

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
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LAW OFFICE ASSIGNED	LAW OFFICE 116
MARK SECTION	
MARK	https://tmng-al.uspto.gov/resting2/api/img/86308477/large
LITERAL ELEMENT	9.11 TACTICAL
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
ARGUMENT(S)	
Please see the actual argument text attached within the Evidence section	
EVIDENCE SECTION	
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DESCRIPTION OF EVIDENCE FILE	Argument in support of request for reconsideration, Declaration of Sean D. Flaherty, Exhibits 1-6
ADDITIONAL STATEMENTS SECTION	
MISCELLANEOUS STATEMENT	Please withdraw any disclaimers currently of record. The Applicant will consider a conditional disclaimer of either "9.11" or "tactical" (but not both) provided doing so would place the application in condition for registration, and invites the Examining Attorney to contact the applicant's attorney. The foregoing statement of conditional disclaimer is made without admission of the descriptiveness of either term.
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Sean Flaherty/
SIGNATORY'S NAME	Sean Flaherty
SIGNATORY'S POSITION	Attorney of Record, California bar member
SIGNATORY'S PHONE NUMBER	619-230-7473
DATE SIGNED	01/26/2017
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Jan 26 20:50:23 EST 2017
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Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **86308477** 9.11 TACTICAL(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/86308477/large>) has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Please see the actual argument text attached within the Evidence section

EVIDENCE

Evidence in the nature of Argument in support of request for reconsideration, Declaration of Sean D. Flaherty, Exhibits 1-6 has been attached.

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Converted PDF file(s) (7 pages)

[Evidence-1](#)

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[Evidence-3](#)

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ADDITIONAL STATEMENTS

Miscellaneous Statement

Please withdraw any disclaimers currently of record. The Applicant will consider a conditional disclaimer of either "9.11" or "tactical" (but not both) provided doing so would place the application in condition for registration, and invites the Examining Attorney to contact the applicant's attorney. The foregoing statement of conditional disclaimer is made without admission of the descriptiveness of either term.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Sean Flaherty/ Date: 01/26/2017

Signatory's Name: Sean Flaherty

Signatory's Position: Attorney of Record, California bar member

Signatory's Phone Number: 619-230-7473

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 86308477

Internet Transmission Date: Thu Jan 26 20:50:23 EST 2017

TEAS Stamp: USPTO/RFR-XXX.XXX.XXX.XXX-20170126205023

593170-86308477-5806eed321fe53647b012fb7

3e5856ec5ea90de6c689117457d38dd9a89ccc64

b7-N/A-N/A-20170126202554615068

Request for Reconsideration
Application Ser No. 86308477
Filed: June 12, 2014

Atty Docket No. TACT-1102869

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Trademark Application of:)
)
5.11 Sourcing, Ltd. limited company (ltd.))
)
Serial No. 86308477)
Filed: June 12, 2014)
For: **9.11 TACTICAL**)
)

RESPONSE TO FINAL OFFICE ACTION AND REQUEST FOR RECONSIDERATION

I. INTRODUCTION

The Examining Attorney has refused registration for the following trademark: 9.11 TACTICAL (Serial No. 86308477)(or “the ‘447 Application”) on descriptiveness grounds contending that (i) “the applied-for mark merely describes a use of the applicant’s goods or services” and (ii) that the “term 9.11 refers to the date, September 11, 2011” and that because September 11, 2001 calls to mind only the terrorist events of that day, the term cannot serve as a source indicator. Also, the Examining Attorney has continued (iii) its contention that the term “tactical” is merely descriptive of the Applicant’s goods. Further, the Examining Attorney has denied the Applicant’s request to withdraw the voluntary disclaimer previously made as to “9.11.”

In conjunction with this Request for Reconsideration after Final Office Action, the Applicant has filed a Notice of Appeal with the TTAB.

The Applicant respectfully disagrees with the Examining Attorney and presents the following explanation as to why the Applicant’s mark should be approved for registration.

II. ARGUMENT

The Lanham Act is codified in terms presumptive toward the eligibility and registerability of an applicant's trademark, providing generally that a term, word, or symbol shall be presumed to satisfy the requirements of a trademark unless it suffers from some defect.

Section 2 of the Lanham Act, provides, in pertinent part:

"No trademark ...shall be refused registration ... on account of its nature unless it-" (a) consists of immoral or scandalous matter; (b) consists of a flag or coat of arms; (c) consists of a name; (d) consists of an already registered mark likely to cause confusion or mistake; or (e) consists of a mark which is merely descriptive or generic. *See e.g.* 15 U.S.C. § 1052 (a)-(e).

Despite the Lanham Act's statutory text establishing a baseline in favor of registerability, the Examining Attorney has refused the registration of the '447 Application on the basis of a non-statutory defect.

Rather, in the Final Office Action, the Examining Attorney argued, without citation to *any* legal basis, that that the arrangement of numbers "9.11" uniquely and solely refer to September 11, 2001, and further "call[] to mind *only* the terrorist events of that day and *cannot serve* as a source indicator." (emphasis added)(See Office Action of July 26, 2016.) As discussed below, this is clearly incorrect. Applicant's evidence submitted herewith show that the arrangement of numbers "9," "1," and "1;" whether as "911," "9.11," "9/11," "9-11" or "9-1-1" are amply capable of signifying source. The Examining Attorney then used the foregoing unsupported conclusion to advance both a descriptiveness refusal and a quasi-confusion refusal.

As to the descriptiveness refusal, the July 26, 2016 Office Action claims that "9.11" "merely describes an ingredient, quality, characteristic, function, feature, purpose, or use of

applicant's goods and/or services." Further, as to the quasi-confusion refusal, the July 26, 2017 Office Action argued that "[a]n applicant may not claim exclusive rights to terms that others may need to use to describe their goods and/or services in the marketplace."

The foregoing refusals, however, fall flat. The Examining Attorney has made no showing as to how the term "9.11" describes any nature, quality, or characteristic of the Applicant's goods, namely class 18 wallets, bags, backpacks, totes or carryalls, or class 25 trousers, coats, hats, or socks. Especially in light of the Examining Attorney's theory that "911" can only refer to September 11, 2001, it seems wholly illogical as how the term could in any way be descriptive of the Applicant's class 18 or class 25 goods. Indeed, there is nothing about the term "9.11" that describes Applicant's class 18 or 25 products.

The quasi-confusion refusal is equally flawed. The '447 Application seeks registration for "9.11 TACTICAL." It does not seek separate and independent registration for "9.11." The Applicant has previously argued in favor of the non-dissection rule (See March 27, 2016 Response to Office Action) and maintains its position with regard thereto. Moreover, the Examining Attorney has not made any factual finding or raised any objection as to how the term "9.11 TACTICAL" is potentially confusing with prior registrations or prior-pending marks. Registration of Applicant's "9.11 TACTICAL" would not preclude third parties from referring to the events of September 11, 2001. Similarly, "9.11 TACTICAL" would not prevent third parties from referring to the numbers "911" in conjunction with a potential need to dial for police services. At bottom, the Examining Attorney has suggested that "9.11 TACTICAL" would somehow preclude third parties from referring to descriptive events and communications, without any basis in law or fact.

In addition to the above, the Applicant respectfully disagrees with the Examining Attorney's continued descriptiveness refusal of the term "TACTICAL" for the reasons below.

A. 9.11 Is Capable of Serving as a Source Indicator.

The USPTO's Electronic Registration Database (TESS) shows that two-hundred and fifty-six (256) Trademark Registrations include one of the following terms: "911," "9.11," "9-11," or "9/11." (See Exhibit 1 to Flaherty Dec.) This undoubtedly shows that the arrangement of numbers "911" are capable of serving as a source indicator, contrary to the Examining Attorney's conclusory position. The Applicant submits further that "911" (or as spoken "nine eleven") can in fact, be an exceedingly strong source indicator. Take, by way of example, the trademark for "911" as owned by Porsche AG (Reg. No. 2,414,167). (See Exhibit 3 to Flaherty Dec.) A great number of automotive consumers recognize "911" as a marquee brand of sports cars offered by Porsche. To conclude, as the Examining Attorney has, that "911" *solely* refers to September 11, 2001 and is *incapable* of signifying source, is inconsistent with the USPTO's history of granting 911-type trademarks for registration and is unsupported by any evidence or governing authority.

B. 9.11 is Not Descriptive of the Applicant's Goods or Services.

As noted above, there is no evidence to conclude that the term "9.11" describes the Applicant's goods in classes 18 or 25. Of the 256 U.S. trademark registrations including "911" or some variation, only fifty-nine (59) include a disclaimer of the 911- type term. (See Exhibit 2 to Flaherty Dec.) However, a cursory review of the record shows, that where disclaimers were required, they were made with ample basis *in context of the whole trademark, and in light of the applicable goods or services*. For example, the Registrant of "911 HELP NOW" (Reg. No. 5,006,952) was required to disclaim "911" apart from the mark as shown, because the

commercial impression of the term, in conjunction with the other terms, “HELP” and “NOW” was descriptive of the goods, specifically “Electronic personal emergency response system consisting of a device worn on the body with a button that users push to summon emergency responders in the event of an emergency.” (See Exhibit 4 to Flaherty Dec.) Similarly, the Registrant of “9/11 MEMORIAL” (Reg. No. 4,010,627) was required to disclaim “9/11” apart from the mark as shown because it was descriptive of “Museum services; educational services, namely, instruction and conducting programs about the terrorist attacks of September 11, 2001.” (See Exhibit 5 to Flaherty Dec.)

Distinct however, from either of the examples above, there is no connotation between “9.11 TACTICAL” and emergency response communication services, or September 11, 2001. Rather, “9.11 TACTICAL” is a distinctive indicator of source for use in conjunction with Applicant’s class 18 bags and class 25 apparel products. There is no legal or factual basis to conclude that “9.11” is merely descriptive of the Applicant’s goods, and thus there is no basis to require disclaimer.

C. The Disclaimer of “9.11” Should be Withdrawn.

In the Applicant’s June 16, 2016 response to the Examining Attorney’s Suspension Inquiry, Applicant requested that the disclaimer to “9.11” be withdrawn. In the Examining Attorney’s Final Office action, the request for the withdrawal of disclaimer was denied without any explanation.

Through this submission, Applicant expressly again requests that the voluntary disclaimer previously provided of the term “9.11” be withdrawn. Applicable authority exists to support the withdrawal of disclaimer. Specifically, TMEP 1213.01(c) provides that “[a]n applicant may volunteer a disclaimer in the mistaken belief that a disclaimer would be required

when, in fact, USPTO policy would not require a disclaimer.” The foregoing rule applies aptly to the circumstances here. The Applicant’s prior voluntary disclaimer was made under the mistaken belief that disclaimer of the term “9.11” would be required pursuant to USPTO policies. For the reasons discussed above, it is clear that “9.11” in fact, is not required for disclaimer under applicable law and USPTO policy. Under such circumstances, “the examining attorney must offer the applicant the opportunity to withdraw the disclaimer.” *Id.* To date, the Examining Attorney has not permitted Applicant the opportunity to withdraw the disclaimer of “9.11” as required under the TMEP. Applicant respectfully requests that the Examining Attorney now provide such opportunity and that the disclaimer of “9.11” is withdrawn.

D. “Tactical” is Not Descriptive of the Goods or Services.

The test for determining whether a mark is merely descriptive is whether it immediately conveys information concerning a significant quality, characteristic, function, ingredient, attribute or feature of the product or service in connection with which it is used, or intended to be used. *In re Bayer Aktiengesellschaft*, 488 F.3d 960, 82 USPQ2d 1828, 1831 (Fed. Cir. 2007); *In re Engineering Systems Corp.*, 2 USPQ2d 1075 (TTAB 1986); *In re Bright-Crest, Ltd.*, 204 USPQ 591 (TTAB 1979), *In re H.U.D.D.L.E.*, 216 USPQ 358 (TTAB 1982); *In re MBAssociates*, 180 USPQ 338 (TTAB 1973). Alternatively, a term that is suggestive can be registered. A suggestive term suggests, rather than describes, such that imagination, thought, or perception is required to reach a conclusion as to the nature of the goods. *In re Gyulay*, 820 F.2d 1215, 3 USPQ2d 1009 (Fed. Cir. 1987).

The term “TACTICAL” is not descriptive of the Applicant’s goods or services. The dictionary definition of “tactical” is “of or relating to combat tactics....” (See Exhibit 6 to Flaherty Dec.) Examples include “a tactical defense” or a “tactical first strike.” *Id.* Tactical is an

adverb, meaning that its intended use is to modify or qualify an adjective, verb, or other adverb. However, the '447 Application does not seek to register services related to combat tactics, or obtaining strategic advantage. Rather, the '447 Application seeks registration for the "9.11 TACTCAL" mark in conjunction with class 18 bags and class 25 apparel. Applicant avers, therefore, that the term "tactical" (as an adverb) is ill-suited to directly describe hard goods (nouns), and as such, is not descriptive of the Applicant's recitation of goods.

Applicant contends instead, that "tactical" is at worst, *suggestive* of the applied-for goods. As a composite mark, "9.11 TACTICAL" is evocative of an aggressive, action-sports lifestyle. "9.11 TACTICAL" is a powerful brand that evokes a fast, precise, and aggressive aesthetic. "Tactical" therefore, is not descriptive, and disclaimer of the term is unnecessary. Applicants respectfully submits that the Examining Attorney rescind the disclaimer requirement, and withdraw the descriptiveness refusal.

III. CONCLUSION

For the reasons set forth above, the Applicant requests that the Examining Attorney rescind the refusal and permit the '447 Application to proceed to registration. The Applicant contends that this response fulfills all outstanding requirements and is not deficient. Should the Examining Attorney wish to discuss any further issues, the undersigned attorney for the Applicant can be reached at: 619-230-7473 or by email at: sflaherty@gordonrees.com.

Dated: January 26, 2017

GORDON & REES LLP

By: /s/ Sean D. Flaherty
Sean D. Flaherty
Attorneys for Applicant
5.11 Sourcing, Ltd. limited company
(Ltd.)

Request for Reconsideration
Application Ser No. 86308477
Filed: June 12, 2014

Atty Docket No. TACT-1102869

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Trademark Application of:)
)
5.11 Sourcing, Ltd. limited company (ltd.))
)
Serial No. 86308477)
Filed: June 12, 2014)
For: **9.11 TACTICAL**)
)

DECLARATION OF SEAN D. FLAHERTY

I, Sean D. Flaherty, hereby declare as follows:

1. I am an attorney at law, duly admitted to practice law in the State of California and am Senior Counsel with the law firm of Gordon & Rees, LLP, counsel of record for the Applicant in this action. I make this declaration in support of the Applicant's request for reconsideration after final office action.

2. On January 26, 2017, I conducted the following search through the USPTO's TESS database: "'RN > "0" not (dead)[ld] and ((911)[comb] or (9.11)[comb] or (9-11)[comb] or (9/11)[comb])'" The results of the foregoing TESS search should reflect all live, registered trademarks containing any permutation of the term "911," including "9.11," "9-11," or "9/11." The foregoing TESS search reflected two-hundred and fifty-six responsive records. A true and correct copy of the foregoing search results is included at "Exhibit 1," attached hereto, which reflects all registered and subsisting trademarks including a 911- type element.

3. On January 26, 2017, I conducted the following search through the USPTO's TESS database: "'RN > "0" not (dead)[ld] and ((911)[DS] or (9.11)[DS] or (9-11)[DS] or (9/11)[DS])'" The results of the foregoing TESS search should reflect all instances in which the USPTO required the Registrant to disclaim the terms "911," including "9.11," "9-11," or "9/11"

from their registered trademarks. The foregoing TESS search reflected only fifty-nine (59) responsive records. A true and correct copy of the foregoing search results is included at "Exhibit 2," attached hereto, which reflects all registered marks which include a disclaimer for 911-type elements, a sum far less than the number of registered marks containing a 911-type element without need for disclaimer.

4. Attached hereto as Exhibit 3 is a true and correct copy of the entire prosecution history of trademark Registration No. 2,414,167 for "911."

5. Attached hereto as Exhibit 4 is a true and correct copy of the entire prosecution history of trademark Registration No. 5,006,952 for "911 HELP NOW."

6. Attached hereto as Exhibit 5 is a true and correct copy of the entire prosecution history of trademark Registration No. 4,010,627 for "9/11 MEMORIAL."

7. On January 26, 2017, I searched for the definition of "tactical" on the Miriam Webster online dictionary. Attached as Exhibit 6 is a true and correct copy of the dictionary definition as provided by the foregoing search result.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 26th day of January, 2017, at San Diego, California.



Sean D. Flaherty, Esq.

Exhibit 1

Refine Search

Current
Search:or (9.11)[comb] or (9-11)[comb] or
(9/11)[comb])"/>docs: 256
occ: 766

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	87042178	5118534	SAFECOM 911	TSDR	LIVE
2	87081383	5114638	JET 911	TSDR	LIVE
3	87026680	5061305	911 INTERPRETERS	TSDR	LIVE
4	86896446	5108052	911 RESTORATION	TSDR	LIVE
5	86730115	5107514	GS-911	TSDR	LIVE
6	86922375	5094283	9/11 DAY	TSDR	LIVE
7	86962065	5090151	ORTHO 911	TSDR	LIVE
8	86722639	5084774	LO911 LOAN OFFICER 911	TSDR	LIVE
9	86899070	5040918	CARDIO 911	TSDR	LIVE
10	86240144	4632117	911 BOOST	TSDR	LIVE
11	86807574	5033211	AGENT 911	TSDR	LIVE
12	86708740	5011167	S.W.A.T. 9.11	TSDR	LIVE
13	86825701	5006952	911 HELP NOW	TSDR	LIVE
14	86630640	4984974	911 WARRIOR	TSDR	LIVE
15	86265066	4962298	REBAR 911	TSDR	LIVE
16	86590299	4947782	CUSTOMSHOP911	TSDR	LIVE
17	86585820	4919492	GUARDIAN ALERT 911 PLUS	TSDR	LIVE
18	86659556	4904468	PET 911	TSDR	LIVE
19	86612901	4884750	ASSURE911	TSDR	LIVE
20	86584345	4858389	CHARGEBACKS 911 FROM DEFENSE TO OFFENSE	TSDR	LIVE
21	86581994	4854842	THE 911 AGENT	TSDR	LIVE
22	86586503	4850925	911SKILLS	TSDR	LIVE
23	86410000	4848174	911 MASS CASUALTY	TSDR	LIVE
24	86262057	4832812	FUNGUS 911	TSDR	LIVE
25	86457524	4816569	CALL. PUSH. SHOCK. 911	TSDR	LIVE
26	86422178	4747680	REDDY911	TSDR	LIVE

27	86490169	4790288	TEXT CASE TO LAW911	TSDR	LIVE
28	86467299	4785033	911USB	TSDR	LIVE
29	86084204	4533310	UTZ 911	TSDR	LIVE
30	86437009	4768006	911 RESTORATION	TSDR	LIVE
31	86449772	4764314	NOTFALL-911	TSDR	LIVE
32	86146601	4758342	911 VETS	TSDR	LIVE
33	86126341	4753481	UNFORGIVEN 911 IN MEMORY OF	TSDR	LIVE
34	86400481	4727752	SHOPPER911	TSDR	LIVE
35	86241634	4640598	MOSQUITO 911	TSDR	LIVE
36	86357001	4711737	911 ETC	TSDR	LIVE
37	86120813	4627493	911SAFETRACK	TSDR	LIVE
38	86092668	4594430	PROPERTY RECOVERY 911	TSDR	LIVE
39	86085003	4542997	911 ROOTER	TSDR	LIVE
40	86037208	4489836	911 CELLULAR	TSDR	LIVE
41	86021360	4451543	SITELOCK911	TSDR	LIVE
42	85052165	3940211	THE NATIONAL 9/11 FLAG	TSDR	LIVE
43	85092503	3904497	911	TSDR	LIVE
44	85290945	4049240	VEIN911	TSDR	LIVE
45	85825090	4391904	ER-911	TSDR	LIVE
46	85226048	4012452	911 INTERVENTION911.COM THE SOLUTION STARTS HERE.	TSDR	LIVE
47	85857485	4524410	DIGEST "911"	TSDR	LIVE
48	85581413	4233996	PLUMBER911	TSDR	LIVE
49	85032958	3943317	9/11 MEMORIAL	TSDR	LIVE
50	85041036	3900168	CORP911	TSDR	LIVE
51	85036050	4010627	9/11 MEMORIAL	TSDR	LIVE
52	85036049	4010626	9/11 MEMORIAL	TSDR	LIVE
53	85032948	4043887	9/11 MEMORIAL	TSDR	LIVE
54	85029034	3943308	9/11 MEMORIAL	TSDR	LIVE
55	85299290	4073530	911 DRIVING SCHOOL	TSDR	LIVE
56	85077031	4836956	1-800-TIRE-911	TSDR	LIVE
57	85646051	4788062	PROTECTING NY · NJ · CT SINCE 1910 BURGLARY FIRE HOLD-UP CCTV NEW YORK MERCHANTS PROTECTIVE COMPANY (888) NYMP-911 (888) 696-7911	TSDR	LIVE
58	85842660	4548654	1-800-HELP-911	TSDR	LIVE

59	85849772	4403379	EDGE911	TSDR	LIVE
60	85646216	4273654	911 MAPBOOK	TSDR	LIVE
61	85596356	4293673	911 MAP AUDIT	TSDR	LIVE
62	85596244	4341074	MAPFLEX 911	TSDR	LIVE
63	85182610	4086372	A9-1-1	TSDR	LIVE
64	85565461	4429429	APP911	TSDR	LIVE
65	85371570	4230957	RUST911	TSDR	LIVE
66	85882596	4704353	POWERSPORTS 911	TSDR	LIVE
67	85905861	4679430	SAFETY COMMUNICATIONS NETWORK SAFECOM 911	TSDR	LIVE
68	85563918	4245025	911 4 HNC	TSDR	LIVE
69	85970095	4480684	DRYWALL 911	TSDR	LIVE
70	85927484	4532197	SAFECOM 911	TSDR	LIVE
71	85914711	4528191	911 TAX RELIEF.COM	TSDR	LIVE
72	85913080	4420134	WIFI E911	TSDR	LIVE
73	85883034	4432006	MY DIVORCE RECOVERY911.COM	TSDR	LIVE
74	85857255	4539377	LLAMADA 911	TSDR	LIVE
75	85823847	4457841	CALL 811 TO PREVENT 911	TSDR	LIVE
76	85799781	4372226	LIVINGWELL911	TSDR	LIVE
77	85796952	4383453	PUPPY NANNY 911	TSDR	LIVE
78	85768968	4408524	IRON KINGS 911	TSDR	LIVE
79	85738159	4386882	DOG TRAINER 911	TSDR	LIVE
80	85730363	4341809	MARRIAGE HELPER 911	TSDR	LIVE
81	85678790	4394887	ELECTRICIAN 911	TSDR	LIVE
82	85677373	4356832	STYLE 911 BRINGING OUT YOUR BEST LOOK	TSDR	LIVE
83	85640552	4336235	911 ON CALL PERSONAL PROTECTION FOR THE 21ST CENTURY	TSDR	LIVE
84	85639847	4279180	COUNSELOR 911	TSDR	LIVE
85	85625549	4288319	1ST RESPONDER 911 WILBERT	TSDR	LIVE
86	85616437	4540746	911 REMEMBER SEPTEMBER	TSDR	LIVE
87	85609161	4242068	ALLER-911	TSDR	LIVE
88	85599977	4380950	COLOR 911	TSDR	LIVE
89	85589119	4300385	HR911	TSDR	LIVE
90	85561647	4262778	STROKE 911	TSDR	LIVE

91	85558557	4217856	POOP 911	TSDR	LIVE
92	85557361	4217810	POOP 911	TSDR	LIVE
93	85552031	4319775	HURT IN AN ACCIDENT? FIRST CALL 911. THEN CALL **LAW. YOUR EMERGENCY LEGAL HOTLINE.	TSDR	LIVE
94	85543823	4274504	NEW YORK 911	TSDR	LIVE
95	85506121	4239209	911	TSDR	LIVE
96	85493051	4330251	HOME911	TSDR	LIVE
97	85470244	4297153	911 CARE BEGINS WITH THE CALL	TSDR	LIVE
98	85423966	4280481	911 ENERGY DRINK	TSDR	LIVE
99	85411401	4290940	MARKETING 911	TSDR	LIVE
100	85405401	4220584	DOGE911 ALL PET EMERGENCY TRAINING "BE YOUR OWN FIRST RESPONDER"	TSDR	LIVE

Refine Search

Current Search:

RN > "0" not (dead)[ld] and ((911)[comb] or (9.11)[comb] or (9-11)[comb] or (9/11)[comb])

docs: 256
occ: 766

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
101	85395385	4238819	NY 911 USA WE REMEMBER	TSDR	LIVE
102	85369310	4114449	MAKE THE CALL! DIAL 911	TSDR	LIVE
103	85366276	4207404	SKUNK'D-911	TSDR	LIVE
104	85336464	4147825	DOCTOR 911	TSDR	LIVE
105	85336346	4095873	DJ 911	TSDR	LIVE
106	85332327	4097363	RIDE FOR 9-11	TSDR	LIVE
107	85293284	4123038	NYC 911	TSDR	LIVE
108	85292118	4049273	LO911	TSDR	LIVE
109	85285927	4134247	9/11 PATRIOT FLAG	TSDR	LIVE
110	85263845	4261912	WATCHME 911	TSDR	LIVE
111	85259296	4155224	K911 THERAPY DOGS ON CALL	TSDR	LIVE
112	85239057	4022563	SMART911	TSDR	LIVE
113	85233758	4270513	STOLEN 911	TSDR	LIVE
114	85214220	4052068	911 BIKER LAW	TSDR	LIVE

115	85214205	4052067	MOTORCYCLE ATTORNEYS WWW.911 BIKERLAW.COM	TSDR	LIVE
116	85212313	4006059	911 FOR YOUR HOME	TSDR	LIVE
117	85199439	4015292	BED BUG 911	TSDR	LIVE
118	85134866	4188748	911 THE FIREFIGHTER STEPHEN SILLER TUNNEL TO TOWERS RUN	TSDR	LIVE
119	85109285	3965109	911 ENABLE	TSDR	LIVE
120	85106676	4195170	FIRE 911	TSDR	LIVE
121	85074630	3964971	9/11 HEROES RUN	TSDR	LIVE
122	85058069	3913590	DATING HELP 911	TSDR	LIVE
123	85044747	4184907	MY911	TSDR	LIVE
124	85024930	3907125	911 PRO BILLING	TSDR	LIVE
125	85019936	3983852	LICE911	TSDR	LIVE
126	78590999	3144563	(866) DEBUG 911 DEBUG 911 COMPUTER PLUMBER	TSDR	LIVE
127	78608412	3132278	ROCKY 911 SERIES	TSDR	LIVE
128	78851384	3212937	MOBILE911	TSDR	LIVE
129	78621887	3723791	NANNY 911	TSDR	LIVE
130	78911044	3548378	AFTER 911, CALL 411	TSDR	LIVE
131	78839808	3317504	AIRVAC 911	TSDR	LIVE
132	78786397	3253164	911 HEADCOUNT	TSDR	LIVE
133	78767519	3293674	EMT PARAMEDIC FD 911	TSDR	LIVE
134	78760765	3176670	911 NERDS	TSDR	LIVE
135	78690140	3120536	PARIS911	TSDR	LIVE
136	78259743	3048522	911 CONSULTING	TSDR	LIVE
137	78478085	3667833	NANNY 911	TSDR	LIVE
138	78248752	2838739	EMPLOYMENT 911	TSDR	LIVE
139	78078405	3271467	911.NET	TSDR	LIVE
140	77806523	3887483	SAFECOM 911	TSDR	LIVE
141	77651168	3668936	NONPROFIT 911	TSDR	LIVE
142	77729558	3902542	911MAPP	TSDR	LIVE
143	77633120	3791659	THE LEADER IN E911 SOLUTIONS	TSDR	LIVE
144	77701974	3695722	WEDDING 911	TSDR	LIVE
145	77501704	3920160	BABY 911	TSDR	LIVE
146	77759848	3754132	CRAMP 911	TSDR	LIVE

