes		"WORLD WIDE SERVER" [<i>in Class 9: communications software for connecting computer users to a global computer network and for allowing computer users to access on-line software applications, etc.; in Class 42: application service provider services featuring on-line software applications for use in word processing, spreadsheet development, database development, etc.</i>]		Lavine	No
1-13	EX	78288524	LLC Concepts, L.P.	Hohein Rogers Walsh*	2(d)	Refusal Affirmed		"LEGACY LEARNING CENTER" [child care and pre-school centers; day care services]	<i>2 cited registrations, both owned by the same entity: "LEGACY ACADEMY FOR CHILDREN" and "LEGACY ACADEMY FOR CHILDREN" (and design) [both marks registered for child care services]</i>	DuBois	No

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