

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division



MILO SHAMMAS,)
)
Plaintiff,)
)
v.)
)
THERESA STANEK REA,)
Acting Under Secretary Of Commerce For)
Intellectual Property And Acting Director)
Of The United States Patent And)
Trademark Office,)
Defendant.)

Case No. 1:13-cv-1462

ORDER

The matter is before the Court on the parties' cross motions for summary judgment (Docs. 13 and 24). The matter was fully briefed and argued.

For the reasons stated in the Memorandum Opinion of even date, and for good cause,

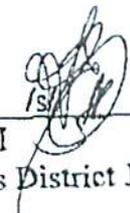
It is hereby **ORDERED** that defendant's motion for summary judgment is **GRANTED** because the Trademark Trial and Appeals Board's decision on genericness was supported by substantial evidence in the administrative record, and because the record as a whole shows that the term is generic.

It is further **ORDERED** that plaintiff's motion for summary judgment is **DENIED**.

Accordingly, this case is dismissed in its entirety with prejudice.

The Clerk is directed to send a copy of this Order to all counsel of record and to place this matter among the ended causes.

Alexandria, Virginia
October 15, 2013



T. S. Ellis, III
United States District Judge