147	<u>77900906</u>	<u>3869477</u>	<u>SAN DIEGO MEDICAL SERVICES 911 & NON-EMERGENCY TRANSPORTATION</u>	<u>TSDR</u>	<u>LIVE</u>
148	<u>77668829</u>	<u>3832670</u>	<u>911 SIGNAL</u>	<u>TSDR</u>	<u>LIVE</u>
149	<u>77630843</u>	<u>3647253</u>	<u>CREDIT911</u>	<u>TSDR</u>	<u>LIVE</u>
150	<u>77955354</u>	<u>4099570</u>	<u>FROG 911</u>	<u>TSDR</u>	<u>LIVE</u>
151	<u>77644170</u>	<u>3823661</u>	<u>COMPUTER RESCUE 911</u>	<u>TSDR</u>	<u>LIVE</u>
152	<u>77836614</u>	<u>3784685</u>	<u>XP-911</u>	<u>TSDR</u>	<u>LIVE</u>
153	<u>77530564</u>	<u>3678568</u>	<u>BEHAVIOR 911</u>	<u>TSDR</u>	<u>LIVE</u>
154	<u>77797588</u>	<u>3761173</u>	<u>EXIGENT911</u>	<u>TSDR</u>	<u>LIVE</u>
155	<u>77843536</u>	<u>3941490</u>	<u>MARRIAGE 911</u>	<u>TSDR</u>	<u>LIVE</u>
156	<u>77510247</u>	<u>3624494</u>	<u>PROMOS 911</u>	<u>TSDR</u>	<u>LIVE</u>
157	<u>77774096</u>	<u>3938536</u>	<u>WATCHDOG 911 LIFEALARM</u>	<u>TSDR</u>	<u>LIVE</u>
158	<u>77522894</u>	<u>3687193</u>	<u>GUARDIAN ALERT 911</u>	<u>TSDR</u>	<u>LIVE</u>
159	<u>77962464</u>	<u>3869775</u>	<u>OFFICIAL 911 FORECLOSURE</u>	<u>TSDR</u>	<u>LIVE</u>
160	<u>77962433</u>	<u>3869773</u>	<u>OFFICIAL 911 FORECLOSURE</u>	<u>TSDR</u>	<u>LIVE</u>
161	<u>77933535</u>	<u>4144602</u>	<u>INTERNET911</u>	<u>TSDR</u>	<u>LIVE</u>
162	<u>77915758</u>	<u>3834939</u>	<u>DENTAL 911</u>	<u>TSDR</u>	<u>LIVE</u>
163	<u>77914562</u>	<u>3941775</u>	<u>WEDDING911 BY THE KNOT</u>	<u>TSDR</u>	<u>LIVE</u>
164	<u>77911978</u>	<u>4187177</u>	<u>911ETA</u>	<u>TSDR</u>	<u>LIVE</u>
165	<u>77908544</u>	<u>3844410</u>	<u>911MYWEB.COM</u>	<u>TSDR</u>	<u>LIVE</u>
166	<u>77873527</u>	<u>3813985</u>	<u>911 GIVES HOPE</u>	<u>TSDR</u>	<u>LIVE</u>
167	<u>77840254</u>	<u>3917831</u>	<u>FIRE-DEX 911</u>	<u>TSDR</u>	<u>LIVE</u>
168	<u>77806318</u>	<u>3830661</u>	<u>DAYSFRING IS 911 FOR YOUR HOME</u>	<u>TSDR</u>	<u>LIVE</u>
169	<u>77798814</u>	<u>4122182</u>	<u>911 MEDITRACK</u>	<u>TSDR</u>	<u>LIVE</u>
170	<u>77787986</u>	<u>3830561</u>	<u>911 MEDICAL ID PLUS FAMILY</u>	<u>TSDR</u>	<u>LIVE</u>
171	<u>77769469</u>	<u>3836733</u>	<u>EMBER911</u>	<u>TSDR</u>	<u>LIVE</u>
172	<u>77651357</u>	<u>3918455</u>	<u>WEST COAST 911</u>	<u>TSDR</u>	<u>LIVE</u>
173	<u>77638936</u>	<u>4067598</u>	<u>BUDGET911</u>	<u>TSDR</u>	<u>LIVE</u>
174	<u>77608193</u>	<u>3875338</u>	<u>SKIN 911.COM</u>	<u>TSDR</u>	<u>LIVE</u>
175	<u>77601401</u>	<u>3894442</u>	<u>PSYCHOLOGY911</u>	<u>TSDR</u>	<u>LIVE</u>
176	<u>77545899</u>	<u>3594541</u>	<u>ATTY911</u>	<u>TSDR</u>	<u>LIVE</u>
177	<u>77132338</u>	<u>3339066</u>	<u>911MEDIA</u>	<u>TSDR</u>	<u>LIVE</u>
178	<u>77423619</u>	<u>3523821</u>	<u>911 ULTIMATE TRANSFORMATION CHALLENGE</u>	<u>TSDR</u>	<u>LIVE</u>
179	<u>77360683</u>	<u>3712651</u>	<u>ID911</u>	<u>TSDR</u>	<u>LIVE</u>

180	77150976	3406328	CRAMP911	TSDR	LIVE
181	77374329	3785297	911 ASSIST	TSDR	LIVE
182	77431096	3605220	911 RESTORATION	TSDR	LIVE
183	77057873	3581013	DR 911	TSDR	LIVE
184	77068042	3552224	911 EXPERT	TSDR	LIVE
185	77330552	3475498	E911 MANAGER	TSDR	LIVE
186	77160091	3465363	DATA911	TSDR	LIVE
187	77329102	3461846	MOTO 911	TSDR	LIVE
188	77228145	3460786	911 WINGERS CHALLENGE	TSDR	LIVE
189	77217422	3434526	911TRACKER	TSDR	LIVE
190	77200644	3434470	911 K-9	TSDR	LIVE
191	77200634	3434469	911 CANINE	TSDR	LIVE
192	77096841	3429368	EARTH 911	TSDR	LIVE
193	77072358	3419282	E911 ANYWHERE	TSDR	LIVE
194	77052728	3274059	SEATS 911 INC	TSDR	LIVE
195	77045807	3358160	911 FIRST RESPONDERS	TSDR	LIVE
196	77018498	3278573	911 WILDLIFE UNINVITED HOUSE GUESTS?	TSDR	LIVE
197	76627556	3039778	DIESEL 911	TSDR	LIVE
198	76353706	2674573	OMAHA POLICE DEPARTMENT 911	TSDR	LIVE
199	76334225	2710764	HELP IS 911!	TSDR	LIVE
200	76553006	3291289	IDENTITY THEFT 911	TSDR	LIVE

Refine Search

Current Search: docs: 256
occ: 766

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
201	76716553	4686234	TRAFFICTIX911	TSDR	LIVE
202	76291356	2830438	LOCAL 9-1-1 HEROES	TSDR	LIVE
203	76657886	3447294	911 RESTORATION	TSDR	LIVE
204	76702734	3998332	COLD & FLU 911	TSDR	LIVE
205	76666284	3458572	I AM 911	TSDR	LIVE

206	76457022	3310225	UNITED WE STAND 9/11 REMEMBERED	TSDR	LIVE
207	76140566	2769629	CONSUMER 911	TSDR	LIVE
208	76095099	2811001	MUSIC 911	TSDR	LIVE
209	76015015	2550974	911RAPE	TSDR	LIVE
210	75753561	2571880	911 EP	TSDR	LIVE
211	75744585	2333380	911 RESCUE TEAM	TSDR	LIVE
212	75769988	2366331	YOUR INTERNATIONAL 911 ASSIST AMERICA	TSDR	LIVE
213	75520762	2309947	YOUR INTERNATIONAL 911	TSDR	LIVE
214	75943232	2546009	DATA911	TSDR	LIVE
215	75917912	2414167	911	TSDR	LIVE
216	75900867	2440642	HR 911	TSDR	LIVE
217	75719429	2379171	911 FITNESS	TSDR	LIVE
218	75685981	2413637	FORMULA 911	TSDR	LIVE
219	75676652	2708087	911LIGHT	TSDR	LIVE
220	75669146	2443290	DIESEL 911 FOR DIESEL EMERGENCIES	TSDR	LIVE
221	75626236	2326034	HURT911	TSDR	LIVE
222	75546617	2290161	ER 911	TSDR	LIVE
223	75009547	2019088	POWER 911	TSDR	LIVE
224	75496115	2342369	911 STRESS CONTROL	TSDR	LIVE
225	75163817	2204802	9-1-1 NET	TSDR	LIVE
226	75168751	2175541	911 SOLUTIONS	TSDR	LIVE
227	75411628	2302710	NY911	TSDR	LIVE
228	75333790	2252572	MED911	TSDR	LIVE
229	75133872	2239234	911	TSDR	LIVE
230	75125252	2123002	SAFEALERT THE 911 EMERGENCY COMMUNICATION SYSTEM	TSDR	LIVE
231	75107453	2106571	HURT-911	TSDR	LIVE
232	74669997	2034416	SPILL 911	TSDR	LIVE
233	74568785	2019654	911	TSDR	LIVE
234	74458256	2117154	911 RESCUE TEAM	TSDR	LIVE
235	74229240	2062426	911 RESCUE TEAM	TSDR	LIVE
236	74081873	2062423	911 RESCUE BAR	TSDR	LIVE
237	74076762	2064268	911 RESCUE BAR	TSDR	LIVE

238	74702320	2062078	911 PINPOINT	TSDR	LIVE
239	74618244	1938804	911 RELIEF	TSDR	LIVE
240	74445976	1935919	REVERSE 911	TSDR	LIVE
241	74477209	1908970	911 ALARM	TSDR	LIVE
242	74465307	1897907	COMPUTER 911	TSDR	LIVE
243	74508737	2034102	911+	TSDR	LIVE
244	74498591	1882676	ANIMAL 911	TSDR	LIVE
245	74489835	1974077	ATM 911	TSDR	LIVE
246	74477513	1915612	911 ALARM	TSDR	LIVE
247	74391421	1879144	WIN-911	TSDR	LIVE
248	74247910	1767381	911	TSDR	LIVE
249	74188504	1752821	1-800-VISA-911	TSDR	LIVE
250	74165508	1863047	F911	TSDR	LIVE
251	73564971	1409010	NINE 911 ELEVEN WE RESCUE APPETITES	TSDR	LIVE
252	73826465	1618315	911	TSDR	LIVE
253	73355021	1259094	F-911	TSDR	LIVE
254	73693956	1531713	CHIEFTAIN 911	TSDR	LIVE
255	72122152	0734402	9-11	TSDR	LIVE
256	72362362	0955531	SOUND 911	TSDR	LIVE

Exhibit 2

SEARCH RESULTS- DISCLAIMER

Refine Search

Current Search: `RN > "0" not (dead)[ld] and ((911)[DS] or (9.11)[DS] or (9-11)[DS] or (9/11)[DS])` docs: 59 occ: 119

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	87042178	5118534	SAFECOM 911	TSDR	LIVE
2	87081383	5114638	JET 911	TSDR	LIVE
3	86922375	5094283	9/11 DAY	TSDR	LIVE
4	86708740	5011167	S.W.A.T. 9.11	TSDR	LIVE
5	86825701	5006952	911 HELP NOW	TSDR	LIVE
6	86585820	4919492	GUARDIAN ALERT 911 PLUS	TSDR	LIVE
7	86457524	4816569	CALL. PUSH. SHOCK. 911	TSDR	LIVE
8	86357001	4711737	911 ETC	TSDR	LIVE
9	85052165	3940211	THE NATIONAL 9/11 FLAG	TSDR	LIVE
10	85032958	3943317	9/11 MEMORIAL	TSDR	LIVE
11	85036050	4010627	9/11 MEMORIAL	TSDR	LIVE
12	85036049	4010626	9/11 MEMORIAL	TSDR	LIVE
13	85032948	4043887	9/11 MEMORIAL	TSDR	LIVE
14	85029034	3943308	9/11 MEMORIAL	TSDR	LIVE
15	85646051	4788062	PROTECTING NY · NJ · CT SINCE 1910 BURGLARY FIRE HOLD-UP CCTV NEW YORK MERCHANTS PROTECTIVE COMPANY (888) NYMP-911 (888) 696-7911	TSDR	LIVE
16	85646216	4273654	911 MAPBOOK	TSDR	LIVE
17	85905861	4679430	SAFETY COMMUNICATIONS NETWORK SAFECOM 911	TSDR	LIVE
18	85927484	4532197	SAFECOM 911	TSDR	LIVE
19	85768968	4408524	IRON KINGS 911	TSDR	LIVE
20	85640552	4336235	911 ON CALL PERSONAL PROTECTION FOR THE 21ST CENTURY	TSDR	LIVE
21	85625549	4288319	1ST RESPONDER 911 WILBERT	TSDR	LIVE
22	85616437	4540746	911 REMEMBER SEPTEMBER	TSDR	LIVE
23	85575251	4241506	9-1-1 ADVISER	TSDR	LIVE

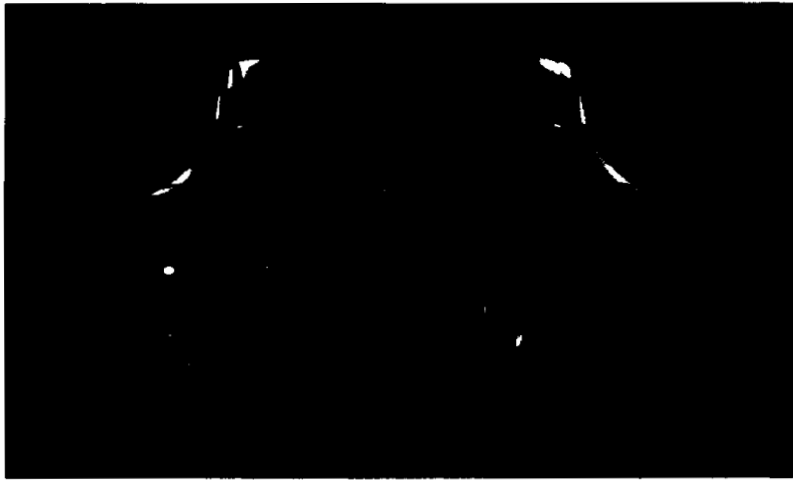
24	85552031	4319775	HURT IN AN ACCIDENT? FIRST CALL 911. THEN CALL **LAW. YOUR EMERGENCY LEGAL HOTLINE.	TSDR	LIVE
25	85543823	4274504	NEW YORK 911	TSDR	LIVE
26	85506121	4239209	911	TSDR	LIVE
27	85484433	4343344	CIRCLE911	TSDR	LIVE
28	85470244	4297153	911 CARE BEGINS WITH THE CALL	TSDR	LIVE
29	85369310	4114449	MAKE THE CALL! DIAL 911	TSDR	LIVE
30	85339590	4144211	9-1-1 ADVISER	TSDR	LIVE
31	85332327	4097363	RIDE FOR 9-11	TSDR	LIVE
32	85293284	4123038	NYC 911	TSDR	LIVE
33	85285927	4134247	9/11 PATRIOT FLAG	TSDR	LIVE
34	85263845	4261912	WATCHME 911	TSDR	LIVE
35	85109285	3965109	911 ENABLE	TSDR	LIVE
36	85074630	3964971	9/11 HEROES RUN	TSDR	LIVE
37	78911044	3548378	AFTER 911, CALL 411	TSDR	LIVE
38	78020770	2561892	REAL WORLD 9-1-1	TSDR	LIVE
39	77806523	3887483	SAFECOM 911	TSDR	LIVE
40	77759848	3754132	CRAMP 911	TSDR	LIVE
41	77900906	3869477	SAN DIEGO MEDICAL SERVICES 911 & NON-EMERGENCY TRANSPORTATION	TSDR	LIVE
42	77668829	3832670	911 SIGNAL	TSDR	LIVE
43	77955354	4099570	FROG 911	TSDR	LIVE
44	77774096	3938536	WATCHDOG 911 LIFEALARM	TSDR	LIVE
45	77522894	3687193	GUARDIAN ALERT 911	TSDR	LIVE
46	77911978	4187177	911ETA	TSDR	LIVE
47	77798814	4122182	911 MEDITRACK	TSDR	LIVE
48	77787986	3830561	911 MEDICAL ID PLUS FAMILY	TSDR	LIVE
49	77374329	3785297	911 ASSIST	TSDR	LIVE
50	76353706	2674573	OMAHA POLICE DEPARTMENT 911	TSDR	LIVE
51	76334225	2710764	HELP IS 911!	TSDR	LIVE
52	76013886	2595328	MOBILE911 SIREN WITH 2-WAY VOICE COMMUNICATION	TSDR	LIVE
53	76457022	3310225	UNITED WE STAND 9/11 REMEMBERED	TSDR	LIVE
54	75753561	2571880	911 EP	TSDR	LIVE
55	75009547	2019088	POWER 911	TSDR	LIVE

56	<u>75168751</u>	<u>2175541</u>	<u>911 SOLUTIONS</u>	<u>TSDR</u>	<u>LIVE</u>
57	<u>75125252</u>	<u>2123002</u>	<u>SAFEALERT THE 911 EMERGENCY COMMUNICATION SYSTEM</u>	<u>TSDR</u>	<u>LIVE</u>
58	<u>74702320</u>	<u>2062078</u>	<u>911 PINPOINT</u>	<u>TSDR</u>	<u>LIVE</u>
59	<u>74489835</u>	<u>1974077</u>	<u>ATM 911</u>	<u>TSDR</u>	<u>LIVE</u>

Exhibit 3



PORSCHE



75917912

The 911 For The Millennium



02-14-2000

U.S. Patent & TMO/TM Mail Rpt Dt #54

APPLICANT: Dr. Ing. h.c. F. Porsche AG
ADDRESS: Porscheplatz 1, 70435 Stuttgart-Zuffenhausen, Germany
GOODS: Automobiles and Their Structural Parts

911

M: 18680(CKB01).DOC

4





02-14-2000

U.S. Patent & TMO/TM Mail Rpt Dt #54

APPLICANT: Dr. Ing. h.c. F. Porsche AG
ADDRESS: Porscheplatz 1, 70435 Stuttgart-Zuffenhausen, Germany
GOODS: Automobiles and Their Structural Parts

911

M: 18680(CKB01).DOC

4



75917912

TRADEMARK APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

02/18/2000 LHTICKELS 00000022 75917912
01 FC:361 325.00 OP

FISH & RICHARDSON P.C.,P.A.

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60 South Sixth Street
Minneapolis, Minnesota
55402

Telephone
612 335-5070

Facsimile
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Web Site
www.fr.com

Frederick P. Fish
1855-1930

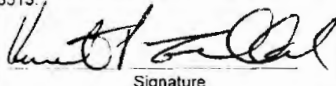
W.K. Richardson
1859-1951

February 14, 2000

JANA L. FRANCE
(612) 337-2576

BOSTON
DELAWARE
NEW YORK
SILICON VALLEY
SOUTHERN CALIFORNIA
TWIN CITIES
WASHINGTON, DC

BOX NEW APP -- FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

CERTIFICATE OF EXPRESS MAILING	
NUMBER	EL419341603US
DATE OF DEPOSIT	2/14/00
I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.	
	
Signature	


RE: *New U.S. Trademark Application*
Applicant: Dr. Ing. h.c. F. Porsche AG
Mark: 911
Attorney File: 11291/171001

Dear Sir:

Enclosed for filing in the United States Patent and Trademark Office is an Application Based Upon Use to register the above-identified mark including a Declaration, Appointment of Domestic Representative, Power of Attorney, Drawing and One (1) Specimen showing the mark as currently used. Also enclosed is a check in the amount of \$325 to cover the required filing fee.

In the event this check is missing or insufficient, or should any additional fees be required relating to the enclosed materials, or should an overpayment be included herein, please deduct or credit said fees from or to Fish & Richardson Deposit Account No. 06-1050 Order No. 11291/171001. A return postcard is also enclosed on which the stamped date of receipt would be appreciated.


Respectfully submitted,


Jana L. France

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK EXAMINING OPERATION

Mark: 911

International Class: 12

EXPRESS MAIL MAILING LABEL NUMBER <u>92419341603US</u> DATE OF DEPOSIT <u>2/14/00</u>
I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.


APPLICATION BASED UPON USE

BOX NEW APP - FEE

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Sir:

Dr. Ing. h.c. F. Porsche AG (hereinafter "Applicant"), a German corporation, having a business address of Porscheplatz 1, 70435 Stuttgart-Zuffenhausen, Germany, has adopted and is using the trademark shown in the accompanying drawing for the following goods: Automobiles and Their Structural Parts in International Class 12, and requests that said mark be registered in the United States Patent and Trademark Office on the Principal Register in accordance with the Act of July 5, 1946 (15 U.S.C. § 1051 et seq., as amended).

The trademark was first used for the goods specified at least as early as 1964, and was first used for said goods in interstate commerce at least as early as 1965, and is still in use in such commerce.

The mark is used directly on the goods, and in diverse and other ways customary in the trade, and three specimens showing the mark as actually used are enclosed herewith.

* * *

I, the undersigned, DECLARE THAT:

I am an officer of Applicant and am authorized to execute this Declaration.

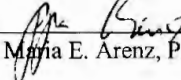
I have read the attached statement and I believe Applicant to be the owner of the mark sought to be registered.

To the best of my knowledge and belief, no other person, firm, corporation or association has the right to use the mark in commerce which may lawfully be regulated by Congress, either in the identical form or in such near resemblance thereto as to be likely, when used in connection with the goods or services of such other person, firm, corporation or association, to cause confusion, or to cause mistake, or to deceive.

All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true; and further, these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any resulting registration.

DR. ING. H.C. F. PORSCHE AG

Date: February 10, 2000

By: 
Maria E. Arenz, Prokurator

APPOINTMENT OF DOMESTIC REPRESENTATIVE

Patricia R. Britton, Esq., General Counsel of Porsche Cars North America, Inc., having a place of business at 980 Hammond Drive, Suite 1000, Atlanta, Georgia 30328, U.S.A., is hereby designed as Applicant's domestic representative upon whom notice or process in proceedings affecting the mark may be served.

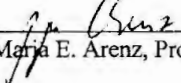
POWER OF ATTORNEY

Applicant hereby appoints Jana L. France, Stephen R. Baird and Marsha Stolt, all of Fish & Richardson, P.C., P.A., as its attorneys and attorney, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments, to transact all related business in the Patent and Trademark Office in connection with the application, and to receive the Certificate of Registration.

Please direct all communications concerning the application or registration to: Jana L. France, Esq. at
Fish & Richardson, P.C., P.A., 60 South Sixth Street, 3300 Dain Rauscher Plaza, Minneapolis, Minnesota 55402. Please address all telephonic communications to Ms. France at (612) 337-2576.

DR. ING. H.C. F. PORSCHE AG

Date: *February 10, 2000*

By: 
Maria E. Arenz, Prokurator

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

Reg. No. 2,414,167

United States Patent and Trademark Office

Registered Dec. 19, 2000

**TRADEMARK
PRINCIPAL REGISTER**

911

**DR. ING. H.C. F. PORSCHE AG (FED REP GER-
MANY CORPORATION)
PORSCHEPLATZ 1
70435 STUTTGART-ZUFFENHAUSEN, FED REP
GERMANY**

**FOR: AUTOMOBILES AND THEIR STRUCTURAL
PARTS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35
AND 44).**

FIRST USE 0-0-1964; IN COMMERCE 0-0-1965.

SER. NO. 75-917,912, FILED 2-14-2000.

MATTHEW PAPPAS, EXAMINING ATTORNEY

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

Reg. No. 2,414,167

United States Patent and Trademark Office

Registered Dec. 19, 2000

**TRADEMARK
PRINCIPAL REGISTER**

911

DR. ING. H.C. F. PORSCHE AG (FED REP GER-
MANY CORPORATION)
PORSCHEPLATZ 1
70435 STUTTGART-ZUFFENHAUSEN, FED REP
GERMANY

FOR: AUTOMOBILES AND THEIR STRUCTURAL
PARTS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35
AND 44).

FIRST USE 0-0-1964; IN COMMERCE 0-0-1965.

SER. NO. 75-917,912, FILED 2-14-2000.

MATTHEW PAPPAS, EXAMINING ATTORNEY

FISH & RICHARDSON P.C.,P.A.

Frederick P. Fish
1855-1930

W.K. Richardson
1859-1951

March 28, 2006

3300 Dain Rauscher Plaza
60 South Sixth Street
Minneapolis, Minnesota
55402

Telephone
612 335-5070

Facsimile
612 288-9696

Web Site
www.fr.com

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

*Re: U.S. Trademark Registration No. 2,414,167
Registrant: Dr. Ing. h.c. F. Porsche AG
Mark: 911
Registration Date: December 19, 2000
Attorney File: 11291/171001*



BOSTON
DALLAS
DELAWARE
NEW YORK
SAN DIEGO
SILICON VALLEY
TWIN CITIES
WASHINGTON, DC

Dear Madam:

Enclosed for filing in connection with the above-identified registration is a Combined Declaration Under Sections 8 and 15 of the Trademark Act of 1946, as amended. Also enclosed is (1) one specimen showing how the mark is currently used, and (2) a check in the amount of \$300.00 to cover the required filing fee.

In the event that the above check is missing or insufficient, should any additional fees be required, or should any overpayment be included herein, please deduct or credit said fees from or to Fish & Richardson's Deposit Account No. 06-1050 Order No. 11291/171001. A return postcard is enclosed to acknowledge receipt of these materials. Please date-stamp and return the postcard.

Very truly yours,

Jana L. France

Encl.: Declaration Under Sections 8 & 15
One Specimen
Check for \$300 Filing Fee



03-31-2006

U.S. Patent & TMO/c/TM Mail Rpt/Dt. #72

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 on the date below:

March 28, 2006
Date Signature

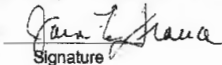
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
POST REGISTRATION DIVISION**

Registrant: Dr. Ing. h.c. F. Porsche AG	§	
	§	
Registration No.: 2,414,167	§	
	§	
Registration Date: December 19, 2000	§	International Class: 12
	§	
Mark: 911	§	Atty. Docket No.: 11291/171001

COMBINED DECLARATION UNDER SECTIONS 8 AND 15

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Dear Madam:

CERTIFICATE OF MAILING 37 C.F.R. 1.8
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, on the date below:
March 28, 2006 
Date Signature

I, Maria E. Arenz, declare that I am Prokurator of Dr. Ing. h.c. F. Porsche AG, (hereinafter "Registrant"), a German corporation having a business address of Porscheplatz 1, 70435 Stuttgart-Zuffenhausen, Germany; that I am authorized to make this declaration on behalf of said corporation; that Dr. Ing. h.c. F. Porsche AG owns the above-identified registration issued on December 19, 2000, as shown by the records in the Patent and Trademark Office; that the mark shown therein has been in continuous use in commerce for five consecutive years from the date of registration to the present, on or in connection with each of the following goods identified in the registration: "Automobiles and their structural parts;" that said mark is in use in commerce as evidenced by the attached specimen showing the mark as currently used; that there has been no final decision adverse to Registrant's claim of ownership of said mark or to Registrant's right to register the same or maintain it on the register; and that there is no proceeding involving said rights pending and not disposed of either in the Patent and Trademark Office or in a court.

I declare further that all statements made herein are true and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of this document and the registration to which it relates.

POWER OF ATTORNEY

Applicant hereby appoints Jana L. France and Joel D. Leviton, both members of the Bar of the State of Minnesota and both of the firm of Fish and Richardson P.C., P.A., its attorneys and attorney, with full power of substitution and revocation, to transact all related business in the Patent and Trademark Office in connection with the above-identified registration, and to receive all communications issued in connection therewith.

Please address all communications concerning this registration to:

Jana L. France, Esq.
FISH & RICHARDSON P.C., P.A.
3300 Dain Rauscher Plaza
60 South Sixth Street
Minneapolis, Minnesota 55402
(612) 337-2576

DESIGNATION OF DOMESTIC REPRESENTATIVE

In accordance with 15 U.S.C. § 1051(e), Dr. Ing. h.c. F. Porsche AG hereby designates the following party as its domestic representative upon whom notice or process in proceedings affecting the mark may be served: Patricia R. Britton, Esq., General Counsel of Porsche Cars North America, Inc. having a business address of 980 Hammond Drive, Suite 1000, Atlanta, Georgia 30328.

DR. ING. H.C. F. PORSCHE AG

Date: March 16, 2005

By: 
Maria E. Arenz, Prokurator



PORSCHE



911 Carrera

Owner's Manual

Side - 1



**NOTICE OF ACCEPTANCE AND
ACKNOWLEDGEMENT OF §§8 & 15
DECLARATION
MAILING DATE: Jun 24, 2006**

The combined declaration of use and incontestability filed in connection with the registration identified below meets the requirements of Sections 8 and 15 of the Trademark Act, 15 U.S.C. §1058 and 1065. The combined declaration is accepted and acknowledged. The registration remains in force.

For further information about this notice, visit our website at: <http://www.uspto.gov>. To review information regarding the referenced registration, go to <http://tarr.uspto.gov>.

REG NUMBER: 2414167
MARK: 911
OWNER: Dr. Ing. h.c. F. Porsche AG

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL
U.S. POSTAGE
PAID

JANA L FRANCE
FISH & RICHARDSON P C PA
60 S SIXTH ST
3300 DAIN RAUSCHER PLZ
MINNEAPOLIS, MN 55402



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

ASSISTANT COMMISSIONER FOR TRADEMARKS
2900 Crystal Drive
Arlington, Virginia 22202-3513

Aug 25, 2000

NOTICE OF PUBLICATION UNDER 12(a)

- | | |
|--------------------------------------|--|
| 1. Serial No.:
75/917,912 | 2. Mark:
911 |
| 3. International Class(es):
12 | |
| 4. Publication Date:
Sep 26, 2000 | 5. Applicant:
Dr. Ing. h.c. F. Porsche AG |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a certificate of registration.

Copies of the trademark portion of the Official Gazette containing the publication of the mark may be obtained from:

The Superintendent of Documents
U.S. Government Printing Office
PO Box 371954
Pittsburgh, PA 15250-7954
Phone: (202)512-1800

By direction of the Commissioner.

JANA L FRANCE
FISH & RICHARDSON P C P A
60 SOUTH SIXTH STREET
3300 DAIN RAUSCHER PLAZA
MINNEAPOLIS MINNESOTA 55402

TMP&I



TRADEMARK EXAMINATION WORKSHEET

AMENDMENT STAGE

NO CHANGE

PUBLICATION/REGISTRATION STAGE

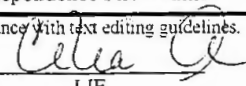
Name: Celia Abednego L.O. 104 Date AUG 10 Serial No. 75-917112

7571-4317

INSTRUCTIONS: Place a check mark in the appropriate column and/or box to indicate which data elements have been amended/coded.

Legal Instrument Examiner (LIE)		
	Amended	Data Element
Class Data	<input type="checkbox"/>	Prime/International Class
	<input type="checkbox"/>	Goods and Services
	<input type="checkbox"/>	First Use Date
	<input type="checkbox"/>	First Use in Commerce Date
Mark Data	<input type="checkbox"/>	In Another Form
	<input type="checkbox"/>	Certification
	<input type="checkbox"/>	1b
Misc. Mark Data	<input type="checkbox"/>	Word Mark
	<input type="checkbox"/>	Pseudo Mark
	<input type="checkbox"/>	Mark Drawing Code
Section 2(f)	<input type="checkbox"/>	Sizing/Lining Code
	<input type="checkbox"/>	Mark Description
	<input type="checkbox"/>	Disclaimer
Foreign Reg. Data	<input type="checkbox"/>	Lining/Stippling
	<input type="checkbox"/>	Name/Portrait/Consent
	<input type="checkbox"/>	Translation
	<input type="checkbox"/>	Section 2(f) Entire Mark
Owner Data	<input type="checkbox"/>	Section 2(f) Limitation Statement
	<input type="checkbox"/>	Section 2(f) in Part
	<input type="checkbox"/>	Amended Register
	<input type="checkbox"/>	Amended Register Date
	<input type="checkbox"/>	Foreign Country
Amd/Corr Restr.	<input type="checkbox"/>	Foreign Application Number
	<input type="checkbox"/>	44(d)
	<input type="checkbox"/>	Foreign Registration Number
	<input type="checkbox"/>	Foreign Application Filing Date
	<input type="checkbox"/>	Foreign Registration Date
	<input type="checkbox"/>	Foreign Registration Expiration Date
Prior U.S. Reg.	<input type="checkbox"/>	Foreign Renewal Reg. Number
	<input type="checkbox"/>	Foreign Renewal Reg. Date
	<input type="checkbox"/>	Owner Name
	<input type="checkbox"/>	DBA/AKA/TA
	<input type="checkbox"/>	Address 1
	<input type="checkbox"/>	Address 2
	<input type="checkbox"/>	City
Correspondence	<input type="checkbox"/>	State
	<input type="checkbox"/>	Zip Code
	<input type="checkbox"/>	Citizenship
Other:	<input type="checkbox"/>	Entity
	<input type="checkbox"/>	Entity Statement
	<input type="checkbox"/>	Composed of
Correspondence	<input type="checkbox"/>	Assignment(s)/Name Change
	<input type="checkbox"/>	Concurrent Use
	<input type="checkbox"/>	Prior Registration
Correspondence	<input checked="" type="checkbox"/>	Attorney
	<input type="checkbox"/>	Domestic Representative
	<input type="checkbox"/>	Attorney Docket Number
<input checked="" type="checkbox"/> Correspondence Firm Name/Address		

I certify that all corrections have been entered in accordance with text editing guidelines.


 LIE

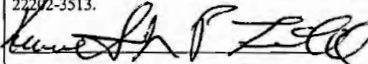
8/10/2000
 DATE

Other: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK EXAMINING OPERATION

Mark: 911

International Class: 12

EXPRESS MAIL MAILING LABEL NUMBER <u>21419341603US</u> DATE OF DEPOSIT <u>2/14/00</u>
I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513. 

APPLICATION BASED UPON USE

BOX NEW APP - FEE

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Sir:

Dr. Ing. h.c. F. Porsche AG (hereinafter "Applicant"), a German corporation, having a business address of Porscheplatz 1, 70435 Stuttgart-Zuffenhausen, Germany, has adopted and is using the trademark shown in the accompanying drawing for the following goods: Automobiles and Their Structural Parts in International Class 12, and requests that said mark be registered in the United States Patent and Trademark Office on the Principal Register in accordance with the Act of July 5, 1946 (15 U.S.C. § 1051 et seq., as amended).

The trademark was first used for the goods specified at least as early as 1964, and was first used for said goods in interstate commerce at least as early as 1965, and is still in use in such commerce.

The mark is used directly on the goods, and in diverse and other ways customary in the trade, and three specimens showing the mark as actually used are enclosed herewith.

* * *

I, the undersigned, DECLARE THAT:

I am an officer of Applicant and am authorized to execute this Declaration.

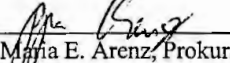
I have read the attached statement and I believe Applicant to be the owner of the mark sought to be registered.

To the best of my knowledge and belief, no other person, firm, corporation or association has the right to use the mark in commerce which may lawfully be regulated by Congress, either in the identical form or in such near resemblance thereto as to be likely, when used in connection with the goods or services of such other person, firm, corporation or association, to cause confusion, or to cause mistake, or to deceive.

All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true; and further, these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any resulting registration.

DR. ING. H.C. F. PORSCHE AG

Date: February 10, 2000

By: 
Maria E. Arenz, Prokurator

✓

APPOINTMENT OF DOMESTIC REPRESENTATIVE

Patricia R. Britton, Esq., General Counsel of Porsche Cars North America, Inc., having a place of business at 980 Hammond Drive, Suite 1000, Atlanta, Georgia 30328, U.S.A., is hereby designed as Applicant's domestic representative upon whom notice or process in proceedings affecting the mark may be served.

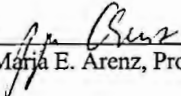
POWER OF ATTORNEY

Applicant hereby appoints Jana L. France, Stephen R. Baird and Marsha Stolt, all of Fish & Richardson, P.C., P.A., as its attorneys and attorney, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments, to transact all related business in the Patent and Trademark Office in connection with the application, and to receive the Certificate of Registration.

Please direct all communications concerning the application or registration to: Jana L. France, Esq. at Fish & Richardson, P.C., P.A., 60 South Sixth Street, 3300 Dain Rauscher Plaza, Minneapolis, Minnesota 55402. Please address all telephonic communications to Ms. France at (612) 337-2576.

DR. ING. H.C. F. PORSCHE AG

Date: February 10, 2000

By: 
Maria E. Arenz, Prokurator

FISH & RICHARDSON P.C., I A.

Frederick P. Fish
1855-1930

W.K. Richardson
1859-1951

3300 Dain Rauscher Plaza
60 South Sixth Street
Minneapolis, Minnesota
55402

Telephone
612 335-5070

Facsimile
612 288-9696

Web Site
www.fr.com

February 14, 2000

JANA L. FRANCE
(612) 337-2576

BOSTON
DELAWARE
NEW YORK
SILICON VALLEY
SOUTHERN CALIFORNIA
TWIN CITIES
WASHINGTON, DC

BOX NEW APP -- FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

CERTIFICATE OF EXPRESS MAILING	
NUMBER	EL419341603US
DATE OF DEPOSIT	2/14/00
I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.	
	
Signature	

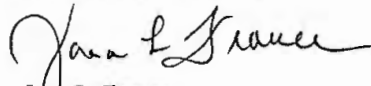
RE: *New U.S. Trademark Application*
Applicant: Dr. Ing. h.c. F. Porsche AG
Mark: 911
Attorney File: 11291/171001

Dear Sir:

Enclosed for filing in the United States Patent and Trademark Office is an Application Based Upon Use to register the above-identified mark including a Declaration, Appointment of Domestic Representative, Power of Attorney, Drawing and One (1) Specimen showing the mark as currently used. Also enclosed is a check in the amount of \$325 to cover the required filing fee.

In the event this check is missing or insufficient, or should any additional fees be required relating to the enclosed materials, or should an overpayment be included herein, please deduct or credit said fees from or to Fish & Richardson Deposit Account No. 06-1050 Order No. 11291/171001. A return postcard is also enclosed on which the stamped date of receipt would be appreciated.

Respectfully submitted,


Jana L. France

75917912

TRADEMARK APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

02/18/2000 LNICKELS 00000022 75917912

01 FC:361

325.00 0P



02-14-2000

U.S. Patent & TMOfo/TM Mail Rept Dt. #54

APPLICANT: Dr. Ing. h.c. F. Porsche AG
ADDRESS: Porscheplatz 1, 70435 Stuttgart-Zuffenhausen, Germany
GOODS: Automobiles and Their Structural Parts

PUBLISHED
09/26/00

911

M: 18680(CXB011.DOC)

4



*** User: mpappas ***

#	Total Marks	Dead Marks	Li Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	377	N/A	0	0	0:03	("911" or "9 11" or "91 1" or "9 1 1") [bi,ti]
02	531	N/A	0	0	0:01	("nine" or "eleven") [bi,ti]
03	902	N/A	0	0	0:01	1 or 2
04	191	49	20	20	0:01	3 and "012" [cc]

Session started 7/2/00 4:45:35 PM
Session finished 7/2/00 4:50:18 PM
Total search duration 0:06 minutes
Session Duration 4:43 minutes

Default NEAR limit= 1 ADJ limit= 1



Porsche, the Porsche Crest, Tiptronic, Carrera, PCM and Variocam are registered trademarks. 911 and the distinctive shapes of the Porsche automobiles are trademarks of Dr. Ing. h.c. F. Porsche AG. Porsche Cars North America believes the specifications in this brochure to be correct at the time of printing. However, specifications, standard equipment, options and prices are subject to change with-

out notice. We reserve the right to alter designs, sizes, prices and colors. Some vehicles may be shown with non-U.S. equipment. Please ask your dealer for advice concerning the current availability and delivery standard. Porsche recommends seat belt usage and observance of traffic laws at all times.
1-800-PORSCHE
www.porsche.com

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Porsche Cars North America, Inc.
980 Hammond Drive,
Suite 1000
Atlanta, GA 30328

As of 9/99
Printed in Germany
WVW 169 623 00 US/WV

75917912

The 911 For The Millennium



The Porsche 911 For The Millennium: Its place in the future is as secure as its place in history.

Over four decades, its evolution has driven automotive technology incessantly forward to challenge the limits of speed, handling and endurance. In the process, it has become one of the most successful models in the history of sports car competition.

The Porsche 911 of today stands as one of the most advanced sports cars ever built. Even so, the spiritual ties to its ancestry are still firmly intact, validating the genius of the original 911 concept.

As we race into a new millennium, the Porsche 911 design remains unique in its ability to transcend time by paying homage to the past while providing a

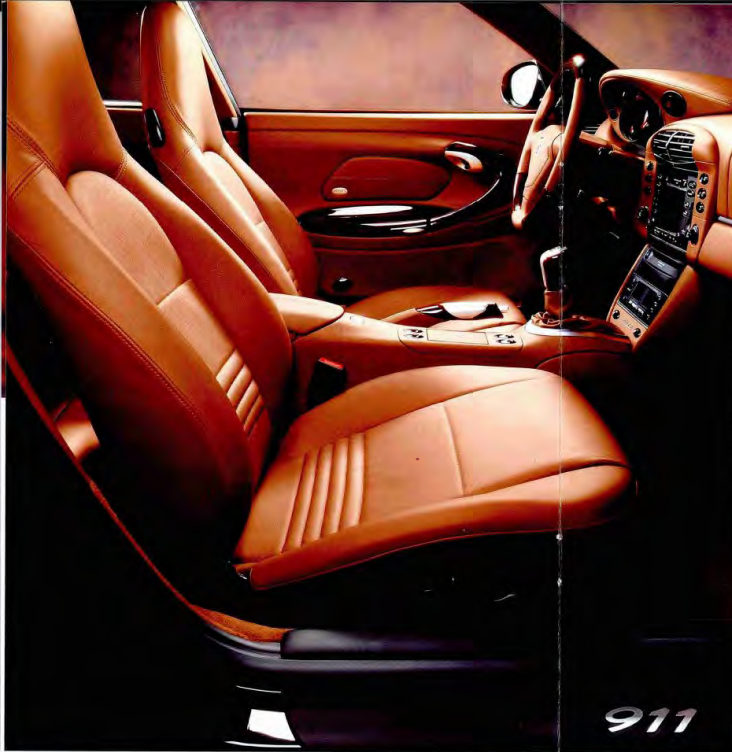
glimpse into the future. It's only fitting, then, that we commemorate this unique moment in world history the best way we know how... by introducing a new breed of 911.

The Porsche 911 For The Millennium delivers a singular driving sensation, combining the world's most advanced all-wheel drive system with the incomparable feel of the 911's classic rear-

engine layout. And an unprecedented level of refinement. Endowed with most of the available options in the standard 911 range, this limited-edition model is, without question, one of the most exhilarating – and most exclusive – road cars we've ever built. A Porsche ideally equipped for setting the pace into the next century. And doing so in style.

Let the fireworks begin.

The 911 For The Millennium



Porsche No. 1 was built by hand. Some things never change.

It's reassuring to know that the 911 designed to usher in the new millennium is forged from the same set of exacting standards that shaped Porsche No. 1 back in 1948. Uncompromising precision. A penchant for perfection and functionality. And a steadfast refusal to be limited by conventional thinking. These ideals have served as blueprints for a legendary line of sports cars that have endured the test of time - classics to be treasured by their artists as well as their owners. Then, as now, many of the interior components were meticulously crafted by hand. And flawlessly fitted by hand. This time-honored tradition is still employed at Porsche, and with good reason. Machines feel no passion. They take no pride in painstaking attention to detail. They cannot lend their creations a soul. In this regard, the most advanced robots are no match for the highly trained eyes and skilled hands of a Porsche master craftsman. It is this human quality that makes every Porsche ever built a monument to authenticity. Slip inside, and your first impression of our 911 For The Millennium is



likely to be the rich, natural brown leather. The way it feels to the touch. Its supple aroma. And the manner in which it graces the dashboard, the door and instrument panels, steering column, center console, central air vent mounting and airbag casing. What may impress you even more is what lies beneath the hand-stitched leather seats - layers of deep, supportive cushioning that soothes without dulling the senses. The exquisitely appointed interior is also replete with dark burr maple woods, hand-fitted for an exotic appearance that indulges your fingertips along the three-spoke steering wheel, gear and brake levers, door handles and door storage bin lid. As the final stamp of exclusivity, each 911 For The Millennium features a chromium-plated plaque with its unique edition number tastefully mounted on the forward section of the center console.

Exclusivity



Introduce the road less traveled to the 21st century. In style.

The Porsche 911 For The Millennium is ideally suited for drivers whose passion leads them away from the masses in search of desolate ribbons of winding road. Contoured sports seats hold you securely in place through winding ribbons of road, while electronic seat adjustment and lumbar support offer pinpoint control for maximizing comfort during extended stints behind the wheel.

A memory function allows you to store the personal preferences for up to three drivers, including external mirror positions.

The list of refinements doesn't stop there. Heated front seats, windshield tinting and a rear wiper make the elements less intrusive on your driving pleasure, while cruise control provides an additional level of touring comfort. Aesthetic distinctions include a sporty three-spoke steering wheel, instrument dials accented with an aluminum



finish and door entry guards featuring the 911 logo.

For those who feel no millennium package is complete without space-age technology, we've included the Porsche Communication Manage-

ment (PCM)* system. Using an integrated GPS (Global Positioning System) satellite link, PCM offers you the freedom to leave the rest of the world behind. Without losing touch, you can listen as the system's spoken instructions recite the quickest route home. Or plot a less direct, but more rewarding, journey using the center console screen. Support for multiple languages and time zones comple-

ment a trip computer, 6-disc CD changer and audio system with digital sound processing that keeps you connected to the finest in modern-day conveniences with the same ease a Porsche connects you to the pavement.

* PCM is not available in Canada. The Porsche CD-R-32 CD stereo is configured in its place.

Comfort & equipment



Now, the fireworks don't have to end on January 1.

Like every 911 Carrera 4 unleashed onto the open road, our millennium model inspires pulse-pounding exhilaration through a collection of technical leaps that match uncompromised performance with unparalleled control. A torque-rich 300-hp water-cooled engine generates a seemingly endless supply of power, which massive four-piston cross-drilled disc brakes reign in with equal ease. Force-sensitive power steering works with a lightweight multi-link suspension to command crisp, disciplined handling throughout the 6-speed manual or 5-speed Tiptronic S range.

The unshakable sense of confidence you feel as you climb through the gears flows from a full-time all-wheel drive system that intensifies the 911's capabilities. Leading the charge is a viscous clutch that translates power into motion at all four corners by roving instantly to wheel spin and directing power

to the wheels with the best grip. As much as 40 percent of the engine's power is channeled to the front wheels as needed, resulting in a degree of traction and handling stability that meets the challenges of poor road or weather conditions. And then some.

Porsche Stability Management adds uncanny control in turns by directing an ensemble of brake, engine and drivetrain technologies on the fly to maintain an ideal cornering line at speed.

It shares the 911 Turbo's styling cues. And sense of purpose.

The same pressure-cast 18" light alloy wheels found on the 911 Turbo provide our 911 For The Millennium's liquid all-wheel drive system with larger contact patches for pouring power onto the pavement. And its bloodlines don't stop there. Our patented Litronic headlight



package offers improved vision at night, while chromium-plated stainless steel tail pipes add a subtle distinction that hints at its performance potential in back. Of course, the polished 911 logo on the rear engine lid tells you everything you need to know about the incomparable experience that awaits you.

New paint technology for a new millennium.

The visual allure of this commemorative 911 is enhanced even further by a special paint offered exclusively with this model - Violet chromafair. Depending on ambient light conditions, the color of the car changes from black to dark green to an elegant shade of violet.

Engineering & exterior



Engine		Performance	Manual/Tiptronic S
Type	Rear-mounted, water-cooled, horizontally opposed six-cylinder.	Top speed	174 mph/171 mph
Valvetrain	Dual overhead camshafts, four valves per cylinder with VarioCam variable valve timing system.	0-62 mph	5.2/6.0 seconds
Displacement	3.4 liters (3,387 cc)	Flexibility (50-75 mph)	7.1/6.9 seconds (5th/4th gear)
Power	300 hp (221 kW) @ 6,800 rpm	Dimensions	
Max. torque	258 lb-ft (350 Nm) @ 4,600	Length	174.5 in (4,430 mm)
Compression ratio	11.3:1	Width	69.5 in (1,765 mm)
Transmission		Height	51.4 in (1,305 mm)
Layout	All-wheel drive	Wheelbase	92.6 in (2,350 mm)
Manual	6-speed	Luggage compartment volume (German Car Manufacturer's Assoc.)	3.5 cu ft (100 liters)
Tiptronic S	5-speed (optional)	Tank capacity	16.9 gal (64 liters)
Chassis			
Front suspension	Independent MacPherson		
Rear suspension	Independent LSA multi-link		
Steering	Power assisted (hydraulic)		
Brakes	4-piston monobloc fixed callipers front & rear, discs internally vented & cross-drilled		
Stability control system	PSM 5.7, incl. ABS, ASR, ABD		
Wheels	Front: 7.5 J x 18 Rear: 10 J x 18		
Tires	Front: 225/40 ZR 18 Rear: 265/35 ZR 18		
Unladen weight	Manual/Tiptronic S		
Curb weight	3,031 lb (1,375 kg)/ 3,131 lb (1,420 kg)		

Technical specifications



PORSCHE



75917912

The 911 For The Millennium

Trademark

75917912

TRADEMARK

75917912

CA

JUL - 3 2000

PROSECUTION HISTORY ✓

	Entry	Date	Initials
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See inside of file for additional entries.



4505 JEWEL LANE N
PLYMOUTH, MINNESOTA 55446

Jana L. France, Esq.
763.208.9847 direct
763.208.9864 facsimile
france@fsblegal.com

December 7, 2010

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

*Re: U.S. Trademark Registration No. 2,414,167
Registrant: Dr. Ing. h.c. F. Porsche Aktiengesellschaft
Mark: 911
Registration Date: December 19, 2000
Attorney File: 1233-T104.US*

Dear Madam:

Enclosed for filing in connection with the above-identified registration is a Combined Application for Renewal and Declaration of Use Under Sections 8 and 9 of the Trademark Act of 1946, as amended, along with a specimen showing use of the mark in connection with the goods set forth in International Class 12. Also enclosed is a signed Credit Card Payment Form authorizing the Trademark Office to charge \$500.00 to the undersigned's credit card in order to cover the required filing fee.

A return postcard is also enclosed to acknowledge receipt of these materials. We would appreciate it if you would please date-stamp and return the postcard.

Very truly yours,

Jana L. France

Encl.: Combined Application for Renewal
Under Sections 8 and 9
One Specimen
Credit Card Payment Form - \$500.00
Return Postcard

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 on the date below:	
12/7/2010 Date	 Signature

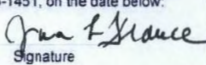


12-10-2010

U.S. Patent & Trademark Office Reg. Ct. #75

ATLANTA • DALLAS • CHICAGO • CHARLOTTE • NEW YORK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
POST REGISTRATION DIVISION

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, on the date below:	
12/7/2010 Date	 Signature

Mark: 911

Registration No.: 2,414,167

Reg. Date: December 19, 2000

Intl. Class: 12

COMBINED APPLICATION FOR RENEWAL AND DECLARATION OF USE
UNDER SECTIONS 8 AND 9 OF THE TRADEMARK ACT OF 1946, AS AMENDED

TO THE COMMISSIONER FOR TRADEMARKS:

Dr. Ing. h.c. F. Porsche Aktiengesellschaft
A corporation organized and existing under the laws of Germany

Business Address:

Porscheplatz 1
70435 Stuttgart-Zuffenhausen
Germany

The above-identified registrant requests that the registration identified above be renewed in International Class 12 in accordance with the provisions of Section 9 of the Trademark Act of July 5, 1946, as amended, for all of the following goods identified in the registration: "Automobiles and Their Structural Parts, in International Class 12."

Registrant is using the mark in commerce on or in connection with the above-identified goods as evidenced by the attached specimen showing the mark as currently used in commerce in connection with such goods.

DECLARATION

The undersigned being hereby warned that the willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that:

he or she is properly authorized to execute this document on behalf of the registrant; the registrant is the owner of the above-identified registration; the above-identified mark is in use in commerce; the facts set forth in this Combined Application for Renewal and Declaration of Use are true; and all statements made of his or her own knowledge are true and all statements made on information and belief are believed to be true.

DESIGNATION OF DOMESTIC REPRESENTATIVE

In accordance with 15 U.S.C. § 1051(e), Dr. Ing. h.c. F. Porsche Aktiengesellschaft hereby designates Jana L. France, Esq., at FSB FisherBroyles LLP, having a place of business at 4505 Jewel Lane North, Plymouth, Minnesota 55446, U.S.A., as its domestic representatives upon whom notice or process in proceedings affecting the mark may be served.

POWER OF ATTORNEY

Registrant hereby appoints Jana L. France, Esq. of FSB FisherBroyles LLP, a member of the Bar of the State of Minnesota, its attorneys, to prosecute this Combined Application for Renewal and Declaration of Use and to handle all matters and proceedings in the Patent and Trademark Office connected therewith.

Please address all communications concerning this registration to: Jana L. France, Esq., FSB FisherBroyles LLP, 4505 Jewel Lane North, Plymouth, Minnesota 55446. Telephone: (763) 208-9847.

DR. ING. H.C. F. PORSCHE AKTIENGESELLSCHAFT

Date: 11/2/2010

By: i. V. Th. Fischer
i. V. Dr. T. Fischer
Manager Intellectual Property

Date: 11/2/2010

By: s. V. Reinhardt
i. V. A. Reinhardt
Manager Intellectual Property



Metallic paint, 911 logo

Option	911 Carrera	911 Carrera S	911 Carrera 4	911 Carrera 4S	911 Carrera Cabriolet	911 Carrera S Cabriolet	911 Carrera 4 Cabriolet	911 Carrera 4S Cabriolet	911 Targa 4	911 Targa 4S	Code	Page
Exterior.												
• Metallic paint	o	o	o	o	o	o	o	o	o	o	Code	140, 175
• Special colors	o	o	o	o	o	o	o	o	o	o	Code	173, 175
• Color to sample	o	o	o	o	o	o	o	o	o	o	Code	
• Dynamic cornering lights	o	o	o	o	o	o	o	o	o	o	603	82
• Deletion of model designation	W	W	W	W	W	W	W	W	W	W	498	140
• 911 logo	o	o	o	o	o	o	o	o	o	o	911	140
• Hardtop	-	-	-	-	-	-	-	-	-	-	550	31
• Roof Transport System	o	o	o	o	-	-	-	-	-	-	549	117

The vehicles illustrated in the chapter on personalization may include additional options not featured in this catalog. For information on these options, please consult your Porsche dealer.

- not available o extra-cost option e standard equipment W available at no extra cost

Option

Exterior.

- ParkAss
- Aerokit
- Rear wip
- Automat integrate

Side - 1



**NOTICE OF ACCEPTANCE OF §8
DECLARATION AND §9 RENEWAL
MAILING DATE: Jan 15, 2011**

The declaration and renewal application filed in connection with the registration identified below meets the requirements of Sections 8 and 9 of the Trademark Act, 15 U.S.C. §§1058 and 1059. The declaration is accepted and renewal is granted. The registration remains in force.

For further information about this notice, visit our website at: <http://www.uspto.gov>. To review information regarding the referenced registration, go to <http://tarr.uspto.gov>.

REG NUMBER: 2414167
MARK: 911
OWNER: DR. ING. H.C.F. PORSCHE AKTIENGESELLSCHA

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL
U.S POSTAGE
PAID

JANA L FRANCE
FSB FISHER BROYLES LLP
4505 JEWEL LANE NORTH
PLYMOUTH, MN 55446

Change Of Correspondence Address

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	75917912
REGISTRATION NUMBER	2414167
LAW OFFICE ASSIGNED	LAW OFFICE 104
MARK SECTION	
MARK	911
CORRESPONDENCE SECTION (current)	
ORIGINAL ADDRESS	JANA L FRANCE FSB FISHER BROYLES LLP 4505 JEWEL LANE NORTH PLYMOUTH, MN 55446
NEW CORRESPONDENCE ADDRESS	
NEW ADDRESS	Jana L. France FSB FisherBroyles, a limited liability partnership 4505 JEWEL LN N Plymouth Minnesota United States 55446-2449 763-208-9847 763-208-9864 trademark@fsblegal.com
SIGNATURE SECTION	
SIGNATURE	/Anthony J DoVale/
SIGNATORY NAME	Anthony J. DoVale
SIGNATORY DATE	02/18/2011
SIGNATORY POSITION	Attorney of Record (GA Bar 227520)
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Feb 18 12:40:59 EST 2011
TEAS STAMP	USPTO/CCA-XX.XX.XXX.XXX-2 0110218124059596774-77955 953-48084f7739a367ebbf2 9f397a93b64c3-N/A-N/A-201 10218122317216916

Exhibit 4

Trademark/Service Mark Application, Principal Register

Serial Number: 86825701
 Filing Date: 11/19/2015

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86825701
MARK INFORMATION	
*MARK	911 HELP NOW
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	911 HELP NOW
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	HTC Marketing
*STREET	37 W. 47th Street #201
*CITY	New York
*STATE (Required for U.S. applicants)	New York
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants)	10036
LEGAL ENTITY INFORMATION	
TYPE	corporation
STATE/COUNTRY OF INCORPORATION	New York
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	009
*IDENTIFICATION	Electronic personal emergency response system consisting of a device worn on the body with a button that users push to summon emergency responders in the event of an emergency
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 10/00/2013
FIRST USE IN COMMERCE DATE	At least as early as 10/00/2013
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPE0-20447535-20151111160922024530 . 911_HELP_NOW_use.pdf
CONVERTED PDF FILE(S) (2 pages)	\\TICRS\EXPORT16\IMAGEOUT16\868\257\86825701\xml1\RFA0003.JPG

	\\TICRS\EXPORT16\IMAGEOUT16\868\257\86825701\xml\1\RFA0004.JPG
SPECIMEN DESCRIPTION	website printout showing use of the mark on the goods
ATTORNEY INFORMATION	
NAME	Loni J. Sherwin
ATTORNEY DOCKET NUMBER	035353.00000
FIRM NAME	Arent Fox LLP
INTERNAL ADDRESS	TM Docket
STREET	1717 K Street, NW
CITY	Washington
STATE	District of Columbia
COUNTRY	United States
ZIP/POSTAL CODE	20006-5344
PHONE	202-857-6000
FAX	202-857-6395
EMAIL ADDRESS	tmddocket@arentfox.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
OTHER APPOINTED ATTORNEY	all other attorneys
CORRESPONDENCE INFORMATION	
NAME	Loni J. Sherwin
FIRM NAME	Arent Fox LLP
INTERNAL ADDRESS	TM Docket
STREET	1717 K Street, NW
CITY	Washington
STATE	District of Columbia
COUNTRY	United States
ZIP/POSTAL CODE	20006-5344
PHONE	202-857-6000
FAX	202-857-6395
*EMAIL ADDRESS	tmddocket@arentfox.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
APPLICATION FILING OPTION	TEAS RF
NUMBER OF CLASSES	1
FEE PER CLASS	275
*TOTAL FEE DUE	275
*TOTAL FEE PAID	275
SIGNATURE INFORMATION	
SIGNATURE	/Hing-Tack Chen/

SIGNATORY'S NAME	Hing-Tack Chen
SIGNATORY'S POSITION	President
SIGNATORY'S PHONE NUMBER	516-405-4604
DATE SIGNED	11/19/2015

Trademark/Service Mark Application, Principal Register

Serial Number: 86825701

Filing Date: 11/19/2015

To the Commissioner for Trademarks:

MARK: 911 HELP NOW (Standard Characters, see [mark](#))

The literal element of the mark consists of 911 HELP NOW.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, HTC Marketing, a corporation of New York, having an address of

37 W. 47th Street #201
New York, New York 10036
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 009: Electronic personal emergency response system consisting of a device worn on the body with a button that users push to summon emergency responders in the event of an emergency

In International Class 009, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 10/00/2013, and first used in commerce at least as early as 10/00/2013, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, consisting of a(n) website printout showing use of the mark on the goods.

Original PDF file:

[SPE0-20447535-20151111160922024530 . 911 HELP NOW use.pdf](#)

Converted PDF file(s) (2 pages)

[Specimen File1](#)

[Specimen File2](#)

The applicant's current Attorney Information:

Loni J. Sherwin and all other attorneys of Arent Fox LLP

TM Docket
1717 K Street, NW
Washington, District of Columbia 20006-5344
United States

The attorney docket/reference number is 035353.00000.

The applicant's current Correspondence Information:

Loni J. Sherwin
Arent Fox LLP
TM Docket
1717 K Street, NW
Washington, District of Columbia 20006-5344
202-857-6000(phone)
202-857-6395(fax)
tmdocket@arentfox.com (authorized)

E-mail Authorization: I authorize the USPTO to send e-mail correspondence concerning the application to the applicant or applicant's attorney at the e-mail address provided above. I understand that a valid e-mail address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to

do so will result in an additional processing fee of \$50 per international class of goods/services.

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

Declaration

The signatory believes that: if the applicant is filing the application under 15 U.S.C. § 1051(a), the applicant is the owner of the trademark/service mark sought to be registered; the applicant is using the mark in commerce on or in connection with the goods/services in the application; the specimen(s) shows the mark as used on or in connection with the goods/services in the application; and/or if the applicant filed an application under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e), the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the goods/services in the application. The signatory believes that to the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Hing-Tack Chen/ Date: 11/19/2015
Signatory's Name: Hing-Tack Chen
Signatory's Position: President
RAM Sale Number: 86825701
RAM Accounting Date: 11/19/2015

Serial Number: 86825701
Internet Transmission Date: Thu Nov 19 12:13:16 EST 2015
TEAS Stamp: USPTO/BAS-XXX.X.XX.XX-201511191213164450
32-86825701-540d6d3a7c3217bc4a3b09b23237
ab5573fbc23d62f2a71e3d559b3ce8fff5ccbde-
CC-20682-20151111160922024530

911 HELP NOW

NEW! **Have an Emergency?**

**One Touch
Direct Connect to
911!**

**FREE Shipping!
FREE Activation!
No Long Term
Contracts!**



Just One Push of a Button can Protect You from Emergencies!

Medical / Fire / Burglaries / Other Emergencies

Simply press your **911 HELP NOW™** button and get connected with 911 from anywhere in the country!

As Low as
\$14.99
a Month!

- ✓ One Button to Call 911 Direct
- ✓ Light-up Display Screen
- ✓ Automatic Disconnect Feature
- ✓ Accidental Call Cancel Button
- ✓ One Year Battery Life



For More Information Call (888) 650-6837

Traditional Medical Alert, Mobile & GPS, and Smoke/Fire Alert Systems also available.

Fill out the Form Below for More Information Now!

REQUEST FREE INFO!



I feel so much better knowing that help is just a press of a button away. I always get a prompt and caring response. I recommend your service to everyone! –

Rose R.



Thank you! Your service saved my mother-in-law's life twice!

– Christina F.

NEW! **Have an Emergency?**

**One Touch
Direct Connect to
911!**

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Rose R.



Thank you! Your service saved my mother-in-law's life twice!

– Christina F.

911 HELP NOW

From: TMDesignCodeComments
Sent: Wednesday, November 25, 2015 00:22 AM
To: tmdocket@arentfox.com
Subject: Official USPTO Notice of Pseudo Mark: U.S. Trademark SN: 86825701: 911 HELP NOW: Docket/Reference No. 035353.00000

Docket/Reference Number: 035353.00000

The USPTO may assign pseudo marks, as appropriate, to new applications to assist in searching the USPTO database for conflicting marks. They have no legal significance and will not appear on the registration certificate.

A PSEUDO MARK may be assigned to marks that include words, numbers, compound words, symbols, or acronyms that can have alternative spellings or meanings. For example, if the mark comprises the words 'YOU ARE' surrounded by a design of a box, the pseudo mark field in the USPTO database would display the mark as 'YOU ARE SQUARE'. A mark filed as 'URGR8' would receive a pseudo mark of 'YQU ARE GREAT'.

Response to this notice is not required; however, to suggest additions or changes to the pseudo mark assigned to your mark, please e-mail TMDesignCodeComments@USPTO.GOV. You **must** reference your application serial number within your request. The USPTO will review the proposal and update the record, if appropriate. For questions, please call 1-800-786-9199 to speak to a Customer Service representative.

The USPTO will not send any further response to your e-mail. Check TESS in approximately two weeks to see if the requested changes have been entered. Requests deemed unnecessary or inappropriate will not be entered.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=86825701>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

Pseudo marks assigned to the referenced serial number are listed below.

PSEUDO MARK:

NINE ONE ONE HELP NOW

*** User:lfionda ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	398	N/A	0	0	0:02	*911*[bi,ti]not dead[ld]
02	2195	N/A	0	0	T/0:02	*9\$11*[bi,ti]not dead[ld]
03	13079	N/A	0	0	0:02	*9\$11*[bi,ti]not dead[ld]
04	3960	N/A	0	0	0:02	*nine*[bi,ti]not dead[ld]
05	49630	N/A	0	0	0:02	*one*[bi,ti]not dead[ld]
06	372	N/A	0	0	0:01	4 and 5
07	2947	N/A	0	0	0:02	*help*[bi,ti]not dead[ld]
08	9492	N/A	0	0	0:02	*now*[bi,ti]not dead[ld]
09	91	0	91	90	0:01	(1 3 6) and (7 8)
10	5560	N/A	0	0	0:01	(1 3 6) and "009"[cc]
11	376	0	376	356	0:01	(1 6) and "009"[cc]
12	1789	N/A	0	0	0:02	7 and "009"[cc]
13	253	0	253	235	0:01	7 and ("009" a b 200)[ic]
14	6146	N/A	0	0	0:01	8 and ("009" a b 200)[cc]
15	1262	N/A	0	0	0:02	8 and ("009" a b 200)[ic]
16	31	0	31	31	0:01	7 and 8
17	14315	N/A	0	0	T/0:02	(emergenc\$ med\$)[gs] not dead[ld]
18	260151	N/A	0	0	0:04	(emergenc\$ med\$)[gs] not dead[ld]
19	252	0	252	246	0:01	15 and 18
20	10	0	10	10	0:01	"help now"[bi,ti]not dead[ld]

Session started 3/16/2016 9:04:16 AM

Session finished 3/16/2016 9:51:34 AM

Total search duration 0 minutes 33 seconds

Session duration 47 minutes 18 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 86825701

To: HTC Marketing (tmldocket@arentfox.com)
Subject: U.S. TRADEMARK APPLICATION NO. 86825701 - 911 HELP NOW - 035353.00000
Sent: 3/16/2016 12:17:04 PM
Sent As: ECOM108@USPTO.GOV

Attachments: [Attachment - 1](#)
[Attachment - 2](#)
[Attachment - 3](#)
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[Attachment - 61](#)
[Attachment - 62](#)

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 86825701

MARK: 911 HELP NOW

86825701

CORRESPONDENT ADDRESS:

LONI J. SHERWIN
ARENTE FOX LLP
1717 K STREET, NW
TM DOCKET
WASHINGTON, DC 20006-5344

CLICK HERE TO RESPOND TO THIS LETTER:
http://www.uspto.gov/trademarks/teas/response_forms.jsp

[VIEW YOUR APPLICATION FILE](#)

APPLICANT: HTC Marketing

CORRESPONDENT'S REFERENCE/DOCKET NO :

035353.00000

CORRESPONDENT E-MAIL ADDRESS:

tmddocket@arentfox.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: 3/16/2016

INTRODUCTION

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) in the Summary of Issues below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

SUMMARY OF ISSUES:

- Substitute Specimen Required
- Disclaimer Required

SEARCH RESULTS

The trademark examining attorney has searched the Office's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02. *see* 15 U.S.C. §1052(d).

SUBSTITUTE SPECIMEN REQUIRED

Registration is refused because the specimen is not acceptable as a display associated with the goods and appears to be mere advertising material; thus, the specimen fails to show the applied-for mark in use in commerce for each international class. Trademark Act Sections 1 and 45, 15 U.S.C. §§1051, 1127; 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a). Specifically, the specimen consists of a web page that does not include the means for ordering the goods. *See In re Sones*, 590 F.3d 1282, 1286-89, 93 USPQ2d 1118, 1122-24 (Fed. Cir. 2009); *In re Azteca Sys., Inc.*, 102 USPQ2d 1955, 1957 (TTAB 2012); TMEP §§904.03(i) *et seq.* Without this feature, the specimen is mere advertising material, which is not acceptable as a specimen to show use in commerce for goods. *See In re Genitope Corp.*, 78 USPQ2d 1819, 1822 (TTAB 2006); *In re MediaShare Corp.*, 43 USPQ2d 1304, 1307 (TTAB 1997); TMEP §904.04(b), (c).

An application based on Trademark Act Section 1(a) must include a specimen showing the applied-for mark in use in commerce for each international class of goods identified in the application or amendment to allege use. 15 U.S.C. §1051(a)(1); 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a).

Examples of specimens for goods include tags, labels, instruction manuals, containers, photographs that show the mark on the actual goods or packaging, and displays associated with the actual goods at their point of sale. *See* TMEP §§904.03 *et seq.* As stated above, webpages may also be specimens for goods when they include a picture or textual description of the goods associated with the mark and the means to order the goods. *See In re Sones*, 590 F.3d at 1286-89, 93 USPQ2d at 1122-24; *In re Azteca Sys., Inc.*, 102 USPQ2d at 1957; TMEP §§904.03(i) *et seq.*

Applicant may respond to this refusal by satisfying one of the following for each applicable international class:

- (1) Submit a different specimen (a verified "[substitute](#)" specimen) that (a) was in actual use in commerce at least as early as the filing date of the application or prior to the filing of an amendment to allege use and (b) shows the mark in actual use in commerce for the goods identified in the application or amendment to allege use.
- (2) Amend the filing basis to [intent to use under Section 1\(b\)](#), for which no specimen is required. This option will later necessitate additional fee(s) and filing requirements such as providing a specimen.

For an overview of *both* response options referenced above and instructions on how to satisfy either option online using the Trademark Electronic Application System (TEAS) form, please go to <http://www.uspto.gov/trademarks/law/specimen.jsp>.

DISCLAIMER REQUIRED

Applicant must disclaim the wording "911" and "HELP" because it merely describes a purpose of applicant's goods, and thus is an unregistrable component of the mark. *See* 15 U.S.C. §§1052(e)(1), 1056(a); *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1251, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012) (quoting *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1173, 71 USPQ2d 1370, 1371 (Fed. Cir. 2004)); TMEP §§1213, 1213.03(a).

Applicant's goods are "electronic personal emergency response system consisting of a device worn on the body with a button that users push to summon emergency responders in the event of an emergency". The wording "911" and "HELP" is merely descriptive of these goods because the purpose of the goods is to call 911 to receive medical assistance. *See* attached dictionary evidence defining "help" as "give assistance to (someone); make it easier for (someone) to do something; aid: She helped me with my project. I helped her find her book"; *see also* attached evidence from applicant's website 911helpnow.com and attached evidence from the Home Shopping Network's website hsn.com advertising applicant's products ("[i]f you have an elderly loved one who lives alone, now you can have peace of mind knowing that help is just a push button away. The 911 Help Now emergency pendant offers instant one-touch access to help"), both of which use the wording "911" AND "help" descriptively. As shown by the attached evidence from applicant's website, the purpose of the goods is to call 911. *See e.g.*, additional Internet evidence showing the wording "911" and "help" used descriptively by third parties to describe similar products, available at:

<http://www.lifealert.com/>

<http://www.adt.com/medical-alert>

<http://medical-alert-systems-review.toptenreviews.com/>

Lastly, the examining attorney has attached third party registrations showing this wording disclaimed for similar goods. Third-party registrations featuring goods and/or services the same as or similar to applicant's goods and/or services are probative evidence on the issue of descriptiveness

where the relevant word or term is disclaimed, registered under Trademark Act Section 2(f) based on acquired distinctiveness, or registered on the Supplemental Register. See *Inst. Nat'l des Appellations D'Origine v. Vintners Int'l Co.*, 958 F.2d 1574, 1581-82, 22 USPQ2d 1190, 1196 (Fed. Cir. 1992); *In re Box Solutions Corp.*, 79 USPQ2d 1953, 1955 (TTAB 2006); *In re Finisar Corp.*, 78 USPQ2d 1618, 1621 (TTAB 2006).

Considering all of the above, the wording "911" and "HELP" should be disclaimed herein.

An applicant may not claim exclusive rights to terms that others may need to use to describe their goods and/or services in the marketplace. See *Dena Corp. v. Belvedere Int'l, Inc.*, 950 F.2d 1555, 1560, 21 USPQ2d 1047, 1051 (Fed. Cir. 1991); *In re Aug. Storck KG*, 218 USPQ 823, 825 (TTAB 1983). A disclaimer of unregistrable matter does not affect the appearance of the mark; that is, a disclaimer does not physically remove the disclaimed matter from the mark. See *Schwarzkopf v. John H. Breck, Inc.*, 340 F.2d 978, 978, 144 USPQ 433, 433 (C.C.P.A. 1965); TMEP §1213.

If applicant does not provide the required disclaimer, the USPTO may refuse to register the entire mark. See *In re Stereotaxis Inc.*, 429 F.3d 1039, 1040-41, 77 USPQ2d 1087, 1088-89 (Fed. Cir. 2005); TMEP §1213.01(b).

Applicant should submit a disclaimer in the following standardized format:

No claim is made to the exclusive right to use "911" and "HELP" apart from the mark as shown.

For an overview of disclaimers and instructions on how to satisfy this disclaimer requirement online using the Trademark Electronic Application System (TEAS) form, please go to <http://www.uspto.gov/trademarks/law/disclaimer.jsp>.

ASSISTANCE

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. See 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. See TMEP §§705.02, 709.06.

To expedite prosecution of the application, applicant is encouraged to file its response to this Office action online via the Trademark Electronic Application System (TEAS), which is available at <http://www.uspto.gov/trademarks/teas/index.jsp>. If applicant has technical questions about the TEAS response to Office action form, applicant can review the electronic filing tips available online at http://www.uspto.gov/trademarks/teas/e_filing_tips.jsp and e-mail technical questions to TEAS@uspto.gov.

TEAS PLUS OR TEAS REDUCED FEE (TEAS RF) APPLICANTS – TO MAINTAIN LOWER FEE, ADDITIONAL REQUIREMENTS MUST BE MET, INCLUDING SUBMITTING DOCUMENTS ONLINE: Applicants who filed their application online using the lower-fee TEAS Plus or TEAS RF application form must (1) file certain documents online using TEAS, including responses to Office actions (see TMEP §§819.02(b), 820.02(b) for a complete list of these documents); (2) maintain a valid e-mail correspondence address; and (3) agree to receive correspondence from the USPTO by e-mail throughout the prosecution of the application. See 37 C.F.R. §§2.22(b), 2.23(b); TMEP §§819, 820. TEAS Plus or TEAS RF applicants who do not meet these requirements must submit an additional processing fee of \$50 per international class of goods and/or services. 37 C.F.R. §§2.6(a)(1)(v), 2.22(c), 2.23(c); TMEP §§819.04, 820.04. However, in certain situations, TEAS Plus or TEAS RF applicants may respond to an Office action by authorizing an examiner's amendment by telephone without incurring this additional fee.

/Laura E. Fionda/
Laura E. Fionda
Trademark Examining Attorney
Law Office 108
Phone: 571-272-7897
Email: laura.fionda@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

Print: Mar 16, 2016

74612722

TYPED DRAWING

Serial Number

74612722

Status

REGISTERED AND RENEWED

Word Mark

HELP ALERT

Standard Character Mark

No

Registration Number

1943970

Date Registered

1995/12/26

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

RF TECHNOLOGIES, INC. CORPORATION WISCONSIN 3125 N. 126TH STREET
BROOKFIELD WISCONSIN 53005

Goods/Services

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:
electronic emergency response system comprising wireless transmitters,
receivers, and computer interface network for use in retirement
communities, correctional facilities, and other related environments
where distress signaling is important to provide emergency response.
First Use: 1990/02/05. First Use In Commerce: 1990/02/05.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "HELP" APART FROM THE
MARK AS SHOWN.

Filing Date

1994/12/19

Examining Attorney

MADDEN, ANNE

Print: Mar 16, 2016

74812722

Attorney of Record
Jane C. Schlicht

Print: Mar 16, 2016

86591155

DESIGN MARK

Serial Number

86591155

Status

REGISTERED

Word Mark

ANYWHERE HELP

Standard Character Mark

Yes

Registration Number

4877074

Date Registered

2015/12/29

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Home Buddy LLC LIMITED LIABILITY COMPANY KANSAS 3510 W. Central Suite
100 Wichita KANSAS 67203

Goods/Services

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:
Electronic personal emergency response system consisting of a device
worn on the body with a button that users push to notify others in the
event of an emergency, and a remote unit that dials out on the
telephone for help; Emergency notification system comprised of a data
processor and a user input device for connecting the data processor to
an emergency response entity through a communication network and
allowing audio and data communication between the processor and the
entity; Emergency response system for elderly persons, invalids and
the like, comprising cellular communication device. First Use:
2015/01/01. First Use In Commerce: 2015/01/01.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "HELP" APART FROM THE
MARK AS SHOWN.

Filing Date

Print: Mar 16, 2016

86591155

2015/04/08

Examining Attorney
CUCCIAS, MATTHEW

ANYWHERE
HELP



The AMERICAN HERITAGE dictionary of the English Language

Search

HOW TO USE THE DICTIONARY

Learn what the dictionary tells you about words.

GET STRANDED NOW!

Some compound words (like *butterscotch*, *brass*, *dog whistle*, or *identity theft*) don't appear on the drop-down list when you enter them into the search window. If a compound term doesn't appear in the drop-down list, by entering the form into the search window and then hit the search button (instead of the "enter" key).

Alternatively, begin searches for compound terms with a quotation mark.

THE USAGE PANEL

The Usage Panel is a group of nearly 200 prominent scholars, creative writers, journalists, diplomats, and others in occupations requiring mastery of language. The Panelists are surveyed annually to gauge the acceptability of particular usages and grammatical constructions.

THE PANELISTS

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SEMITIC ROOTS

Additional information is available in an expanded form in our Dictionary of Indo-European Roots.

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Go to our [Crossword Puzzle Solver](#) and type in the letters that you know, and the Solver will produce a list of possible solutions.

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Check out the Dictionary Society of North America at <http://www.dictionariesociety.com>

THE 100 WORDS*

See word lists from the 2013-2014 *100 Words Series!*

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help (help)

Share Tweet

v. **helped, help-ing, helps**

v.tr.

1.
 - a. To give assistance to (someone); make it easier for (someone) to do something; aid: She helped me with my project; I helped her find her book.
 - b. To give material or financial aid to: help the homeless.
 - c. To wait on, as in a store or restaurant: Please help the customer in aisle 20.

2.
 - a. To contribute to the effectiveness or improvement of (something); improve or advance: tax breaks to help create jobs; new ways to help the environment; a remark that didn't help the situation.
 - b. To ease the pain or discomfort of; relieve: medication to help your cold.

3. To refrain from; avoid or resist. Used with can or cannot: couldn't help laughing.

v.intr.

1. To be of service; give assistance: I made a cake, and my friend helped.
2. To be of use or provide relief: He has a bad back, and physical therapy hasn't helped.

n.

1. The action of helping; assistance: Do you need help with that package?
2. One that helps: You've been a great help. A food processor is a help to the serious cook.

3.
 - a. Archaic A person employed to help, especially a farm worker or domestic servant.
 - b. Such employees considered as a group. Often used with the.

Idioms:

help (oneself) to

1. To serve or provide oneself with: Help yourself to the cookies.
2. Informal To take (something) without asking permission: The thief even helped himself to the spare change in the jar.

help (someone) off

To assist (someone) in taking off a piece of clothing: Help me off with these boots.

help (someone) on

To assist in putting on a piece of clothing: Help your grandmother on with her coat.

[Middle English: *helpen*, from Old English *helpan*.]

help *er* *n*

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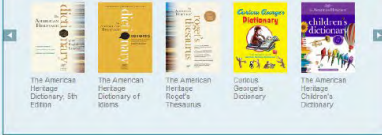
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TODAY'S SPECIAL
ENDS IN: 12:17:22

Shop: Electronics / Accessories / Home Security Accessories / 911 Help Now Emergency Communicator Pendant

★★★★ (14) READ REVIEWS

911 Help Now Emergency Communicator Pendant
with No Monthly Fees
406-752



\$199.95

or 3 FlexPays of \$66.65

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This item is eligible for gift options.

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SINGLE PAYMENT OF \$199.95

Qty:

1

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ID Blocker 3pc Stamp Set with RFID Blocking Sleeves
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★★★★★ (210)



OVERVIEW FEATURES PRODUCT MANUAL SPECIFICATIONS REVIEWS

911 Help Now Emergency Communicator Pendant with No Monthly Fees

If you have an elderly loved one who lives alone, now you can have peace of mind knowing that help is just a push button away. The 911 Help Now emergency pendant offers instant one-touch access to help. Push the big SOS button to be communicated to the nearest 911 emergency dispatch call center in seconds. Plus, there are no monthly fees ever. Isn't it good to know Mom, Dad, Grandma and Grandpa can get assistance when they need it most?

What You Get

- 911 Help Now pendant
- 3 AAA Lithium batteries
- Battery cover clip
- Neck strap
- Shield
- User manual
- Manufacturer's 1-year limited warranty

Good to Know

For warranty information, please call HSN.com Customer Service at 800.533.2667 (8 am-1 am ET).

Customer Reviews

MOST VALUABLE

It works

Average Rating ★★★★★ [Read reviews \(44\)](#)

MOST RECENT

Not what was presented.



ID Electronic Ink Refill 2 pack
\$12.95
★★★★★ (44)



Skalwart Electronic Digital Gun &
Vaultless Steel Safe
\$81.95



Skalwart Electronic Deluxe
Digital Steel Safe
\$149.95

★★★★★ goodysmom FL 2/1/2016

I just finished testing this. First called sheriff's office dispatcher and let them know I needed to test it. She said go ahead and push the button.

[Read full review](#)

★★★★★ sham17 OH 3/15/2016

I was wondering at the beginning when saw it presented, it cannot possibly locate you altho they are saying it can(HSN) as it was not connected to a

[Read full review](#)

CUSTOMERS ULTIMATELY BOUGHT



S11 Help Now Emergency
Communicator Pendant
\$199.95



Dr. Ho Pain Therapy System
Pro with 20 Adhesive Pads
\$129.95

MOST FAVORITED

BEST SELLER

5-STAR REVIEW

TRENDING NOW!



IT'S FUN HERE
More information

GET YOUR GAME ON



Only the HSN Arcade lets you play games & earn tickets for a chance to win exclusive merchandise while watching HSN streaming live on HD. Watch. Swoon. Play!

How can we help? Call or email us anytime... really! 1-800-284-5757 Email Facebook Twitter FAQs

↑
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- Contact HSN
- Recall Information
- Give Us Your Feedback

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- Returns & Exchanges
- Privacy Policy
- Security Policy
- Continuity Guidelines
- Conditions of Use
- IP Closed Captioning

GET TO KNOW US

- About HSN
- Careers
- Affiliate Program
- AMERICAN DREAMS
- Submit Your Idea
- Show Home
- HSN Care

WATCH HSN TV

- Shop By Remote
- Channel Finder
- Program Guide
- HSN2

SHOP WITH HSN

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- Gift Cards
- HSN Outlet
- Site Index
- Mobile

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- Shop the HSN Card
- Apply Now
- See Other
- Pay Your Bill

HSN SOCIAL AND COMMUNITY

Facebook Twitter Pinterest YouTube Google+ Instagram
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Enter email

MANAGE COMMUNICATION PREFERENCES >

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↑
BACK TO TOP

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Just One Push of a Button can Protect You from Emergencies!

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As Low as
\$19.95
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- ✓ One Button to Call 911 Direct
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- ✓ Accidental Call Cancel Button
- ✓ One Year Battery Life



Print: Mar 16, 2016

74489835

DESIGN MARK

Serial Number

74489835

Status

REGISTERED AND RENEWED

Word Mark

ATM 911

Standard Character Mark

No

Registration Number

1974077

Date Registered

1996/05/14

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner

North American Communications Corporation CORPORATION MISSISSIPPI Post
Office Box 2400 Pace FLORIDA 32571

Goods/Services

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:
emergency communications systems, namely emergency telephones used to
call and communicate with a 911 emergency response service from an
automatic teller machine. First Use: 1993/11/00. First Use In
Commerce: 1993/11/00.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ATM 911" APART FROM
THE MARK AS SHOWN.

Filing Date

1994/02/14

Examining Attorney

STINE, DAVID

Attorney of Record

Print: Mar 16, 2016

74489835

GREGORY C. SMITH



Print: Mar 16, 2016

75009547

TYPED DRAWING

Serial Number

75009547

Status

REGISTERED AND RENEWED

Word Mark

POWER 911

Standard Character Mark

No

Registration Number

2019088

Date Registered

1996/11/26

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

INTRADO SYSTEMS CORP. CORPORATION GEORGIA 1601 DRY CREEK DRIVE
LONGMONT COLORADO 80503

Goods/Services

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:
automated emergency response systems comprising a telephony and
automatic telephone number and caller location identification. First
Use: 1995/05/15. First Use In Commerce: 1995/05/15.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "911" APART FROM THE
MARK AS SHOWN.

Filing Date

1995/10/24

Examining Attorney

BENMAMAN, ALICE

Attorney of Record

Kris Kappel

Print: Mar 16, 2016

75125252

DESIGN MARK

Serial Number

75125252

Status

REGISTERED AND RENEWED

Word Mark

SAFEALERT THE 911 EMERGENCY COMMUNICATION SYSTEM

Standard Character Mark

No

Registration Number

2123002

Date Registered

1997/12/23

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner

North American Communications Corporation CORPORATION MISSISSIPPI 9994
RODRRIGUEZ STREET SUITE G BILOXI MISSISSIPPI 39540

Goods/Services

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:
emergency telephones used to call and communicate with a 911 emergency
response service from an automatic teller machine. First Use:
1993/11/00. First Use In Commerce: 1993/11/00.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "THE 911 EMERGENCY
COMMUNICATION SYSTEM" APART FROM THE MARK AS SHOWN.

Filing Date

1996/06/25

Examining Attorney

CARRUTHERS, ALICE SUE

Attorney of Record

GREGORY C. SMITH



Print: Mar 16, 2016

75168751

TYPED DRAWING

Serial Number

75168751

Status

REGISTERED AND RENEWED

Word Mark

911 SOLUTIONS

Standard Character Mark

No

Registration Number

2175541

Date Registered

1998/07/21

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

TELTRONICS, INC. CORPORATION DELAWARE 2150 WHITFIELD INDUSTRIAL WAY
SARASOTA FLORIDA 32243

Goods/Services

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:
telephone equipment, namely, emergency telephone call handlers and
initiating station identifiers and software therefor. First Use:
1998/03/13. First Use In Commerce: 1998/03/13.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "911" APART FROM THE
MARK AS SHOWN.

Filing Date

1996/09/19

Examining Attorney

STINE, DAVID

Attorney of Record

Blair M. O'Keefe

Print: Mar 16, 2016

77806523

DESIGN MARK

Serial Number

77806523

Status

REGISTERED

Word Mark

SAFECOM 911

Standard Character Mark

Yes

Registration Number

3887483

Date Registered

2010/12/07

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

QDS Communications CORPORATION COLORADO Suite D 15373 East Hindsdale
Circle Centennial COLORADO 80112

Goods/Services

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:
EMERGENCY RADIO COMMUNICATION SYSTEMS, NAMELY, RADIOS AND SUPPORTING
COMPUTER HARDWARE AND SOFTWARE FOR EMERGENCY RADIO COMMUNICATIONS TO
INCORPORATE A SPECIAL RADIO BRIDGING CAPABILITY TO FACILITATE RADIO
COMMUNICATIONS BETWEEN ENTITIES USING NON-PUBLIC RADIO SYSTEMS AND
EMERGENCY FIRST RESPONDERS USING PUBLIC RADIO SYSTEMS. First Use:
2010/09/28. First Use In Commerce: 2010/09/28.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "911" APART FROM THE
MARK AS SHOWN.

Filing Date

2009/08/17

Examining Attorney

VAGHANI, MAYUR

Print: Mar 16, 2016

77806523

Attorney of Record
Brent P. Johnson

SAFECOM 911

Print: Mar 16, 2016

86071109

DESIGN MARK

Serial Number

86071109

Status

SU - NON-FINAL ACTION - MAILED

Word Mark

911 BOT 911

Standard Character Mark

No

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner

Illinois Chapter of APCO CORPORATION ILLINOIS 600 Wall Street Glendale
Height ILLINOIS 60139

Goods/Services

Class Status -- ACTIVE. IC 041. US 100 101 107. G & S: Providing a website featuring non-downloadable educational publications in the nature of digital materials, namely, electronic articles, electronic newsletters, manuals, books, magazines, and brochures in the field of calling 911 emergency. First Use: 2008/01/03. First Use In Commerce: 2008/01/03.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "911" APART FROM THE MARK AS SHOWN.

Description of Mark

The mark consists of a robot resembling a human being and having a red colored head portion in the shape of an emergency light, with blue eyes, set on a black background, that are black in the center with a white dot at the top of each eye, with the eyes appearing within a white-gray bar. The robot's chest is in white-gray at the top and red and blue at the bottom, with the red appearing directly above the blue. On top of the white-gray portion of the robot's chest is a blue covering that has white-gray stripes on the shoulders and displays the number "911", which appears in white-gray dotted characters, in the center. Centered underneath the number "911" is a white-gray and blue circle representing a button, with four small blue arrow heads, one

each at the top, bottom, and sides of the circle. Six white-gray circles appear above the button, with three to the upper left of the button and three to the upper right of the button. On the left of the button is a green colored phone and to the right of the button is a red colored phone, representing phone talk and phone disconnect symbols. The lower portion of the robot is a blue sphere with a white reflection dot on the upper right side. The robot's arms are white-gray with black circles around the elbows, wrists and fingers. A gray shadow is behind the robot. The wording "911 BOT" appears to the upper left side of the robot design, with "911" in red dotted lettering on a line above "BOT", which is in black dotted lettering. The wording and robot design appear within a gray box, and the white within the box represents background or transparent area.

Colors Claimed

The color(s) red, white, blue, black, green, and gray is/are claimed as a feature of the mark.

Filing Date

2013/09/21

Examining Attorney

MARESCA, MEREDITH

Attorney of Record

Martin Jerisat

Print: Mar 16, 2016

86585820

DESIGN MARK

Serial Number

86585820

Status

REGISTERED

Word Mark

GUARDIAN ALERT 911 PLUS

Standard Character Mark

Yes

Registration Number

4919492

Date Registered

2016/03/15

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Logicmark, LLC LIMITED LIABILITY COMPANY DELAWARE Suite 111 3030
Harbor Lane Plymouth MINNESOTA 55447

Goods/Services

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:
cellular telephones; an apparatus to notify others in the event of an
emergency consisting of a handheld cellular radio transceiver; an
apparatus to notify others in the event of an emergency consisting of
a wearable cellular radio transceiver; an apparatus to notify others
in the event of an emergency consisting of a cellular radio
transceiver pendant worn by a user; electronic personal emergency
response apparatus to notify others in the event of an emergency
comprised of a radio transceiver, for use in the health care industry.
First Use: 2015/10/27. First Use In Commerce: 2015/10/27.

Prior Registration(s)

3619904;3687193

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ALERT 911" APART FROM
THE MARK AS SHOWN.

Print: Mar 16, 2016

86585820

Filing Date
2015/04/02

Examining Attorney
HESIK, APRIL

Attorney of Record
Jordan Herzog

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Thank you! Your service saved my mother-in-law's life twice!

– Christina F.

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* Life Alert® defines a life saved from a potential catastrophic outcome as an event where a subscriber activated the system, had an actual emergency, was home alone, was unable to get to the phone to call for help, and Life Alert® dispatched help.

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*Requires 12-month-to-24-month agreement. See important terms and pricing. [View](#)
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When you can't make it to the phone, you can still get the help you need

The joy of being able to stay in your home feeling safe, secure and comfortable is key to your health and happiness. Our medical alert system gives seniors a way to maintain an independent lifestyle.



Fast Response Time

In an emergency, a trained professional will contact the appropriate responder (police, fire department or emergency personnel) to request assistance immediately.



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Trained professionals are available 24/7/365. ADT Health Emergency Response Monitoring Centers are US-based and Company Owned & Operated.



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Our personal help button works indoors and outdoors (up to 300 feet away from base unit*). The On-The-Go system's GPS-based for pinpoint support for our most active users.



Test Reminder

A test light comes on every 30 days to remind you to test the unit to make sure it's working properly.



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Whether you choose the wristband or pendant, both are 100% waterproof so you can wear them in the shower or bathtub.

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The screenshot displays the top portion of the ADT website. The header is a solid blue color. On the left side, there is a vertical navigation menu with icons for Home, Contact Us, and My Account. Below these icons, the text 'provided by ADT' is visible, followed by a green button with a white arrow pointing right. In the center of the blue header, the text 'Shop Online' is written in a light blue font, with 'Order your Medical Alert System online' and 'Call Now' in white below it. A green button with the text 'VIEW PRODUCTS' is positioned below the 'Call Now' text. The footer is a dark grey color and contains three main sections: 'HOME' with links for Home Security, Home Automation, Business, Personal, and Senior Care; 'BUSINESS' with links for Small Business, Medium Business, Features, and Services; and 'HEALTH'.

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The New Medical Guardian Classic

The New Medical Guardian **Classic Guardian** works in conjunction with a water resistant necklace and/or wristband that, when pressed, can access immediate help up to 1,300 ft. in every direction of the house. You can also ensure that your loved ones are protected in case of power outages due to extreme weather with an impressive 32 hour backup battery life. The most affordable product yet can keep your loved ones protected for less than a dollar a day.



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Guardian works in conjunction with a water resistant necklace and/or wristband that, when pressed, can access immediate help up to 1,300 ft. in every direction of the house. You can also ensure that your loved ones are protected in case of power outages due to extreme weather with an impressive 32 hour backup battery life. The most affordable product yet can keep your loved ones protected for less than a dollar a day.

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- Flips into land-line telephone jack
- Range: 1300 feet
- Battery Backup: 32 Hours
- Compatible with fall detection
- Range: 600 feet
- Battery Backup: 30 Hours
- Cellular based with GPS
- Range: 350 feet
- Battery Life: 24 Hours
- Comes with fall detection
- Range: Unlimited
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independently but may have chronic illnesses or long-term disabilities. While the main

market is still for senior alert systems, other groups find them useful.

Prolonged Illnesses

Illnesses affect any age group. While most of these individuals live full, independent lives, the disease can take a turn for the worst or flare up at any moment. For example, if you over exert yourself one day or let your care lapse, you might find yourself in a life-threatening situation, needing immediate assistance.

Disabilities

Furthermore, you or a loved one may have been born with a disability or developed one over time. You may be an otherwise healthy individual, though many disabilities increase the chances for serious falls, seizures or strokes. Having a personal alarm system allows you to continue to live independently but call for help when you need it.

COMPONENTS OF A MEDICAL ALERT SYSTEM

A medical alert system comprises a base station, typically connected to a phone line, along with an emergency pendant that you wear at all times. The base station stays in the same place in your home, preferably within range of where you are most of the day. You wear the pendant either on your wrist or around your neck, wherever it is most comfortable and easily accessible for you.

Base Station

Your base station is the epicenter of your medical alert system. The base station connects to your service provider via a landline or a cellular network. These stations have ranges between 300 and 2,000 feet, so there is plenty of wiggle room when determining the system that works best for you.

Medical Alert Device

Your medical alert device pairs with your base station and is with you at all times. Common choices in medical alert devices include wristbands and necklaces. Both are fully functional, so choose the one that is best for you. The above-mentioned range applies to how far away you can take this device from the base station. Any further and it will have difficulty sending the emergency signal when you push your help button, potentially not sending it at all.

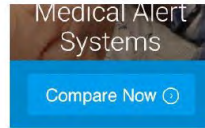
Call Center

When you activate your help button, it alerts your service's call center. A trained operator will pull up your file and speak to you through the speakers and microphone in your base station. If the operator cannot confirm that you are all right or what type of help you need, he or she will send emergency responders to your home.

When choosing a service, make sure that the call center has fully trained staff prepared to deal with emergencies.

Emergency Contacts

Establishing emergency contacts is an important part of setting up your medical



Identifying an emergency contact is an important part of setting up your medical alert system. This is whom the center will call if you are taken to the hospital or need medical assistance for non-life-threatening situations.

There are many areas to consider when deciding your emergency contacts. Make sure it is someone that you trust with your medical information. Additionally, make sure it is someone who is frequently available, you need to rest assured that your first contact will also respond in a timely manner.

Another option is to legally authorize a medical proxy and assign them as your emergency contacts. This person will be able to make emergency medical decisions in your place if you are unable to do so.

WHY USE A MEDICAL ALERT SYSTEM?

Medical alert systems give family members piece of mind that their loved ones who live independently will be taken care of, and these systems can drastically increase response times in an emergency and improve the chances of recovery.

Stay Safe

A medical alert system cannot protect you from danger, but it can save precious minutes in an emergency, which can prevent an accident from turning into a tragedy. According to the CDC, more than 30 percent of people aged over 65 fall at least once. Many of these falls cause hip fractures, which are serious injuries that frequently lead to other long-term damage, disability and admittance into long-term care centers. Moreover, falling is only one concern associated with aging adults. Other concerns include stroke, heart attack and failing to turn off major appliances that may cause fires or other home disasters.

Many personal alarm systems not only alert others to your emergency, but also have add-on features, like smoke and carbon monoxide detection, that give your home comprehensive protection.

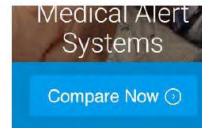
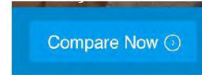
Maintain Independence & Save Money

In certain situations, family members may prefer an elderly relative or disabled adult to live with them in a family home or move into a nursing facility. While these concerns are valid, giving up independence is not an easy task. Maintaining your independence increases your quality of life and overall life satisfaction. Having a reliable medical alert device allows you to sustain your independence for a longer period without loved ones worrying about your well-being.

Staying in your own home can also help you keep costs low. Assisted living facilities generally start at around \$3,500 a month for a single-room apartment and only get more expensive from there. Medical alert systems bridge the gap between staying home and needing care that is more advanced. While they cannot replace advanced care, they are a reasonably priced option if you do not need constant care.

Increase Emergency Response Times

In emergencies, every second matters. If injured in a fall, it is unlikely that you will



In emergencies, every second matters. If injured in a fall, it is unlikely that you will be able to access the phone or call for assistance. Often times, adults living alone can go hours or even days before help arrives.

In instances like a heart attack, the chances of survival decline by roughly 10% for each minute a patient goes without assistance from first responders. A medical alert system can set the wheels of care in motion to ensure that this time is not wasted and that assistance is dispatched as soon as possible.

BE AWARE OF MEDICAL ALERT SCAMS

Popularity of medical alert devices has been steadily increasing as more options are available and people want to maintain their way of life for longer. However, as the medical alert systems market increases, so do medical alert scams and those who prey on the elderly.

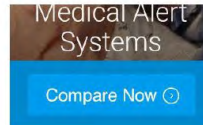
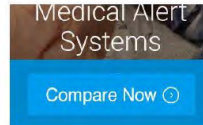
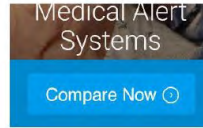
Through these medical alert scams, you can have your credit card information and identity stolen. Once you unknowingly give out your personal information to a scammer, it is hard, if not impossible, to get it back.

Common scams include robocalls that offer free medical alert systems. Always be wary of these offers; remember nothing is ever truly free. Another popular method of scamming includes telling you that a friend or family member has purchased a medical alert system for you and they only need some follow-up information to complete the order. Thousands of people are victims of fraud and identity theft every year.

Here are a few ways you can protect yourself and your information against these scams:

1. Be alert. As mentioned above, nothing is ever free. If someone contacts you and is stating that you have won, been gifted or are eligible for a free medical alert system, hang up immediately and contact the Federal Trade Commission to file a complaint.
2. Research your own personal alarm system or ask a loved one to help you. While the idea of receiving a free system may be nice, it is highly unlikely this will happen. In order to ensure your information's safety when making a purchase, research and pursue it yourself.
3. Never provide any information over the phone to unsolicited callers. Call the company you want to make a purchase from directly to ensure you are dealing with a reputable source.
4. Place your name and number on the national do not call list, DoNotCall.gov. Remember only to use this official government site to register your information. Many do not call sites on the internet are often scams themselves, used as a way to trick you into unknowingly giving your information to solicitors and scammers.

Remember to keep these tips in mind and to educate yourself about scams. If someone tries to scam you, speak out! Tell your family and friends so that they can avoid the same scams and be on alert if they receive calls from scammers asking for personal information.



CONTRACTS & FEES ASSOCIATED WITH CHOOSING THE BEST MEDICAL ALERT SYSTEM

Cost is a large determining factor in any purchase you make but is especially important when considering something like a personal alarm system. On average, your medical alarm system should cost you around \$1 per day. While some add-ons may increase this cost, \$1 should be your base number to begin with.

When you purchase a medical alert system, you are actually buying the service, not just an alert device. With almost all systems, installation comprises of simply connecting the base unit's power cord to an outlet and its phone cord to an available phone jack. Setup should be an easy process, so even those who are not technologically savvy can set up the device without assistance.

Shipping & Activation Fees

Other fees associated with purchasing a medical alert system could include shipping and activation fees. Hidden fees can quickly add up and cost you hundreds of dollars when you sign up for a service and order your devices.

The majority of the services we reviewed do not charge an activation fee when you purchase the service. This means you simply have to set up your device and you are good to go. One service, [Life Station](#), does charge an activation fee when you purchase and set up your device and base console.

Payment Plan Options

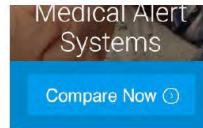
The type of contract services offer is another careful thing to consider. You should be able to try a personal alarm system without worrying about being locked into a contract that is nearly impossible to end. The top-rated medical alert systems should offer plans that vary and fit to your specific needs and the demands of your life.

When considering a plan, ask yourself: Does the service try to lock you into a plan or are you free to leave at any time? The best medical alarm systems offer month-to-month plans that give you flexibility. Additionally, you should have the option of paying for a plan on a quarterly or yearly basis; these longer-term plans can save you money in the end as you are often given lower rates for longer terms of service. If you choose this option, be aware that if you cancel after paying upfront, many companies will not refund your money.

Cancellation Policy

You cannot predict when you will no longer need your personal alarm system. Maybe a move or loss of a loved one deems the service irrelevant. No matter the reason, when this happens, you do not want to worry about complications involved with cancelling your service.

Cancellation fees are charged when you cancel a service before the duration of your contract. These fees can range from a one-time charge all the way up to having to pay the remainder of your contract. Before purchasing a personal alarm system, carefully look at the terms of service and ask your sales agent. On



our lineup, [ADT](#) is the only service that charges a cancellation fee.

In general, most services do not charge cancellation policies and have services that you or a family member could easily install. We omitted from our lineup one service that departed from these norms. Life Alert requires an installation fee to cover activation and a technician who must come install and program the system, along with a minimum three-year contract commitment. There are only two ways to break out of the contract early should you choose the service: either the loved one using the system passes away, or he or she moves permanently to a long-term care facility. A technician must confirm both instances before the contract is ended.

THE MOST LOOKED FOR FEATURES IN MEDICAL ALARM SYSTEMS

Medical alert systems can vary; some are developed to be senior alert systems while others cater to more general use. No matter your needs, there are some features that you should look for when choosing the best medical alert system.

Multi-Person Medical Monitoring

Extra medical monitoring provided by a service allows you to attain medical monitoring for another member of your household, such as your spouse, without purchasing an additional base unit. With this service, you often purchase an additional monitoring device to connect to your base unit and may have to pay a small monthly fee. For example, Life Station lets you add an additional user for a low monthly fee after you purchase another monitoring device.

Check-In Service

When you are relying on your medical alert system for emergencies, it is important to know that the system will work in your time of need. Rather than just waiting for an emergency to occur, companies that offer check-in service will periodically conduct routine tests to ensure that your system is still running as it should.

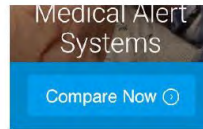
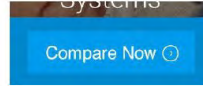
Most services charge additional fees for this add-on service, but the best services on our lineup include check-in service at no additional cost to you.

Voice Extension

Often times, you may be far away from your base station when disaster strikes. A voice extender is handy in these situations and may be something you want to consider adding to your service, especially if you are still living in a larger house. Voice extenders include powerful microphones and speakers that ensure you will be heard even when you are not near your base station. These mini-units act as consoles and allow you to speak directly to the monitoring center.

Wall-Mounted Devices

In addition to being away from your base station, there are times when you may not be wearing your device. For example, you may like to remove it when you go to sleep or when you take a shower.



A wall-mounted device is a separate alert button that you station in locations where you are likely to remove your wrist or neck pendant. You can strategically place these buttons to ensure that you are never far away from help and that you will not need to wear the device at less convenient times.

Comfort and Durability of Your Medical Alert Device

Your medical alert device is your safety net if something should happen. This means you will be wearing it around the house, or if you have a mobile-enabled device, if you go to run errands. Therefore, you need a device that fits comfortably and doesn't break down as you go through your daily routines.

Most companies give you the option to choose a wrist pendant or a neck pendant, each device has its own set of pros and cons. While both are easily accessible to users, a wrist pendant may cause irritation on the wearer's wrist, and, though extremely rare, a neck pendant carries the risk of strangulation if the cord wraps too tightly while the wearer is sleeping.

Another factor to consider includes durability. The medical alert device you choose should be waterproof and impact resistant. You would not feel safe and secure if you or a loved one was relying on a device that is going to break down at the first sign of water or if you accidentally drop it or bang it against a wall.

Finally, consider the weight of your device. You are more likely to remove a device that is too heavy or bulky. When you take off your medical alert device, it is less likely it can help you when you need it.

Make sure to choose a device that comfortably integrates with your daily life so that you will wear it around the clock without any issue.

GO MOBILE WITH YOUR PERSONAL ALARM SYSTEM

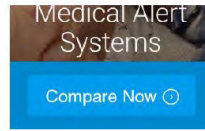
In the technological age, landlines are quickly becoming outdated. Instead of having a set home phone, more and more people rely on their cell phones as their main method of communication. If you have left your landline behind, a medical alert device is still an option.

There are a few different options to choose or combine when you want to connect to your medical alert system using a cellular network.

Home Stations

If you do not have a landline but still want the benefits of a medical alert system in your home, you can set one up using a cellular network. [MobileHelp](#), featured on our lineup, connects you to assistance using a cellular network. With the basic plans, you get one home station, which acts just as a device connected through a landline would.

You also have the option of a mobile device, which carries your signal with you wherever you go and tracks your location using GPS. This is a great benefit! Knowing your medical alert bracelet or necklace will stay connected to your network. No matter where you go, as long as there is cell service, you can easily connect with the medical alert center.



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connect with the medical alert provider.

Mobile Apps

Some services allow you to add a mobile application onto your phone that connects with its medical alert system. For example, [LifeLine](#) offers an app that is compatible with Android and iOS. You do not need to own a LifeLine home device for this service to work for you.

When you download an app onto your cell phone, you typically pay for month-to-month service, and the service uses your cellular network when you access assistance. There are many benefits to using a mobile app for your medical alert service rather than a bracelet or necklace. For instance, most of us already carry our phone with us wherever we go. By connecting your medical alert system to your phone, you are combining multiple services.

Cons of using your cell phone in place of a more standard medical device can include lower battery power and less accessibility. Many cellphones need to charge every few hours and quickly run through battery power as they are used for multiple tasks. A designated medical alert device has a much longer battery life. Also, while we do carry our phones with us, it may be more difficult to access an app than it is to quickly push a button on your wristband or necklace.

While mobile apps can be a good medical alert option, you need to carefully consider your needs before pursuing this route. If you would like more information specifically about medical alert apps, check out our article "[Best Medical Alert Apps for Seniors](#)."

Add-On Mobile Devices

Other services combine these two options. Rather than providing you with a mobile device or an app, they provide one base that is designed for taking with you. While these stations are larger than devices created specifically for mobile purposes, they are much more portable than typical base stations.

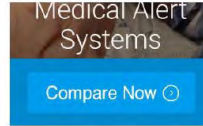
LifeFone offers a base unit that runs through AT&T's 3G cellular network. This streamlines the setup process since the unit runs through the company's cellular network rather than your landline or mobile network.

Even though these systems are not as mobile as an app, they have a much longer battery life, so you are less likely to find yourself stranded in an emergency. These systems are portable enough to take with you on vacation and set up in your hotel room, though not portable enough to take on a walk.

HOW TO COMPARE MEDICAL ALERT SYSTEMS

To provide the fairest comparison between services, we evaluated each using their lowest cost base station and service, which cost about \$30 a month with most systems. However, with all services we evaluated, you can elect to pay more each month to get enhanced equipment or service.

Each service offers similar basic features, so your choice may come down to how well they have performed in our hands-on tests.



they have performed in our hands-on tests

We describe some of those upgrades below and detail which systems offer them in our comparison chart. However, with two of those enhancements, we have created separate review sites that include more companies that provide systems with those special features. [Systems with fall detection](#) promise to automatically alert responders if the wearer falls – a plus should they then be incapacitated – while [systems with GPS capability](#) promise coverage even when the wearer roams out of range of the base station.

MEDICAL ALERT SYSTEMS: HOW WE TEST, WHAT WE FOUND

Two key attributes of medical alert systems are the maximum distance from the base station at which the pendant reliably activates the base station and how long the station's built-in backup battery can keep the unit running in the event of a power outage. Manufacturers provide their own specifications on both, but we carried out our own tests to assess the reliability of that data. To conduct these tests, we acquired each service for a hands-on test. The companies on the lineup had no influence over our results and were not given advance notice of the outcomes prior to publication.

Range of Your Medical Alert System

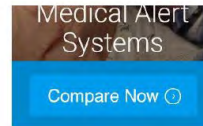
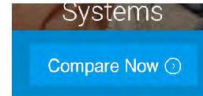
The companies' methods to determine their advertised ranges varies; sometimes, advertised ranges are based on a setup where there are limited obstacles, such as walls, that may interfere with signals and therefore reduce performance. To test the accuracy of those figures, we conducted a maximum-range test in an empty field devoid of obstacles. We used the system at progressive distances between the pendant and base station, until activating the pendant no longer reliably sent a signal to the station. The results of those tests: Our figures were sometimes higher than those provided by the manufacturers, with several pendants transmitting as much as twice as far as the advertised figure.

Within your home, you can expect a lower range, which our second batch of tests confirmed. We repeated the range tests in an actual home environment with brick walls (which provide greater interference than the wood and drywall construction of many homes). Unsurprisingly, the measured ranges were significantly lower – about one third of the open range distances on average. Those systems with the longest indoor tested ranges offer the greatest likelihood, and greatest reassurance, that an alert would get through from even a distant and obstructed area of your home.

Life of Your Personal Alarm System's Backup Battery

A backup battery for your medical alert system ensures the unit will continue running if the power goes out. Each company provides specifications about the battery life of the station's backup battery. To verify these numbers and get true results, we conducted our own tests of the systems' backup batteries.

When we tested these systems, we set up fully charged units and disconnected them from a power source. We then tracked how long a unit could continue to function at capacity without receiving any form of charge. The industry average



duration or capacity without receiving any form of charge. The industry average is about 30, the low end of our lineup, ADT, only has additional battery life of 20 hours, while the longest performing backup, [Rescue Alert](#), lasted 90 hours. It is important to test these features, even when the company provides its own specifications. For example, Medical Guardian states that the backup battery lasts for 36 hours, but in our tests, we found that it averaged closer to 32 hours of battery life.

WHAT ELSE IS IMPORTANT IN SELECTING A MEDICAL ALERT SYSTEM?

While our tested attributes should be leading considerations in buying a system, other features and capabilities should figure in your choice. These additional features are reflected in our scores, recommendations and [articles about Medical Alert Systems](#). Here is a rundown of some of the most important things to consider when choosing a medical alert system.

What Add-ons Are Most Important in Your Medical Alert System?

These premium features are not included in any service's basic package. Instead, you can select features that are most important to you after you have acquired a service plan from a medical alert provider. This system gives you the option to personalize and pay for features that are most important to you, while avoiding the costs of features that are not applicable to your needs.

For example, if you are purchasing a medical alert system for an elderly relative, fall detection may be high on your list of needs. However, if you are a disabled adult living alone, then other features, like a mobile GPS system or lockbox, may be more important for you.

Multilingual Assistance

All systems we evaluated offer 24/7 monitoring service – as in each has staffers around the clock who can respond to alerts. Not all, however, offer the option to provide a translation service should you or your family member use a primary language other than English. Such services all offer support in 150 or more languages. Note, though, that if the monitoring center does not have on-staff representatives who speak the language you need, such services usually require the additional time for the translator to take the user's comments and translate them for monitoring center representatives, so it's best to have the user speak English if they have sufficient facility to do so. If multilingual service is important to you, before you commit to a company, make sure it is aware of your language requirements, and note them on your profile, so your user can be connected to a translator as rapidly as possible.

Fall Protection for the Elderly

The now-trademarked advertising tagline "I've fallen, and I can't get up" reflects the fact that fear of falls are generally the most common reason families consider getting a medical alert system. Yet a typical system relies on the fallen user being able to press the pendant for help. The wearer may not be able to press the pendant in the case of a serious fall, which might originate from a debilitating medical event, such as a heart attack or stroke, or which may lead to



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communicating medical events, such as a heart attack or stroke, or which may lead to unconsciousness.

Around half of the systems we evaluated offer a feature that promises to automatically alert responders when the pendant wearer falls. With these systems, technology inside the pendant detects that a fall has occurred and immediately sends a signal to the base station. Companies either offer this feature as a package upgrade or as an add-on accessory for a minimal additional monthly fee. Life Alert, which owns the trademark for the "fallen" tagline, is not among the companies that offer fall detection. We did not include it in our lineup, for other reasons we noted above.

While this feature is a great benefit to ensure that you or your loved one can get immediate help during a fall, don't depend on fall detection as a failsafe feature; the technology does not pick up 100% of falls. You can learn more about fall detection by reading our article about "[Medical Alert Systems with Fall Detection](#)."

GPS Medical Alerts

If the system's user sometimes ventures away from home unaccompanied, you may also want to consider an upgraded medical alert system that has GPS capability. Companies offer these systems as part of package upgrades either alongside a base station unit or as separate packages that work without the need of a base station. Such systems use a combination of cellular and GPS technology to send calls to a monitoring center where they can determine your location to send emergency services. For active seniors or disabled family members who don't want to be limited to their homes, these systems can give you and your family the reassurance that if anything happens, the people you care about can always get help.

IMPORTANT SECURITY FEATURES FOR YOUR MEDICAL ALARM SYSTEMS

Security is another component of safety. When comparing the top medical alert systems, it is important to choose one that has add-on features you find valuable. While these features may cost more, they provide necessary monitoring and allow you to streamline multiple services into one device.

Medical Alert Access Lockbox

A lockbox is specially designed to store your house key so that emergency responders can enter your home without having to damage your property by breaking a window or taking down a door. The lockbox, designed to be stored in an accessible location outside of your home, has extra fortification, which protects it against break-ins. The lockbox provided by Alert1 has room for five keys and is reinforced to withstand damage from saws or hammers. An added, non-emergency bonus of this lockbox is the ability to enter your home if you ever lock yourself out.

These systems are typically purchased for a one-time fee, though some services like [LifeStation](#) charge you per month. During setup, you give your



medical alert provider your secret code so that they can deliver it to first responders in case of an emergency.

Fire & Smoke Alert

Typical fire alarms make loud noises when they detect smoke in your home. Medical alert systems have add-on available that allow you to connect a smoke detector to your monitoring system. Rather than simply alerting you to a potential fire, these systems signal your medical alarm provider.

Bay Alarm Medical provides monitors that are sensitive to smoke, fire and high heat. If the monitor detects any of these in your home, it will emit an alert and send a message to the monitors at the call center.

CO Monitoring

Carbon monoxide is an odorless gas, dubbed the Silent Killer. This harmful gas kills more than 400 Americans each year and sends another 20,000 to the hospital with symptoms. Individuals with weaker immune systems, such as the elderly, are at a higher risk for carbon monoxide fatalities.

Carbon monoxide detectors identify unhealthy levels of this gas in your house and alert both you and your medical alert system provider to its presence. If the gas has already reached dangerous levels that leave you incapacitated, employees at your medical alert provider will dispatch emergency responders to the scene.

Help & Support in Medical Alert Devices

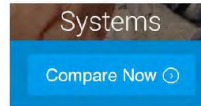
When you are depending on your medical alert system in an emergency, you need to know that it will come through for you. If you have issues with your device, it is imperative that you can quickly access technical support in case of a break down.

Each service on our lineup offers self setup, meaning if everything goes smoothly, you can set up and activate the system without any additional help. In addition, each service offers FAQs on its site to help with simple questions.


While these features are useful, the true test of help and support comes when you find a product you depend on not working. For situations like these, you need to reach out through the phone or email. A few companies on the lineup even offer live chat, which can be useful for quick questions or those who are hard of hearing but still need to have an ongoing conversation, rather than waiting for email.

MEDICAL ALERT SYSTEMS: OUR VERDICT & RECOMMENDATIONS

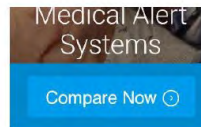
Throughout our research, three medical alert systems – Medical Guardian, our Gold Award winner; LifeFone, our Silver Award Winner; and Bay Alarm Medical, our Bronze Award Winner – rose above the rest in our comparison, mostly due to their superior performance in operating range and run times – the factors we weighted most heavily in our rankings. No other systems offered as long an operating range in our simulated



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home environment. Medical Guardian edges out the other two with the longest range overall.

At least one other lower-ranked system merits consideration. If style counts with you, and you want to save a few dollars a month over the top-ranked services, consider [Care Innovations Link](#). It is a newer med alert system by Intel, GE, Care Innovations, a joint company between Intel and General Electric, two leading companies in appliances and technology.

The Care Innovations unit stands out with its base station design. Rather than the typical white- or cream-colored units of most services, the Care Innovations Link base station is a thin black box that can blend in with most appliances, such as an alarm clock or entertainment system. The company also offers a separate GPS-capable unit with different package options if GPS mobility is important to you.

If you or your loved one is in need of a medical alert device, carefully evaluate your options and choose the system that is most compatible with your life. Whether it is a service that offers advanced features or a more simplified version, your medical alert system should provide reliable service that will not fail in an emergency.



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Sent: 3/16/2016 12:17:05 PM
Sent As: ECOM108@USPTO.GOV
Attachments:

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USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON **3/16/2016** FOR U.S. APPLICATION SERIAL NO. 86825701

Please follow the instructions below:

(1) TO READ THE LETTER: Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) TIMELY RESPONSE IS REQUIRED: Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **3/16/2016** (or sooner if specified in the Office action). For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

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(3) QUESTIONS: For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail TSDR@uspto.gov.

WARNING

Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application. For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

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Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation_warnings.jsp.

NOTE TO THE FILE

SERIAL NUMBER: 86825701

DATE: 03/21/2016

NAME: Ifionda

NOTE:

Searched:

Google
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 Wikipedia
 Acronym Finder
 Other:

Discussed ID with:

Senior Atty
 Managing Atty

 Protest evidence reviewed

Checked:

Geographic significance
 Surname
 Translation
 ID with ID/CLASS mailbox

Discussed Geo. Sig. with:

Senior Atty
 Managing Atty

Checked list of approved Canadian attorneys and agents

Discussed file with

Attorney/Applicant via:

phone
 email

 Requested Law Library search for:

 PRINT **DO NOT PRINT**
 Description of the mark
 Translation statement

 Negative translation statement
 Consent of living individual

 Changed TRADEUPS to:

Left message with Attorney/Applicant

 Issued Examiner's Amendment and entered changes in TRADEUPS

 Added design code in TRADEUPS

 Re-imaged standard character drawing

 Contacted TM MADRID ID/CLASS about misclassified definite ID

OTHER: discussed specimen and disclaimer with applicant's attorney

To: HTC Marketing (tmducket@arentfox.com)
Subject: U.S. TRADEMARK APPLICATION NO. 86825701 - 911 HELP NOW - 035353.00000
Sent: 3/21/2016 9:39:16 AM
Sent As: ECOM108@USPTO.GOV
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UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 86825701

MARK: 911 HELP NOW

86825701

CORRESPONDENT ADDRESS:

LONI J. SHERWIN
ARENT FOX LLP
1717 K STREET, NW
TM DOCKET
WASHINGTON, DC 20006-5344

GENERAL TRADEMARK INFORMATION:

<http://www.uspto.gov/trademarks/index.jsp>

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APPLICANT: HTC Marketing

CORRESPONDENT'S REFERENCE/DOCKET NO :

035353.00000

CORRESPONDENT E-MAIL ADDRESS:

tmducket@arentfox.com

EXAMINER'S AMENDMENT

ISSUE/MAILING DATE: 3/21/2016

DATABASE SEARCH: The trademark examining attorney has searched the USPTO's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; see 15 U.S.C. §1052(d).

APPLICATION HAS BEEN AMENDED: In accordance with the authorization granted by attorney for applicant, Loni J. Sherwin on March 21, 2016, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. Otherwise, no response is necessary. TMEP §707. Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); see TMEP §§1402.06 *et seq.*

DISCLAIMER

The following disclaimer statement is added to the record:

No claim is made to the exclusive right to use "911" and "HELP" apart from the mark as shown.

See 15 U.S.C. §1056(a); TMEP §§1213, 1213.08(a)(i).

WHAT HAPPENS NEXT

After issuance of an examiner's amendment, the trademark examining attorney will usually approve the mark for publication in the *Official Gazette*, a weekly publication of the USPTO. The USPTO will then send a "Notice of Publication" to the applicant specifying the date of publication.

The purpose of publishing applicant's mark in the *Official Gazette* is to provide an opportunity to third parties who believe they may be damaged by registration of applicant's mark to oppose its registration within thirty (30) days from the publication date. An "opposition" is similar to a federal court proceeding, but this proceeding is held before the Trademark Trial and Appeal Board, a USPTO administrative tribunal

of administrative judges who issue decisions on such matters. If an opposition proceeding is instituted to oppose registration of applicant's mark, applicant will receive notice. In such cases, due to the complexity of such matters, applicant may wish to hire an attorney.

If the mark is published based upon the actual use of the mark in commerce, or based on a foreign registration, and no party opposes its registration, the USPTO will normally register the mark and issue a registration certificate within approximately twelve (12) weeks after the date the mark was published.

If the mark is published based upon the applicant's bona fide intention to use the mark in commerce, the USPTO will issue a "Notice of Allowance" within approximately eight (8) weeks after the date the mark was published, if no party files an opposition. Applicant then has six (6) months from the date of the Notice of Allowance to timely file a "Statement of Use" or to file a request for a six-month "Extension of Time to file a Statement of Use." Extension requests are granted for six-month increments and a maximum of five extension requests can be filed after the issuance of the Notice of Allowance. If not filed within the six months after the Notice of Allowance issued, a Statement of Use must be filed within the time period of a previously granted extension of time.

Forms for extension requests and Statements of Use are available online at [http://www.uspto.gov/trademarks/teas/intent to use.jsp](http://www.uspto.gov/trademarks/teas/intent%20to%20use.jsp). For more information about the **additional requirements for intent to use applications**, visit the USPTO website. Only after a Statement of Use is approved by the trademark examining attorney will the USPTO issue a registration certificate.

/Laura E. Fionda/
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Trademark Examining Attorney
Law Office 108
Phone: 571-272-7897
Email: laura.fionda@uspto.gov

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Trademark Snap Shot Publication Stylesheet
(Table presents the data on Publication Approval)

OVERVIEW

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TM ATTORNEY	FIONDA, LAURA ELIZABET	L.O. ASSIGNED	108

PUB INFORMATION

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STATUS DATE	03/21/2016		
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SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	911 HELP NOW
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	HTC Marketing
ADDRESS	37 W. 47th Street #201 New York, NY 10036
ENTITY	03-CORPORATION

CITIZENSHIP	New York
GOODS AND SERVICES	
INTERNATIONAL CLASS	009
DESCRIPTION TEXT	Electronic personal emergency response system consisting of a device worn on the body with a button that users push to summon emergency responders in the event of an emergency

GOODS AND SERVICES CLASSIFICATION							
INTERNATIONAL CLASS	009	FIRST USE DATE	10/00/2013	FIRST USE IN COMMERCE DATE	10/00/2013	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS	
CHANGE IN REGISTRATION	NO
DISCLAIMER W/PREDETER TXT	"911" AND "HELP"
PSEUDO MARK	NINE ONE ONE HELP NOW

PROSECUTION HISTORY				
DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
03/21/2016	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	012
03/21/2016	XAEC	I	EXAMINER'S AMENDMENT ENTERED	011
03/21/2016	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	010
03/21/2016	GNEA	O	EXAMINERS AMENDMENT E-MAILED	009
03/21/2016	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	008
03/16/2016	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
03/16/2016	GNRT	F	NON-FINAL ACTION E-MAILED	006
03/16/2016	CNRT	R	NON-FINAL ACTION WRITTEN	005
03/12/2016	DOCK	D	ASSIGNED TO EXAMINER	004
11/25/2015	MPMK	E	NOTICE OF PSEUDO MARK E-MAILED	003
11/24/2015	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
11/23/2015	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION	
ATTORNEY	Loni J. Sherwin
CORRESPONDENCE ADDRESS	LONI J. SHERWIN ARENT FOX LLP 1717 K STREET, NW TM DOCKET WASHINGTON, DC 20006-5344
DOMESTIC REPRESENTATIVE	NONE

911 HELP NOW

Trademark Snap Shot Amendment & Mail Processing Stylesheet
(Table presents the data on Amendment & Mail Processing Complete)

OVERVIEW

SERIAL NUMBER	86825701	FILING DATE	11/19/2015
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FIONDA, LAURA ELIZABET	L.O. ASSIGNED	108

PUB INFORMATION

RUN DATE	03/22/2016		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATON		
STATUS DATE	03/21/2016		
LITERAL MARK ELEMENT	911 HELP NOW		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	911 HELP NOW
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	HTC Marketing
ADDRESS	37 W. 47th Street #201 New York, NY 10036
ENTITY	03-CORPORATION

CITIZENSHIP	New York
GOODS AND SERVICES	
INTERNATIONAL CLASS	009
DESCRIPTION TEXT	Electronic personal emergency response system consisting of a device worn on the body with a button that users push to summon emergency responders in the event of an emergency

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CORRESPONDENCE ADDRESS	LONI J. SHERWIN ARENT FOX LLP 1717 K STREET, NW TM DOCKET WASHINGTON, DC 20006-5344
DOMESTIC REPRESENTATIVE	NONE

911 HELP NOW

From: TMOfficialNotices@USPTO.GOV
Sent: Wednesday, April 20, 2016 04:00 AM
To: tmdocket@arentfox.com
Subject: Official USPTO Notification of Notice of Publication: U.S. Trademark SN 86825701: 911 HELP NOW: Docket/Reference No. 035353.00000

NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 86825701) is scheduled to publish in the *Official Gazette* on May 10, 2016. To preview the Notice of Publication, go to <http://tdr.uspto.gov/search.action?sn=86825701>. If you have difficulty accessing the Notice of Publication, contact TDR@uspto.gov.

PLEASE NOTE:

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Do NOT hit "Reply" to this e-mail notification. If you have any questions about the content of the Notice of Publication, contact TMPostPubQuery@uspto.gov.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

Apr 20, 2016

NOTICE OF PUBLICATION

1. Serial No.:
86-825,701
2. Mark:
911 HELP NOW
(STANDARD CHARACTER MARK)
3. International Class(es):
9
4. Publication Date:
May 10, 2016
5. Applicant:
HTC Marketing

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the *Official Gazette* on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a certificate of registration.

Copies of the trademark portion of the *Official Gazette* containing the publication of the mark may be obtained from:
The Superintendent of Documents
U.S. Government Printing Office
PO Box 371954
Pittsburgh, PA 15250-7954
Phone: 202-512-1800

By direction of the Commissioner.

Email Address(es):
tmdocket@arentfox.com

From: TMOOfficialNotices@USPTO.GOV
Sent: Tuesday, May 10, 2016 00:45 AM
To: tmdocket@arentfox.com
Subject: Official USPTO Notice of Publication Confirmation: U.S. Trademark SN 86825701: 911 HELP NOW: Docket/Reference No. 035353.00000

TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION

U.S. Serial Number: 86825701
Mark: 911 HELP NOW
International Class(es): 009
Owner: HTC Marketing
Docket/Reference Number: 035353.00000

The mark identified above has been published in the Trademark Official Gazette (TMOG) on May 10, 2016.

To Review the Mark in the TMOG:

Click on the following link or paste the URL into an internet browser: <https://tmog.uspto.gov/#issueDate=2016-05-10&serialNumber=86825701>

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. If any information is incorrect due to USPTO error, the applicant should immediately email the requested correction to TMPostPubQuery@uspto.gov. For applicant corrections or amendments after publication, please file a post publication amendment using the form available at <http://teasroa.uspto.gov/ppa/>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

Significance of Publication for Opposition:

- * Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a certificate of registration should issue.

To check the status of the application, go to http://tsdr.uspto.gov/#caseNumber=86825701&caseType=SERIAL_NO&searchType=statusSearch or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to http://tsdr.uspto.gov/#caseNumber=86825701&caseType=SERIAL_NO&searchType=documentSearch. NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

United States of America

United States Patent and Trademark Office

911 HELP NOW

Reg. No. 5,006,952

Registered Jul. 26, 2016

Int. Cl.: 9

Trademark

Principal Register

HTC Marketing (NEW YORK CORPORATION)
37 W. 47th Street #201
New York, NY 10036

CLASS 9: Electronic personal emergency response system consisting of a device worn on the body with a button that users push to summon emergency responders in the event of an emergency

FIRST USE 10-00-2013; IN COMMERCE 10-00-2013

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

No claim is made to the exclusive right to use the following apart from the mark as shown: "911" AND "HELP"

SER. NO. 86-825,701, FILED 11-19-2015

LAURA ELIZABET FIONDA, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

Exhibit 5



- MUSEUM
- Overview
- Mission
- Director's Message
- What You Can Do
- Collection
- Exhibitions
- Artists Registry
- Education
- Our Partners
- MEMORIAL EXHIBITION

MUSEUM



Museum Pavilion at Dusk, Squared Design Lab

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The Museum will be a dynamic 21st century institution, the authoritative source for an evolving understanding of the terrorist attacks of 9/11 and 1993. Learn more about the planned experience for the Museum.

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The Museum is growing a permanent collection of artifacts and stories that shape our shared history.

Learn more

ARTISTS REGISTRY



A virtual art gallery created by members of a

LEARN



- Webcasts: Exploring 9/11
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9/11 MEMORIAL

- History
- Visit
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Contents of Patricia Fagan's pocket book. Gift of Eileen A. Fagan, Sister of Patricia Mary Fagan. Collection NS11MM.

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Carved Flag in honor of the 17 electricians killed at the WTC. Gift of Joel Klein and Local #3 Motorcycle Club. Collection NS11MM.

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» Explore objects and



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EDUCATION

Teaching 9/11



THE MEMORIAL MUSEUM serves as an educational resource to help teach this painful history. Please visit the [History](#) section to find additional material including webcasts, a timeline, and a series highlighting events that help put 9/11 in context.

Commemorative Resources for High School Educators

9/11: Stories of Survival and Loss. Short film featuring first-hand accounts of survivors, victims, family members, and first responders, which includes questions for classroom discussion.

The discussion guide and activities for the anniversary of September 11, offers a brief reminder about the brave and selfless individuals who with the opportunity to stop or their actions and the way

9/11

MEMORIAL

Trademark/Service Mark Application, Principal Register

Serial Number: 85036050

Filing Date: 05/12/2010

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85036050
MARK INFORMATION	
*MARK	\\TICRS\EXPORT\10\IMAGEOUT\10\850\360\85036050\xml1\ APP0002.JPG
SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
COLOR MARK	YES
COLOR(S) CLAIMED (If applicable)	The color(s) blue is/are claimed as a feature of the mark.
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the number "9" followed by a forward slash followed by a representation of the Twin Towers in blue, underneath which is the word "MEMORIAL".
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	704 x 400
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	National September 11 Memorial & Museum at the World Trade Center Foundation, Inc.
*STREET	One Liberty Plaza
*CITY	New York
*STATE (Required for U.S. applicants)	New York
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	10006
LEGAL ENTITY INFORMATION	
TYPE	non-profit corporation
STATE/COUNTRY WHERE LEGALLY ORGANIZED	New York
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	041
*IDENTIFICATION	Museum services; educational services, namely, instruction and conducting programs about the terrorist attacks of September 11, 2001
FILING BASIS	SECTION 1(a)

FIRST USE ANYWHERE DATE	At least as early as 03/00/2010
FIRST USE IN COMMERCE DATE	At least as early as 03/00/2010
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT10\IMAGEOUT10\850\360\85036050\xml1\ APP0003.JPG
	\\TICRS\EXPORT10\IMAGEOUT10\850\360\85036050\xml1\ APP0004.JPG
	\\TICRS\EXPORT10\IMAGEOUT10\850\360\85036050\xml1\ APP0005.JPG
SPECIMEN DESCRIPTION	print-out from Applicant's website
ATTORNEY INFORMATION	
NAME	Mary J. Sotis
ATTORNEY DOCKET NUMBER	16418.0100
FIRM NAME	Frankfurt Kurnit Klein & Selz PC
STREET	488 Madison Avenue
CITY	New York
STATE	New York
COUNTRY	United States
ZIP/POSTAL CODE	10022
PHONE	212-980-0120
FAX	212-593-9175
EMAIL ADDRESS	pto@fkks.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
OTHER APPOINTED ATTORNEY	Edward H. Rosenthal, Jean Voutsinas, Christopher R. Chase, Cameron A. Myler and all other attorneys
CORRESPONDENCE INFORMATION	
NAME	Mary J. Sotis
FIRM NAME	Frankfurt Kurnit Klein & Selz PC
STREET	488 Madison Avenue
CITY	New York
STATE	New York
COUNTRY	United States
ZIP/POSTAL CODE	10022
PHONE	212-980-0120
FAX	212-593-9175
EMAIL ADDRESS	pto@fkks.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	325

*TOTAL FEE DUE	325
*TOTAL FEE PAID	325
SIGNATURE INFORMATION	
SIGNATURE	/noelle lilien/
SIGNATORY'S NAME	Noelle Lilien
SIGNATORY'S POSITION	General Counsel
DATE SIGNED	05/11/2010

Trademark/Service Mark Application, Principal Register

Serial Number: 85036050

Filing Date: 05/12/2010

To the Commissioner for Trademarks:

MARK: (Stylized and/or Design, see [mark](#))

The color(s) blue is/are claimed as a feature of the mark. The mark consists of the number "9" followed by a forward slash followed by a representation of the Twin Towers in blue, underneath which is the word "MEMORIAL".

The applicant, National September 11 Memorial & Museum at the World Trade Center Foundation, Inc., a non-profit corporation legally organized under the laws of New York, having an address of

One Liberty Plaza
New York, New York 10006
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 041: Museum services; educational services, namely, instruction and conducting programs about the terrorist attacks of September 11, 2001

In International Class 041, the mark was first used at least as early as 03/00/2010, and first used in commerce at least as early as 03/00/2010, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) print-out from Applicant's website.

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

The applicant's current Attorney Information:

Mary J. Sotis and Edward H. Rosenthal, Jean Voutsinas, Christopher R. Chase, Cameron A. Myler and all other attorneys of Frankfurt Kurnit Klein & Selz PC

488 Madison Avenue
New York, New York 10022
United States

The attorney docket/reference number is 16418.0100.

The applicant's current Correspondence Information:

Mary J. Sotis
Frankfurt Kurnit Klein & Selz PC
488 Madison Avenue
New York, New York 10022
212-980-0120(phone)
212-593-9175(fax)
pto@fkks.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she

believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /noelle lilien/ Date Signed: 05/11/2010

Signatory's Name: Noelle Lilien

Signatory's Position: General Counsel

RAM Sale Number: 6903

RAM Accounting Date: 05/12/2010

Serial Number: 85036050

Internet Transmission Date: Wed May 12 08:25:41 EDT 2010

TEAS Stamp: USPTO/BAS-XXX.XXX.XX.XX-2010051208254138

9945-85036050-46077a2c7bef52753afcb3334c

360044d9-CC-6903-20100511161224515829

9/11

MEMORIAL



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Museum Pavilion at Dusk, Squared Design Lab

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A virtual art gallery created by members of a

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9/11 MEMORIAL

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Carved Flag in honor of the 17 electricians killed at the WTC. Gift of Joel Klein and Local #3 Motorcycle Club. Collection NS11MM.

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*** User:wbreckenfe ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	85036050[SN]
02	967	N/A	0	0	0:01	*sept*[bi.ti]
03	947	N/A	0	0	0:02	*9-11*[bi.ti] or "9 11"[bi.ti] or *911*[bi.ti]
04	3812	N/A	0	0	0:01	*eleven*[bi.ti] or *11*[bi.ti]
05	445	N/A	0	0	0:07	*2001*[bi.ti] or "two thousand one"[bi.ti] or "two thousand and one"[bi.ti]
06	3998	N/A	0	0	0:01	*nine*[bi.ti]
07	99165	N/A	0	0	0:01	*one*[bi.ti]
08	8	7	1	1	0:01	(2 or 6) and (4 or 7) and 5
09	287	140	147	135	0:01	(2 or 6) and ((4 or 7) or 5)
10	24	19	5	5	0:01	((4 or 7) and 5)
11	745	380	365	297	0:03	*m{v}m{v}r{v:2}l*[bi.ti]
12	27	7	20	20	0:01	(2 3) and 11

Session started 6/8/2010 6:50:45 PM

Session finished 6/8/2010 7:28:33 PM

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Sent to TICRS as Serial Number: 85036050

To: National September 11 Memorial & Museum ETC. (pto@fkks.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85036050 - 9/11 MEMORIAL - 16418.0100
Sent: 6/8/2010 8:32:27 PM
Sent As: ECOM116@USPTO.GOV
Attachments: [Attachment - 1](#)
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[Attachment - 5](#)
[Attachment - 6](#)

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 85036050

MARK: 9/11 MEMORIAL

85036050

CORRESPONDENT ADDRESS:

MARY J. SOTIS
FRANKFURT KURNIT KLEIN & SELZ PC
488 MADISON AVE FL 10
NEW YORK, NY 10022-5754

RESPOND TO THIS ACTION:

<http://www.uspto.gov/teas/eTEASpageD.htm>

GENERAL TRADEMARK INFORMATION:

<http://www.uspto.gov/main/trademarks.htm>

APPLICANT: National September 11 Memorial & Museum ETC.

CORRESPONDENT'S REFERENCE/DOCKET NO :

16418.0100

CORRESPONDENT E-MAIL ADDRESS:

pto@fkks.com

OFFICE ACTION

TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE ISSUE/MAILING DATE.

ISSUE/MAILING DATE: 6/8/2010

The assigned examining attorney has reviewed the referenced application and determined the following.

SEARCH OF OFFICE RECORDS

The Office records have been searched and there are no similar registered or pending marks that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

REGISTRATION

Descriptive

Registration is refused because the applied-for mark merely describes a feature of applicant's goods and/or services. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); see TMEP §§1209.01(b), 1209.03 *et seq.*

A mark is merely descriptive if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the specified goods and/or

services. TMEP §1209.01(b); see *In re Steelbuilding.com*, 415 F.3d 1293, 1297, 75 USPQ2d 1420, 1421 (Fed. Cir. 2005); *In re Gyulay*, 820 F.2d 1216, 1217-18, 3 USPQ2d 1009, 1010 (Fed. Cir. 1987). Moreover, a mark that identifies a group of users to whom an applicant directs its goods and/or services is also merely descriptive. TMEP §1209.03(i); see *In re Planalytics, Inc.*, 70 USPQ2d 1453, 1454 (TTAB 2004).

The proposed mark merely describes a feature of the services; specifically applicant's museum and educational services commemorate the terrorist events of September 11, 2001. As evidence of the descriptive nature of the proposed mark, the examining attorney provides a dictionary definition of memorial. See *attached definition of memorial*. The abbreviation 9/11 refers to the specific date of September 11, 2001. See *attached screenshots from www.google.com*.

Registration of the proposed mark must, therefore, be refused. The applicant may, however, offer evidence in support of registration.

INFORMALITIES

If the applicant chooses to respond to the refusal to register, the applicant must also respond to the following informalities:

Disclaimer

Applicant must insert a disclaimer of 9/11 in the application because it does not function as a trademark. See 15 U.S.C. §1056(a); TMEP §§1213, 1213.03(a). The date 9/11 calls to mind only the terrorist events of that day and does not serve as a source indicator.

The following is the accepted standard format for a disclaimer:

No claim is made to the exclusive right to use "9/11" apart from the mark as shown.

TMEP §1213.08(a)(i).

Color Claim and Description

The drawing shows the mark in colors that differ from those specified in the color claim and mark description. Specifically, the drawing shows the mark in the colors black and blue; however, the following colors appear in the color claim and mark description: blue. The colors in the drawing, color claim, and mark description must all agree. See 37 C.F.R. §§2.37, 2.52(b)(1); TMEP §§807.07(a) *et seq.*

Therefore, applicant must submit either a corrected color claim and mark description that agrees with the colors depicted in the drawing of the mark, or a substitute color drawing that agrees with the colors specified in the color claim and mark description TMEP §807.07(c). Any additional amendments to the applied-for mark will not be accepted if the changes would materially alter the mark. 37 C.F.R. §2.72; see TMEP §§807.07(c), 807.14 *et seq.*

If black, white and/or gray appear in the mark and are not being claimed as color, applicant must include a statement that the colors black, white, and /or gray represent background, outlining, shading and/or transparent areas and are not part of the mark. TMEP §807.07(d)(ii). Generic color names must be used to describe the colors in the mark, e.g., magenta, yellow, turquoise. TMEP §807.07(a)(i)-(a)(ii).

The following color claim and mark description is suggested: The colors blue and black are claimed as a feature of the mark. The mark consists of the number "9" in black followed by a forward slash in black followed by a representation of the Twin Towers in blue, underneath which is the word "MEMORIAL" in black.

Applicant's Response

Guidelines for responding are set forth below.

/William Breckenfeld/
Trademark Attorney
Law Office 116
571-272-9133 Phone
571-273-9116 Fax (Official Responses Only)

RESPOND TO THIS ACTION: Applicant should file a response to this Office action online using the form at <http://www.uspto.gov/teas/eTEASpageD.htm>, waiting 48-72 hours if applicant received notification of the Office action via e-mail. For technical assistance with the form, please e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned examining attorney. **Do not respond to this Office action by e-mail; the USPTO does not accept e-mailed responses.**

If responding by paper mail, please include the following information: the application serial number, the mark, the filing date and the name, title/position, telephone number and e-mail address of the person signing the response. Please use the following address: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451.

STATUS CHECK: Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.



"9/11"

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[September 11 attacks - Wikipedia, the free encyclopedia](#)

The 9/11 Commission established that two of the hijackers had recently purchased Leatherman multi-function hand tools. A flight attendant on Flight 11, ...
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[September 11 News.com - September 11, 2001 News Archives - The 9 ...](#)

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71 min - Oct 6, 2006
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Uses electronic media to collect, preserve, and present the history of the September 11, 2001 attacks in New York, Virginia, and Pennsylvania and the public ...
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Ex-FBI agent Rowley does analysis.
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b_LIKAAAAnQFT9Dw11M 06/08/2010 07:15:56 PM

[Justice For 9/11 Complaint and Petition filed with NY Attorney General Elliot Spitzer November, 2004. The complete legal case, as of that date. ...](#)
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[National Commission on Terrorist Attacks Upon the United States](#)
Commission chartered to prepare a full and complete account of the circumstances surrounding the September 11, 2001 terrorist attacks, ...
[www.9-11commission.gov/ - Cached - Similar](#)

[9/11 \(2002\) \(TV\)](#)
Directed by James Hanlon, Rob Klug. With Tony Benatos, Jamal Braithwaite, Steve Buscemi. A real life documentary following the events of September 11 from ...
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[Amazon.com: 9-11 \(9781583224892\): Noam Chomsky Books](#)
9-11 is a worthwhile purchase for public libraries intent on demonstrating Books such as "9-11" by Chomsky perhaps gives us a bit of insight as to why ...
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9/11 conspiracy "theory" or is it reasonable suspicion based on evidence? ... TvNewsLIES Challenges Believers of the Official Version of 9/11: - Where the ...

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The National Commission on Terrorist Attacks Upon the United States (also known as the 9-11 Commission), an independent, bipartisan commission created by ...

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www.9-11commission.gov/report/index.htm - 22 hours ago - [Cached](#) - [Similar](#)

[Debunking 9/11 Conspiracy Theories and Controlled Demolition Homepage](#)
Journal Of Debunking 9/11 Conspiracy Theories Volume 1 Issue 4 is out! ... and debunking911.com are able to defuse 9/11 denier claims as they arise. ...
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-

memorial

← → memorial

me·mo·ri·al [mə mawree əl]

noun (*plural* me-mo-ri-als)

Definition:

1. commemorative object or event: something that is intended to

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event: something that is intended to remind people of somebody who has died or an event in which people died, e.g. a statue, speech, or ceremony

2. statement of facts accompanying petition: a written statement of facts accompanying a petition presented to a person or group in authority

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adjective

Definition:

commemorative: intended as a reminder of a person or event or as a celebration of somebody's life and work

[14th century, < French< Latin *memoria* (see [memory](#))]

• **me-mo-ri-al-ly** *adverb*

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To: National September 11 Memorial & Museum ETC. (pto@fkks.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85036050 - 9/11 MEMORIAL - 16418.0100
Sent: 6/8/2010 8:32:31 PM
Sent As: ECOM116@USPTO.GOV
Attachments:

IMPORTANT NOTICE REGARDING YOUR TRADEMARK APPLICATION

Your trademark application (Serial No. 85036050) has been reviewed. The examining attorney assigned by the United States Patent and Trademark Office (“USPTO”) has written a letter (an “Office action”) on 6/8/2010 to which you must respond (unless the Office letter specifically states that no response is required). Please follow these steps:

1. **Read** the Office letter by clicking on this link http://tmportal.uspto.gov/external/portal/tow?DDA=Y&serial_number=85036050&doc_type=OOA&mail_date=20100608 OR go to <http://tmportal.uspto.gov/external/portal/tow> and enter your serial number to access the Office letter. If you have difficulty accessing the Office letter, contact TDR@uspto.gov.

PLEASE NOTE: The Office letter may not be immediately available but will be viewable within 24 hours of this e-mail notification.

2. **Contact** the examining attorney who reviewed your application if you have any questions about the content of the Office letter (contact information appears at the end thereof).

3. **Respond** within 6 months, calculated from 6/8/2010 (or sooner if specified in the Office letter), using the Trademark Electronic Application System (TEAS) [Response to Office Action form](#). If you have difficulty using TEAS, contact TEAS@uspto.gov.

ALERT:

Failure to file any required response by the applicable deadline will result in the [ABANDONMENT](#) (loss) of your application.

Do NOT hit “Reply” to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses.

Response to Office Action

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ORIGINAL PDF FILE	evi_2161734247-155648692_.FGKSLIB1-416068-v1-Class 41 - OA Response for 9 11 Memorial.pdf
CONVERTED PDF FILE(S) (5 pages)	\\TICRS\EXPORT1\IMAGEOUT1\850\360\85036050\xml\ROA0002.JPG
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DESCRIPTION OF EVIDENCE FILE	Response to Office Action
ADDITIONAL STATEMENTS SECTION	
COLOR(S) CLAIMED (If applicable)	The color(s) blue and black is/are claimed as a feature of the mark.
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the number "9" followed by a forward slash, both in black font, followed by a stylized representation of the Twin Towers in blue, underneath which is the word "MEMORIAL" in black font.
SIGNATURE SECTION	
RESPONSE SIGNATURE	/crc/
SIGNATORY'S NAME	Christopher R. Chase
SIGNATORY'S POSITION	Attorney of Record, New York bar member
DATE SIGNED	11/24/2010
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Wed Nov 24 16:03:53 EST 2010
TEAS STAMP	USPTO/ROA-XXX.XXX.XX.XX-2 0101124160353725172-85036 050-470f096f125d7b96bd2fb 03b5d62c535d6-N/A-N/A-201 01124155648692053

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **85036050** has been amended as follows:

EVIDENCE

Evidence in the nature of Response to Office Action has been attached.

Original PDF file:

[evi_2161734247-155648692 . FGKSLIB1- 416068-v1-Class 41 - OA Response for 9 11 Memorial.pdf](#)

Converted PDF file(s) (5 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

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[Evidence-5](#)

ADDITIONAL STATEMENTS

Color Claim

The color(s) blue and black is/are claimed as a feature of the mark.

Description of mark

The mark consists of the number "9" followed by a forward slash, both in black font, followed by a stylized representation of the Twin Towers in blue, underneath which is the word "MEMORIAL" in black font.

SIGNATURE(S)

Response Signature

Signature: /crc/ Date: 11/24/2010

Signatory's Name: Christopher R. Chase

Signatory's Position: Attorney of Record, New York bar member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 85036050

Internet Transmission Date: Wed Nov 24 16:03:53 EST 2010

TEAS Stamp: USPTO/ROA-XXX.XXX.XX.XX-2010112416035372

5172-85036050-470f096f125d7b96bd2fb03b5d

62c535d6-N/A-N/A-20101124155648692053

UNITED STATES PATENT AND TRADEMARK OFFICE

Mark : 9/11 MEMORIAL (stylized)
International Class : 041
Serial No. : 85036050
Applicant : National September 11 Memorial & Museum at the WTC
Filed : May 12, 2010
Law Office : 116
Examining Attorney : William Breckenfield

The following is in response to the Office Action emailed on June 8, 2010.

Refusal to Register – Descriptiveness

The Examining Attorney has refused registration of Applicant’s trademark, **9/11 MEMORIAL** (stylized) (“Applicant’s Mark”), in connection with “museum services; educational services, namely, instruction and conducting programs about the terrorist attacks of September 11, 2001” in International Class 41 on the grounds that the proposed Mark “merely describes a feature of applicant’s goods and/or services,” thus violating Section 2(e)(1).

Applicant respectfully disagrees and submits that its stylized Mark does not immediately convey the nature of Applicant’s services, and that consideration of the nature of Applicant’s stylized Mark makes clear that Applicant’s Mark is suggestive, not descriptive. At a minimum, there is a sufficient basis for doubt about whether Applicant’s Mark is merely descriptive to warrant passing the Mark to publication.

I. Argument

A. Because Applicant's Mark Requires Further Thought from the Consumer, It Is Suggestive Rather Than Descriptive

It is well established that a mark shall not be deemed "merely descriptive" of the applicant's goods or services unless it provides, in a "clear and precise way," Airco, Inc. v. Air Products and Chemicals, Inc., 196 U.S.P.Q. 832, 835 (T.T.A.B. 1977), an "immediate idea" of the goods or services offered in connection with the mark. In re Morton-Norwich Products, Inc., 209 U.S.P.Q. 791 (T.T.A.B. 1981); In re Engineering Systems Corp., 2 U.S.P.Q.2d 1078 (T.T.A.B. 1986). In contrast, a suggestive mark only indirectly suggests these things, and requires the exercise of some thought or imagination to link the mark to the goods or services with which it is used. See AMF Inc. v. Sleekcraft Boats, 599 F.2d 341, 349 (9th Cir. 1979) (citations omitted) (the primary criterion for distinguishing descriptive and suggestive marks is "the imaginativeness involved in the suggestion ... that is, how immediate and direct is the thought process from the mark to the particular product."); see, e.g., In re Wells Fargo & Company, 231 U.S.P.Q. 117 (T.T.A.B. 1986) (EXPRESS SAVINGS not merely descriptive of banking services); In re Shop-Vac Corp., 219 U.S.P.Q. 470 (T.T.A.B. 1983) (WET/DRY BROOM suggestive, rather than descriptive, of electric vacuum cleaners); In re TMS Corporation of the Americas, 200 U.S.P.Q. 57 (T.T.A.B. 1978) (THE MONEY SERVICE not merely descriptive of financial services); In re Tennis in the Round, Inc., 199 U.S.P.Q. 496, 498 (T.T.A.B. 1978) (TENNIS IN THE ROUND not merely descriptive of tennis facility with courts arranged in a circular configuration); Rand McNally & Co. v. Christmas Club, 242 F.2d 776 (C.C.P.A. 1957) (holding that the mark

CHRISTMAS CLUB was not merely descriptive of a magazine which contained matter advertising Christmas clubs). Moreover, “a minor degree of descriptiveness does not destroy the suggestiveness, or trademark significance.” J. Gilson, Trademark Protection and Practice § 2.03 (1994). Therefore, even where a mark may indicate or describe something about the goods or services identified, it is suggestive, not descriptive, if further thought or imagination is required for the consumer to clearly understand the nature of the services with which the mark is used.

The Examining Attorney states that Applicant’s Mark “merely describes a feature of the services; specifically applicant’s museum and educational services commemorating the terrorist events of September 11, 2001,” and notes that the “abbreviation 9/11 refers to the specific date of September 11, 2001.” Applicant submits, however, that its stylized Mark has a double meaning – it is not just an abbreviation of the numeric symbol representing the date of September 11, 2001, but rather the Mark is meant to depict a stylized form of the Twin Towers at the World Trade Center (the “Twin Towers”) in place of the number “11” in 9/11.

As we are all aware, several acts of terrorism were committed in various locations in the United States on September 11, 2001, including Washington D.C. and New York City. The stylized depiction of the Twin Towers in Applicant's Mark was specifically chosen to reference the attacks on the World Trade Center in New York City as opposed to the other locations where acts of terrorism were committed on September 11, 2001. As Applicant operates the only September 11, 2001 memorial at the World Trade Center site, Applicant's Mark specifically emphasizes the attacks in New York City by incorporating the depiction of the Twin Towers.

Thus, the stylized depiction in Applicant's Mark suggests the Twin Towers themselves rather than a plain numeric image. It is Applicant's intention that these stylized vertical rectangles be viewed by consumers as meaning more than a simple number "11", namely, that they identify and reference the Twin Towers in New York City. Because of this, some level of thought is necessary to make a connection between the Mark and the services.

Therefore, the conclusion of descriptiveness drawn by the Examining Attorney is transitive and indirect in nature, and lacking in the immediacy and significance required for a descriptiveness determination under trademark law. See In re Hutchinson Technology, 852 F.2d 552, 554 (Fed. Cir. 1988). The stylized depiction of the Twin Towers in Applicant's Mark evokes a new and unique commercial impression that does not immediately identify the services. Since consumers must exercise some imagination to determine the nature of the services, Applicant's Mark is suggestive, not merely descriptive. See AMF Inc., 599 F.2d at 349.

B. All Doubts Must Be Resolved In Favor of the Applicant.

It is equally settled that where, at the examining stage, any doubts at all exist regarding whether a mark is "merely descriptive," those doubts must be resolved in favor of the applicant and the mark should be permitted to proceed to publication. See In re Shop-Vac Corp., 219 U.S.P.Q. 470, 472 (T.T.A.B. 1983) ("At the very least ... we have doubts about the 'merely descriptive' character of the mark before us and, unlike the

situation in determining likelihood of confusion ... it is clear that such doubts are to be resolved in favor of applicants.”); In re Morton-Norwich Products, Inc., 209 U.S.P.Q. 791, 791 (T.T.A.B. 1981) (noting that the Board’s practice is “to resolve doubts in applicant’s favor and publish the mark for opposition.”); In re Atavio Inc., 25 U.S.P.Q.2d 1361 (T.T.A.B. 1992). At a minimum, there is sufficient basis for doubt about whether Applicant’s Mark is merely descriptive to warrant passing the Mark to publication.

II. Conclusion

In light of the foregoing, Applicant respectfully requests that the Examining Attorney approve Applicant’s Mark for publication.

Trademark Snap Shot Amendment & Mail Processing Stylesheet
(Table presents the data on Amendment & Mail Processing Complete)

OVERVIEW

SERIAL NUMBER	85036050	FILING DATE	05/12/2010
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BRECKENFELD, WILLIAM G	L.O. ASSIGNED	116

PUB INFORMATION

RUN DATE	11/25/2010		
PUB DATE	N/A		
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED		
STATUS DATE	11/24/2010		
LITERAL MARK ELEMENT	9/11 MEMORIAL		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	9/11 MEMORIAL
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	YES

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	National September 11 Memorial & Museum at the World Trade Center Foundation, Inc.
ADDRESS	One Liberty Plaza New York, NY 10006

ENTITY	99-non-profit corporation
CITIZENSHIP	New York

GOODS AND SERVICES

INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Museum services; educational services, namely, instruction and conducting programs about the terrorist attacks of September 11, 2001

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	041	FIRST USE DATE	03/00/2010	FIRST USE IN COMMERCE DATE	03/00/2010	CLASS STATUS	6-ACTIVE
---------------------	-----	----------------	------------	----------------------------	------------	--------------	----------

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	The color(s) blue and black is/are claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the number "9" followed by a forward slash, both in black font, followed by a stylized representation of the Twin Towers in blue, underneath which is the word "MEMORIAL" in black font.

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/24/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
11/24/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
11/24/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/08/2010	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
06/08/2010	GNRT	F	NON-FINAL ACTION E-MAILED	005
06/08/2010	CNRT	R	NON-FINAL ACTION WRITTEN	004
06/01/2010	DOCK	D	ASSIGNED TO EXAMINER	003
05/17/2010	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
05/15/2010	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Mary J. Sotis
CORRESPONDENCE ADDRESS	MARY J. SOTIS FRANKFURT KURNIT KLEIN & SELZ PC 488 MADISON AVE FL 10 NEW YORK, NY 10022-5754
DOMESTIC REPRESENTATIVE	NONE

9/11

MEMORIAL

To: National September 11 Memorial & Museum ETC. (pto@fkks.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85036050 - 9/11 MEMORIAL - 16418.0100
Sent: 12/16/2010 9:31:18 PM
Sent As: ECOM116@USPTO.GOV
Attachments: [Attachment - 1](#)
[Attachment - 2](#)
[Attachment - 3](#)
[Attachment - 4](#)
[Attachment - 5](#)
[Attachment - 6](#)
[Attachment - 7](#)
[Attachment - 8](#)
[Attachment - 9](#)
[Attachment - 10](#)
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[Attachment - 37](#)
[Attachment - 38](#)

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

APPLICATION SERIAL NO. 85036050

MARK: 9/11 MEMORIAL

85036050

CORRESPONDENT ADDRESS:

MARY J. SOTIS
FRANKFURT KURNIT KLEIN & SELZ PC
488 MADISON AVE FL 10
NEW YORK, NY 10022-5754

CLICK HERE TO RESPOND TO THIS LETTER:
<http://www.uspto.gov/teas/eTEASpageD.htm>

APPLICANT: National September 11 Memorial &
Museum ETC.

CORRESPONDENT'S REFERENCE/DOCKET NO :

16418.0100

CORRESPONDENT E-MAIL ADDRESS:

pto@fkks.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: **12/16/2010**

THIS IS A FINAL ACTION.

This Office action is written in response to the applicant's letter filed on November 24, 2010. The attorney has reviewed the above referenced response and determined the following:

The examining attorney has considered the applicant's arguments carefully but has found them unpersuasive. For the reasons below, the refusal under Section 2(e)(1) is maintained and made **FINAL**.

Applicant failed to disclaim 9/11. Accordingly the requirement is maintained and made FINAL.

The amended description of the mark is not accepted as set forth below. The requirement is maintained and made FINAL.

The amended color claim is accepted.

REGISTRATION

Descriptive – Final Refusal

Registration is refused because the applied-for mark merely describes a feature of applicant's services. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); see TMEP §§1209.01(b), 1209.03 *et seq.*

The applicant applied to register the mark 9/11 MEMORIAL for "Museum services; educational services, namely, instruction and conducting programs about the terrorist attacks of September 11, 2001." The mark is merely descriptive because applicant's museum and educational services commemorate the terrorist events of September 11, 2001. See attached screenshots from applicant's website and recitation of services. See also attached definition of memorial. 9/11 is a common abbreviation for the date September 11, 2001. See attached screenshots from gpoaccess.com, historycommons.org, Wikipedia.com and dictionary.reference.com. In fact, the terrorist events of that day are often referred to as "9/11." As such, 9/11 is descriptive of the subject of applicant's museum and educational services.

The determination of whether a mark is merely descriptive is considered in relation to the identified goods and/or services, not in the abstract. *In re Abcor Dev. Corp.*, 588 F.2d 811, 814, 200 USPQ 215, 218 (C.C.P.A. 1978); TMEP §1209.01(b); see, e.g., *In re Polo Int'l Inc.*, 51 USPQ2d 1061 (TTAB 1999) (finding DOC in DOC-CONTROL would be understood to refer to the "documents" managed by applicant's software, not "doctor" as shown in dictionary definition); *In re Digital Research Inc.*, 4 USPQ2d 1242 (TTAB 1987) (finding CONCURRENT PC-DOS merely descriptive of "computer programs recorded on disk" where relevant trade used the denomination "concurrent" as a descriptor of a particular type of operating system). "Whether consumers could guess what the product is from consideration of the mark alone is not the test."

In re Am. Greetings Corp., 226 USPQ 365, 366 (TTAB 1985).

The applicant asserts, however, that the mark is merely suggestive of the services. The applicant's argument is unpersuasive. Applicant argues that the number 11 in the mark is represented by a design of the twin towers, thereby creating a double meaning. The number 11 in the mark appears to be in the exact same font as the preceding number 9.

Even assuming arguendo that the number 11 is perceived as a representation of the twin towers, such a meaning serves only to reinforce the descriptive meaning of the term. The twin towers were destroyed by terrorists on 9/11.

The file's evidence clearly shows the descriptive nature of the mark. Refusal of the mark is therefore maintained and made **FINAL**.

Disclaimer – Final Requirement

Applicant must insert a disclaimer of 9/11 in the application because it does not function as a trademark. See 15 U.S.C. §1056(a); TMEP §§1213, 1213.03(a). 9/11 is a common abbreviation for the date September 11, 2001. See *attached screenshots*. The date calls to mind only the terrorist events of that day and cannot serve as a source indicator.

The following is the accepted standard format for a disclaimer:

No claim is made to the exclusive right to use "9/11" apart from the mark as shown.

TMEP §1213.08(a)(i).

Color Location Statement – Final Requirement

The description of the mark uses broad, vague language that does not accurately describe the applied-for mark. Applications for marks not in standard characters must include an accurate and concise description that identifies all literal elements as well as any design elements in the mark. See 37 C.F.R. §2.37; TMEP §808.02.

Therefore, applicant must provide a more detailed description of the applied-for mark. The following is suggested:

The mark consists of the number "9" in black followed by a forward slash in black followed by the number "11" in blue serving as a representation of the Twin Towers, underneath which is the word "MEMORIAL" in black.

Applicant's Response

If applicant does not respond within six months of the mailing date of this final Office action, the application will be abandoned. 15 U.S.C. §1062(b); 37 C.F.R. §2.65(a). Applicant may respond to this final Office action by:

- (1) Submitting a response that fully satisfies all outstanding requirements, if feasible; and/or
- (2) Filing an appeal to the Trademark Trial and Appeal Board, with an appeal fee of \$100 per class.

37 C.F.R. §§2.6(a)(18), 2.64(a); TBMP ch. 1200; TMEP §714.04.

In certain rare circumstances, a petition to the Director may be filed pursuant to 37 C.F.R. §2.63(b)(2) to review a final Office action that is limited to procedural issues. 37 C.F.R. §2.64(a); TMEP §714.04; see 37 C.F.R. §2.146(b); TBMP §1201.05; TMEP §1704 (explaining petitionable matters). The petition fee is \$100. 37 C.F.R. §2.6(a)(15).

/William Breckenfeld/
Trademark Attorney
Law Office 116
571-272-9133 Phone
571-273-9116 Fax (Official Responses Only)

TO RESPOND TO THIS LETTER: Use the Trademark Electronic Application System (TEAS) response form at <http://teasroa.uspto.gov/roa/>. Please wait 48-72 hours from the issue/ mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an

applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.



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MEMORIAL ▶

- [About the Memorial](#) ▶
- [Memorial Plaza](#) ▶
- [Renderings](#) ▶
- [Names Inscription](#) ▶
- [Names Arrangement](#) ▶
- [Locating a Name](#) ▶
- [Design Competition](#) ▶
- [The Architects](#) ▶

IN MEMORY ▶

MEMORIAL



ABOUT THE MEMORIAL

The National September 11 Memorial will remember and honor the nearly three thousand people who died in the horrific attacks of September 11, 2001 and February 26, 1993.

THE DESIGN COMPETITION

The Memorial design, by Michael Arad and Peter Walker, was selected through a competition that drew more than 5,200 entrants from 63 nations.

MEMORIAL PLAZA DETAILS



The Memorial Plaza will be one of the most sustainable, green plazas ever built.

LEARN



- » [Construction Updates](#)
- » [Teaching 9/11](#)

REMEMBER





Photo courtesy of the National 9/11 Memorial & Museum.

with nearly 400 oak trees surrounding the Memorial pools

[» Read more](#)



[» Learn about the Museum's growing collection of artifacts, oral histories, and other material](#)

RENDERINGS



Photo courtesy of the National 9/11 Memorial & Museum.

View and download renderings and animation of the Memorial & Museum.

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MEMORIAL AND MUSEUM

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Memorial South Pool. Rendering by Squared Design Lab

ABOUT

The National September 11 Memorial & Museum is a private not-for-profit (501c3), responsible for oversight of the design, raising the necessary funds, programming and operating the Memorial & Museum being built at the World Trade Center site. >>

BOARD OF DIRECTORS

The Board consists of public and private sector leaders, including family members of 9/11 victims. [View list and bios of Board of Directors.](#)

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NEWSROOM



Learn about recent news and view or download renderings and animation of the Memorial & Museum.

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IMAGINE





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MESSAGE FROM MAYOR MICHAEL R. BLOOMBERG



"New Yorkers, Americans, and people from around the world who were touched by September 11th have an important opportunity to get involved in bringing this Memorial to life."

[» Read more](#)

REMEMBER



[» Ways to contribute to the Museum's permanent collection](#)

MEMORIAL AND MUSEUM

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Home Page > 9-11 Commission Final Report

The 9-11 Commission Report

Final Report of the National Commission on Terrorist Attacks Upon the United States, Official Government Edition

The Commission's Final Report provides a full and complete account of the circumstances surrounding the September 11th, 2001, terrorist attacks, including preparedness for and the immediate response to the attacks. It also includes recommendations designed to guard against future attacks. Below you will find the official Government edition of the Final Report of the National Commission on Terrorist Attacks Upon the United States.



The [Full Report](#) (2.3 MB, 585 pages) has been made available in its entirety, as a single PDF file. In response to comments from the community, GPO has refined the Full Report as an improved, interactive, user-friendly PDF, optimized for screen-viewing. GPO has also decreased the file size to a mere 2.3 MB. The report is also available as a collection of smaller PDFs arranged in a browse table based on the Final Report's table of contents. An [Executive Summary](#) (344 KB, 35 pages) of the Final Report is also available.

RESOURCE FEATURES

- [9-11 Commission Final Report](#)
- [About the 9-11 Commission](#)

RELATED RESOURCES

- [Congressional Reports](#)

ABOUT GOVERNMENT



Final Report of the National Commission on Terrorist Attacks Upon the United States

Report Section	File Size	Number of Pages
Front Matter	42 KB	4
Table of Contents	48 KB	3
List of Illustrations and Tables	20 KB	1
Member List	511 KB	1
Staff List	49 KB	2
Preface	48 KB	4
1. "We Have Some Planes"		
<ul style="list-style-type: none"> • 1.1 Inside the Four Flights • 1.2 Improvising a Homeland Defense • 1.3 National Crisis Management 	831 KB	46
2. The Foundation of the New Terrorism		
<ul style="list-style-type: none"> • 2.1 A Declaration of War • 2.2 Bin Ladin's Appeal in the Islamic World • 2.3 The Rise of Bin Ladin and al Qaeda (1988-1992) • 2.4 Building an Organization, Declaring War on the United States (1992-1996) • 2.5 Al Qaeda's Renewal in Afghanistan (1996-1998) 	724 KB	24

	<p>3. Counterterrorism Evolves</p> <ul style="list-style-type: none"> • 3.1 From the Old Terrorism to the New: The First World Trade Center Bombing • 3.2 Adaptation--and Nonadaptation--in the Law Enforcement Community • 3.3 ... and in the Federal Aviation Administration • 3.4 ... and in the Intelligence Community • 3.5 ... and in the State Department and the Defense Department • 3.6 ... and in the White House • 3.7 ... and in the Congress 	267 KB	37
	<p>4. Responses to Al Qaeda's Initial Assaults</p> <ul style="list-style-type: none"> • 4.1 Before the Bombings in Kenya and Tanzania • 4.2 Crisis: August 1998 • 4.3 Diplomacy • 4.4 Covert Action • 4.5 Searching for Fresh Options 	274 KB	37
	<p>5. Al Qaeda Aims at the American Homeland</p> <ul style="list-style-type: none"> • 5.1 Terrorist Entrepreneurs • 5.2 The "Planes Operation" • 5.3 The Hamburg Contingent • 5.4 A Money Trail? 	314 KB	29
	<p>6. From Threat To Threat</p> <ul style="list-style-type: none"> • 6.1 The Millennium Crisis • 6.2 Post-Crisis Reflection: Agenda for 2000 • 6.3 The Attack on the USS Cole • 6.4 Change and Continuity • 6.5 The New Administration's Approach 	326 KB	41
	<p>7. The Attack Looms</p> <ul style="list-style-type: none"> • 7.1 First Arrivals in California • 7.2 The 9/11 Pilots in the United States • 7.3 Assembling the Teams • 7.4 Final Strategies and Tactics 	771 KB	39
	<p>8. "The System Was Blinking Red"</p> <ul style="list-style-type: none"> • 8.1 The Summer of Threat • 8.2 Late Leads--Mindhaz, Moussaoui, and KSM 	208 KB	24
	<p>9. Heroism and Horror</p> <ul style="list-style-type: none"> • 9.1 Preparedness as of September 11 		

<ul style="list-style-type: none"> • 9.1 Responses as of September 11 • 9.2 September 11, 2001 • 9.3 Emergency Response at the Pentagon • 9.4 Analysis 	2 MB	47
10. Wartime		
<ul style="list-style-type: none"> • 10.1 Immediate Responses at Home • 10.2 Planning for War • 10.3 "Phase Two" and the Question of Iraq 	141 KB	14
11. Foresight- and Hindsight		
<ul style="list-style-type: none"> • 11.1 Imagination • 11.2 Policy • 11.3 Capabilities • 11.4 Management 	171 KB	22
12. What To Do? A Global Strategy		
<ul style="list-style-type: none"> • 12.1 Reflecting on a Generational Challenge • 12.2 Attack Terrorists and Their Organizations • 12.3 Prevent the Continued Growth of Islamist Terrorism • 12.4 Protect against and Prepare for Terrorist Attacks 	269 KB	38
13. How To Do It? A Different Way of Organizing the Government		
<ul style="list-style-type: none"> • 13.1 Unity of Effort across the Foreign-Domestic Divide • 13.2 Unity of Effort in the Intelligence Community • 13.3 Unity of Effort in Sharing Information • 13.4 Unity of Effort in the Congress • 13.5 Organizing America's Defenses in the United States 	214 KB	30
Appendix A: Common Abbreviations	22 KB	2
Appendix B: Table of Names	63 KB	8
Appendix C: Commission Hearings	90 KB	10
Notes	1.2 MB	119

Other Services

- Purchase the official Government Edition of the Final Report of the 9-11 Commission from the U.S. Government Online Bookstore. [Buy a Copy](#)
- Locate this report in a local [Federal depository library](#).

A service of the U.S. Government Printing Office.

Complete 911 Timeline

Open-Content investigative project managed by matt, Paul, KJF, blackmax

This is the home page for the *Complete 911 Timeline* investigative project, one of several grassroots investigations being hosted on the History Commons website. The data published as part of this investigation has been collected, organized, and published by members of the public who are registered users of this website.

Project Home Recently Added Events Recently Updated Events About This Project

Timelines

View all events for this timeline (6408)

Entries submitted to, but not accepted, in this project (2)

Timelines filtered by category

Key Events

- Key Day of 9/11 Events (96)
- Key Hijacker Events (144)
- Key Warnings (95)

Day of 9/11

- All Day of 9/11 Events (1047)
- Flight AA 11 (112)
- Flight UA 175 (81)
- Flight AA 77 (138)
- Flight UA 93 (235)
- George Bush (94)
- Dick Cheney (41)
- Richard Clarke (30)
- Donald Rumsfeld (30)
- Pentagon (105)
- World Trade Center (80)
- Shanksville, Pennsylvania (23)
- Alleged Passenger Phone Calls (56)
- Training Exercises (45)

The Alleged 9/11 Hijackers

- Alhazmi and Almhdhar (320)

Events Recently Added to the Complete 911 Timeline timeline

- 12/1 - Sibel Edmonds Testifies Under Oath, August 8, 2009, posted by paxvector
- 11/27 - NORAD Exercise Includes Scenarios of Attempted Suicide Plane Crashes into UN Headquarters in New York, October 16-23, 2000, posted by matt
- 11/27 - NORAD Exercise Simulates Hijackers Planning to Crash Planes into White House and Statue of Liberty, June 5, 2000, posted by matt
- 11/27 - NORAD Conducts Exercise Scenario Based around Hijackers Planning to Crash Plane into UN Headquarters in New York, November 6, 1999, posted by matt
- 11/26 - Pentagon Command Center Director Finally Takes Over from Stand-In, (10:30 a.m.) September 11, 2001, posted by matt

[More](#)

Timeline entries sorted by the month they were published

-- select a period --

What's New?

4/12/2010 Miscellaneous New Entries - Updates as of April 12, 2010

Several miscellaneous new entries have been added to the 9/11 Timeline over the past few weeks. In the period before 9/11, we have a 1989 Rand Corporation paper that said the possibility of suicide plane hijackings was a "nightmare," military claims that the number of alert air bases was inadequate to protect against terrorism from around 1997, ...

[More](#)

Alhazmi and Almhhdhar (320)
Marwan Alshehhi (114)
Mohamed Atta (176)
Hani Hanjour (66)
Ziad Jarrah (55)
Other 9/11 Hijackers (137)
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Search for Alhazmi/ Almhhdhar in US (39)

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Warning Signs: Specific Cases

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9/11 Related Lawsuits (23)
Media (44)
Other Post-9/11 Events (49)

Investigations: Specific Cases

3/16/2010 War Games, Blackwater, KSM - Updates as of March 16 2010

The largest group of entries added to the 9/11 Timeline over the last couple of weeks concerns military exercises and the day of 9/11. FAA training exercises in December 2000 included scenarios "close to the 9/11 plot," and there was a Boeing 767 FAA hijack exercise in the summer of 2001, as well as a simulated suicide terrorist attack against New York ...

More

3/2/2010 Miscellaneous - Updates as of March 2, 2010

Several miscellaneous entries have been published in the 9/11 Timeline over the last couple of weeks. In the late 1990s, Air Force General Richard Myers thought NORAD's radar system and control software inadequate, whereas Deputy Under Secretary of Defense for Advanced Technology Joseph Eash was concerned about the use of a plane as a weapon over the same ...

More

2/15/2010 Al-Zawahiri's Tapes, Air Security - Updates as of February 15, 2010

Most of the entries published over the last couple of weeks are about video and audio messages released by al-Qaeda second-in-command Ayman al-Zawahiri. We have a call for jihad in Somalia from January 2007, a request for media questions from December of that year, and a call for revenge for Israeli attacks in Gaza the following March. This was followed by his answers ...

More

2/3/2010 DC Air National Guard on 9/11, The Many Deaths of Osama bin Laden - Updates as of February 3, 2010

After a hiatus of a couple of weeks, dozens of new entries have been published in the 9/11 Timeline over the last few days. The largest chunk of them covers events at the DC Air National Guard, based at Andrews Air Force Base, on the day of the attacks. Initially, officers assumed that the first crash into the WTC was an accident. However after the second crash, ...

More

1/4/2010 Bin Laden and More of His Messages - Additions as of January 5, 2009

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The vast majority of entries published by the 9/11 Timeline over the past couple of weeks concern the elusive Osama bin Laden. First, there are entries about audio recordings he has reportedly released over the last couple of years, about the Muhammad cartoons, Palestine, Palestine again, Gaza, Israel, the badness of Barack Obama, US policy, and Afghanistan.

12/15/2009 Pre-9/11 Movies - Additions to the 9/11 Timeline as of December 15, 2009

Three entries recently published in the 9/11 Timeline cover films with 9/11-style themes made before the attacks. 1977's *Black Sunday* had terrorists crashing an explosive-laden blimp into the Superbowl stadium, 1996's *Executive Decision* featured a planned suicide attack with a commercial jet, and a late 2001 Chuck Norris vehicle originally entitled ...

12/12/2009 Minor Reorganisation of 9/11 Timeline

There has been a minor reorganization of the 9/11 Timeline, which is explained at the contributors' blog, here.

11/30/2009 Mounir El Motassadeq, Robert Fuller and Others - Additions as of December 1, 2009

The entries recently published in the 9/11 Timeline are something of a grab bag. For example, they cover the conviction and sentencing of Mounir El Motassadeq, an associate of some of the hijackers, in Germany in 2007, as well as a pair of events around noon on the day of the attacks: a statement by the head of the Defense Intelligence Agency that al-Qaeda ...

11/4/2009 Destruction of Flight Controllers' Tape, Day of 9/11 - Additions as of November 4, 2009

One of the main focuses at the 9/11 Timeline recently has been the destruction of a tape of FAA flight controllers' recollections. The tape was made at the FAA's New York Center about an hour and a half after the attacks ended, despite worries about the procedure by a union official and the controllers. However, when New York Center forwarded evidence ...

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September 11 attacks

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"9/11" redirects here. For the date, see September 11 or 9 November. For other uses, see 911 (disambiguation).

The **September 11 attacks** (often referred to as **September 11th** or **9/11**) were a series of coordinated suicide attacks by al-Qaeda upon the United States on September 11, 2001. On that morning, 19 al-Qaeda terrorists hijacked four commercial passenger jet airliners.^{[2][3]} The hijackers intentionally crashed two of the airliners into the Twin Towers of the World Trade Center in New York City, killing everyone on board and many others working in the buildings. Both buildings collapsed within two hours, destroying nearby buildings and damaging others. The hijackers crashed a third airliner into the Pentagon in Arlington, Virginia, just outside Washington, D.C. The fourth plane crashed into a field near Shanksville in rural Pennsylvania after some of its passengers and flight crew attempted to retake control of the plane, which the hijackers had redirected toward Washington, D.C. There were no survivors from any of the flights.

Nearly 3,000 victims and the 19 hijackers died in the attacks.^[4] According to the New York State Health Department, 636 responders, including firefighters and police personnel, have died as of June 2009.^[4] Among the 2,752 victims who died in the attacks on the World Trade Center were 343 firefighters and 60 police officers from New York City and the Port Authority.^[5] 184 people were killed in the attacks on the Pentagon.^[6] The overwhelming majority of casualties were civilians, including nationals of over 70 countries.^[7] In addition, there was at least one secondary death—one person was ruled by a medical examiner to have died from lung disease due to exposure to dust from the collapse of the World Trade Center.^[8]

The United States responded to the attacks by launching the War on Terror, invading Afghanistan to depose the Taliban, who had harbored al-Qaeda terrorists, and enacting the USA PATRIOT Act. Many other countries also strengthened their anti-terrorism legislation and expanded law enforcement powers. Some American stock exchanges stayed closed for the rest of the week following the attack, and posted enormous losses upon reopening, especially in the airline and insurance industries. The destruction of billions of dollars' worth of office space caused serious damage to the economy of Lower Manhattan.

The damage to the Pentagon was cleared and repaired within a year, and the Pentagon Memorial was built adjacent to the building. The rebuilding process has started on the World Trade Center site. In 2006, a new office tower was completed on the site of 7 World Trade Center. The new 1 World Trade Center is currently under construction at the site and, at 1,776 ft (541 m) upon completion in 2013, it will become the tallest building in North America. Three more towers were originally expected to be built between 2007 and 2012 on the site. Ground was broken for the Flight 93 National Memorial on November 8, 2009, and the first phase of construction is expected to be ready for the 10th anniversary of the attacks on September 11, 2011.^[9]

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- 1 Attacks
- 1.1 Casualties

September 11 attacks



The Twin Towers of the World Trade Center burning, pictured from the Brooklyn Heights Promenade, around 10 minutes after the second impact.

Location	New York City, Arlington County, Virginia, and near Shanksville, Pennsylvania.
Date	Tuesday, September 11, 2001 8:48 am – 10:28 am (UTC-4)
Attack type	Aircraft hijacking, mass murder, suicide attack, terrorism
Death(s)	Approximately 3,000 (including 19 hijackers)
Injured	More than 6,000
Belligerent(s)	al-Qaeda led by Osama bin Laden [1] See also Responsibility and Hijackers

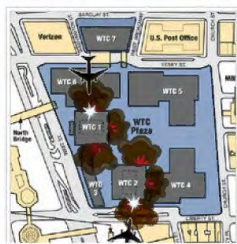
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- Lumbaart
- Magyar
- Македонски
- മലയാളം
- गमती
- Bahasa Melayu
- Nederlands
- 日本語
- Norsk (bokmål)
- Ozbek
- اۆزبېک تیلی
- Plattdüütsch
- Polski
- Português
- Ripoarisch
- Română
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- Српски језик
- Scots
- සිංහල
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Attacks

Main article: *Timeline for the day of the September 11 attacks*



Early on the morning of September 11, 2001, nineteen hijackers took control of four commercial airliners en route to [San Francisco](#) and Los Angeles from Boston, Newark, and Washington, D.C.^[1] At 8:46 a.m., American Airlines Flight 11 was crashed into the World Trade Center's North Tower, followed by United Airlines Flight 175, which hit the South Tower at 9:03 a.m.^{[2][3]} Another group of hijackers flew American Airlines Flight 77 into the Pentagon at 9:37 a.m.^[4] A fourth flight, United Airlines Flight 93, crashed near Shanksville, Pennsylvania, at 10:03 a.m., after the passengers on board engaged in a fight with the hijackers. Its ultimate target was thought to be either the Capitol (the meeting place of the United States Congress) or the White House.^{[5][16]}

Some passengers were able to make phone calls using the cabin airphone service and mobile phones.^{[17][18]} and provide details, including that several hijackers were aboard each plane, that made or other form of noxious chemical spray, such as tear gas or pepper spray was used, and



United Airlines Flight 175 crashes into the South tower.

- Slovenščina
- Српски / Srpski
- Српскохрватски / Српскохрватски
- Suomi
- Svenska
- Tagalog
- தமிழ்
- Tagbaylit
- தலக
- Ἑλληνικά
- ἰባባ
- Türkçe
- Українська
- اردو
- Vèneto
- Tiếng Việt
- Ἑλλήνων
- Yorùbá
- 粵語
- 中文



made or other form of noxious chemical spray, such as tear gas or pepper spray was used, and that some people aboard had been stabbed.^{[19][20][21][22]} Reports indicated that during two of the flights, the hijackers stabbed and killed aircraft pilots, flight attendants and in at least one case, a passenger.^{[23][24]} The 9/11 Commission established that two of the hijackers had recently purchased Leatherman multi-function hand tools.^[25] A flight attendant on Flight 11, a passenger on Flight 175, and passengers on Flight 93 mentioned that the hijackers had bombs, but one of

the passengers also mentioned he thought the bombs were fake. No traces of explosives were found at the crash sites, and the 9/11 Commission believed the bombs were probably fake.^[23]

On United Airlines Flight 93, a transcript of audio recorded by the cockpit voice recorder revealed that crew and passengers attempted to seize control of the plane from the hijackers after learning through phone calls that similarly hijacked planes had been crashed into buildings that morning.^[26] One of the hijackers gave the order to roll the plane once it became evident that they would lose control of the plane to the passengers.^[27] Soon afterward, the aircraft crashed into a field near Shanksville in Stonycreek Township, Somerset County, Pennsylvania, at 10:03:11 a.m. local time (14:03:11 UTC).

In a September 2002 interview conducted by documentary-maker Yosri Fouda, an al Jazeera journalist, Khalid Sheikh Mohammed and Ramzi Binalshibh, who are believed to have organised the attacks, stated that the fourth hijacked plane was heading for the United States Capitol, which they gave the codename "the Faculty of Law",^[28] not for the White House. They further stated that al-Qaeda initially planned to fly hijacked jets into nuclear installations rather than the World Trade Center and the Pentagon, but it was decided not to attack nuclear power plants "for the moment" because of fears it could "get out of control".^[29]

Three buildings in the World Trade Center Complex collapsed due to structural failure on the day of the attack.^[30] The south tower (2 WTC) fell at approximately 9:59 a.m., after burning for 56 minutes in a fire caused by the impact of United Airlines Flight 175.^[30] The north tower (1 WTC) collapsed at 10:28 a.m., after burning for approximately 102 minutes.^[30] When the north tower collapsed, debris that fell on the nearby 7 World Trade Center (7 WTC) building damaged it and initiated fires. These fires burned for hours and compromised the building's structural integrity, which led to the crumbling of the east penthouse at 5:20 p.m. and to the complete collapse of the building at 5:21 p.m.^{[31][32]}

The attacks created widespread confusion among news organizations and air traffic controllers across the United States. All international civilian air traffic was banned from landing on U.S. soil for three days.^[33] Aircraft already in flight were either turned back or redirected to airports in Canada or Mexico. News sources aired unconfirmed and often contradictory reports throughout the day. One of the most prevalent of these reported that a car bomb had been detonated at the U.S. State Department's headquarters in Washington, D.C.^[34] Soon after reporting for the first time on the Pentagon crash, some news media also briefly reported that a fire had broken out on the National Mall.^[35] Another report went out on the Associated Press wire, claiming that a Delta Air Lines airliner—Flight 1989—had been hijacked. This report, too, turned out to be in error; the plane was briefly thought to represent a hijack risk, but it responded to controllers and landed safely in Cleveland, Ohio.^[36]

Casualties

Main article: Casualties of the September 11 attacks

There were a total of 2,996 deaths, including the 19 hijackers and 2,977 victims.^[44] The victims were distributed as follows: 246 on the four planes (from which there were no survivors), 2,606 in New York City in the towers and on the ground, and 125 at the Pentagon.^{[37][45]} All the deaths in the attacks were civilians except for 55 military personnel killed in the attack on the Pentagon.^[46]

More than 60 countries lost citizens in the attacks on the World Trade Center.^[47] In 2007, the New York City medical examiner

Security camera footage of Flight 77 hitting the Pentagon.^[10]



Security camera footage of Flight 77 hitting the Pentagon.^[10]



View of the World Trade Center shortly after both towers fell



Path of Flight 93 until it crashed in Southern Pennsylvania on September 11

Deaths (excluding hijackers)		
New York City	World Trade Center	2,606 ^{[37][38]}
	American 11	27 ^[39]

More than 90 countries lost citizens in the attacks on the World Trade Center.^[47] In 2007, the New York City medical examiner's office added Felicia Dunn-Jones to the official death toll from the September 11 attacks. Dunn-Jones died five months after 9/11 from a lung condition which was linked to exposure to dust during the collapse of the World Trade Center.^[48] Leon Heyward, who died of lymphoma in 2008, was added to the official death toll in 2009.^[49]

NIST estimated that about 17,400 civilians were in the World Trade Center complex at the time of the attacks, while turnstile counts from the Port Authority suggest that 14,154 people were typically in the Twin Towers by 8:45 a.m.^[50]^[51] The vast majority of people below the impact zone safely evacuated the buildings, along with 18 people who were in the impact zone in the south tower and a number above the impact zone who evidently used the one intact stairwell in the south tower.^[52] At least 1,366 people died who were at or above the floors of impact in the North Tower and at least 618 in the South Tower, where evacuation had begun before the second impact.^[53] Thus over 90% of the workers and visitors who died in the Towers had been at or above impact.

According to the Commission Report, hundreds were killed instantly by the impact, while the rest were trapped and died after tower collapse.^[54] At least 200 people jumped to their deaths from the burning towers (as depicted in the photograph "The Falling Man"), landing on the streets and rooftops of adjacent buildings hundreds of feet below.^[55] Some of the occupants of each tower above its point of impact made their way upward toward the roof in hope of helicopter rescue, but the roof access doors were locked. No plan existed for helicopter rescues, and on September 11, the thick smoke and intense heat would have prevented helicopters from conducting rescues.^[56]

A total of 411 emergency workers who responded to the scene died as they attempted to rescue people and fight fires. The New York City Fire Department (FDNY) lost 341 firefighters and 2 FDNY paramedics.^[57] The New York City Police Department lost 23 officers.^[58] The Port Authority Police Department lost 37 officers,^[59] and 8 additional EMTs and paramedics from private EMS units were killed.^[60]^[61]

Cantor Fitzgerald L.P., an investment bank on the 101st–105th floors of One World Trade Center, lost 658 employees, considerably more than any other employer.^[62] Marsh Inc., located immediately below Cantor Fitzgerald on floors 93–101 (the location of Flight 11's impact), lost 355 employees, and 175 employees of Aon Corporation were killed.^[63] After New York, New Jersey was the hardest hit state, with the city of Hoboken sustaining the most deaths.^[64]

Weeks after the attack, the number of deaths was estimated to be over 6,000^[65] but this turned out to be more than twice the number of actual confirmed dead. The city was only able to identify remains for about 1,600 of the victims at the World Trade Center. The medical examiner's office also collected "about 10,000 unidentified bone and tissue fragments that cannot be matched to the list of the dead"^[66] Bone fragments were still being found in 2006 as workers were preparing to demolish the damaged Deutsche Bank Building. That operation was completed in 2007. On April 2, 2010 a team of anthropology and archaeological experts began searching for human remains, human artifacts and personal items at the Fresh Kills Landfill on Staten Island. The operation was completed in June 2010 with 72 human remains found, bringing the total human remains found to 1,845. The identities of 1,623 of the 2,753 victims^[67] have been identified. DNA profiling in an attempt to identify additional victims is continuing.^[68]

Damage

Along with the 110-floor Twin Towers of the World Trade Center itself, numerous other buildings at the World Trade Center site were destroyed or badly damaged, including 7 World Trade Center, 6 World Trade Center, 5 World Trade Center, 4 World Trade Center, the Marriott World Trade Center (3 WTC), and the World Financial Center complex and St. Nicholas Greek Orthodox Church.^[69] The fall of the Twin Towers represented the only examples of total progressive collapse of steel-framed structures in history.^[70]

The Deutsche Bank Building across Liberty Street from the World Trade Center complex was later condemned due to the uninhabitable, toxic conditions inside the office tower, and is undergoing deconstruction.^[71]^[72] The Borough of Manhattan Community College's Fiterman Hall at 30 West Broadway was also condemned due to extensive damage in the attacks, and is slated for deconstruction.^[73]

Other neighboring buildings including 90 West Street and the Verizon Building suffered major damage, but have since been restored.^[74] World Financial Center buildings, One Liberty Plaza, the Millennium Hilton, and 90 Church Street had moderate damage.^[75] They have since been restored. Communications equipment on top of the North Tower, including broadcast radio, television and two-way radio antenna towers, was also destroyed, but media stations were quickly able to reroute signals and resume broadcasts.^[69]^[76] In Arlington County, a portion of the Pentagon was severely damaged by fire and one section of the building collapsed.^[77]

Rescue and recovery

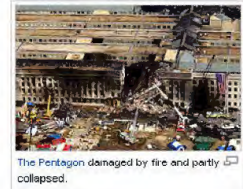
Main article: Rescue and recovery effort after the September 11 attacks

The Fire Department of New York City (FDNY) quickly deployed 200 units (half of the department) to the site, whose efforts were supplemented by numerous other firefighters and EMTs.^[78]^[79]^[80] The New York Police Department (NYPD) sent Emergency Service

	American 11	87 ^[84]
	United 175	60 ^[80]
Arlington	Pentagon	125 ^[81]
	American 77	59 ^[82]
Shanksville	United 93	40 ^[83]
	Total	2,977



The remains of the World Trade Center 6 days after the attacks.



The Pentagon damaged by fire and partly collapsed.



supplemented by numerous off-duty firefighters and EMTs.^{[108][96][94]} The New York Police Department (NYPD) sent Emergency Service Units (ESU) and other police personnel, along with deploying its aviation unit.^[91] Once on the scene, the FDNY, NYPD, and Port Authority police did not coordinate efforts,^[78] and ended up performing redundant searches for civilians.^[82]

As conditions deteriorated, the NYPD aviation unit relayed information to police commanders, who issued orders for its personnel to evacuate the towers; most NYPD officers were able to safely evacuate before the buildings collapsed.^{[61][82]} With separate command posts set up and incompatible radio communications between the agencies, warnings were not passed along to FDNY commanders.

After the first tower collapsed, FDNY commanders did issue evacuation warnings, however, due to technical difficulties with malfunctioning radio repeater systems, many firefighters never heard the evacuation orders. 9-1-1 dispatchers also received information from callers that was not passed along to commanders on the scene.^[79] Within hours of the attack, a substantial search and rescue operation was launched. After months of around-the-clock operations, the World Trade Center site was cleared by the end of May 2002.^[92]



An injured victim of the Pentagon attack is evacuated

Attackers and their background

See also: Responsibility for the September 11 attacks, Hijackers in the September 11 attacks, Trials related to the September 11 attacks, and 20th hijacker

Within hours of the attacks, the FBI was able to determine the names and in many cases the personal details of the suspected pilots and hijackers.^{[84][85]} Mohamed Atta, from Egypt, was the ringleader of the 19 hijackers and one of the pilots.^[86] Atta died in the attack along with the other hijackers, but his luggage, which did not make the connection from his Portland flight onto Flight 11, contained papers that revealed the identities of all 19 hijackers and other important clues about their plans, motives, and backgrounds.^[87] By midday, the National Security Agency had intercepted communications that pointed to Osama bin Laden, as did German intelligence agencies.^{[88][89]}

On September 27, 2001, the FBI released photos of the 19 hijackers, along with information about the possible nationalities and aliases of many.^[90] Fifteen of the hijackers were from Saudi Arabia, two from the United Arab Emirates, one from Egypt (Atta), and one from Lebanon.^[91]

The FBI investigation into the attacks, code named operation PENTTBOM, was the largest and most complex investigation in the history of the FBI, involving over 7,000 special agents.^[92] The United States government determined that al-Qaeda, headed by Osama bin Laden, bore responsibility for the attacks, with the FBI stating "evidence linking al-Qaeda and bin Laden to the attacks of September 11 is clear and irrefutable".^[93] The Government of the United Kingdom reached the same conclusion regarding al-Qaeda and Osama bin Laden's culpability for the 11 September attacks.^[94]

Author Laurie Mylroie, writing in the conservative political magazine *The American Spectator* in 2006, argues that Khalid Sheikh Mohammed and his family are the primary architects of 9/11 and similar attacks, and that Khalid Sheikh Mohammed's association with Osama bin Laden is secondary and that al-Qaeda's claim of responsibility for the attack is after the fact and opportunistic.^[95] Angelo Codevilla, of the same magazine, agrees with Mylroie, comparing Osama bin Laden to Elvis Presley.^[96] In an opposing point of view, former CIA officer Robert Baer, writing in *Time* magazine in 2007, asserts that George W. Bush Administration's publicizing of Khalid Sheikh Mohammed's claims of responsibility for 9/11 and numerous other acts was a mendacious attempt to claim that all of the significant actors in 9/11 had been caught.^[97]

Al-Qaeda

Main article: Al-Qaeda

The origins of al-Qaeda can be traced back to 1979 when the Soviet Union invaded Afghanistan. Soon after the invasion, Osama bin Laden traveled to Afghanistan where he helped organize Arab mujahideen and established the *Maktab al-Khidamat* (MAK) organization to resist the Soviets. During the war with the Soviet Union, Bin Laden and his fighters received American and Saudi funding, with American and most Saudi funds funneled through the ISI, Pakistan's intelligence service.^[98] In 1989, as the Soviets withdrew, MAK was transformed into a "rapid reaction force" in jihad against governments across the Muslim world. Under the guidance of Ayman al-Zawahiri, Osama bin Laden became more radical.^[99] In 1996, bin Laden issued his first fatwā, which called for American soldiers to leave Saudi Arabia.^[100]

In a second fatwā issued in 1998, bin Laden outlined his objections to American foreign policy towards Israel, as well as the continued presence of American troops in Saudi Arabia after the Gulf War.^[101] Bin Laden used Islamic texts to exhort violent action against American military and citizenry until the stated grievances are reversed, noting "ulema have throughout Islamic history unanimously agreed that the jihad is an individual duty if the enemy destroys the Muslim countries."^[101]

Planning of the attacks

Main article: Planning of the September 11 attacks

The idea for the September 11 plot came from Khalid Sheikh Mohammed, who first presented the idea to Osama bin Laden in 1996.^[102] At that point, Bin Laden and al-Qaeda were in a period of transition, having just relocated back to Afghanistan from Sudan.^[103] The 1998 African Embassy bombings and Bin Laden's 1998 fatwā marked a turning point, with Bin Laden intent on attacking the United States.^[103] In December 1998, the Director of Central Intelligence Counterterrorist Center reported to President Bill Clinton that al-Qaeda was

Laden intent on attacking the United States.^[104] In December 1998, the Director of Central Intelligence Counterterrorist Center reported to President Bill Clinton that al-Qaeda was preparing for attacks in the USA, including the training of personnel to hijack aircraft.^[104]

In late 1998 or early 1999, bin Laden gave approval for Mohammed to go forward with organizing the plot. A series of meetings occurred in spring of 1999, involving Khalid Sheikh Mohammed, Osama bin Laden, and his deputy *Mohammed Atef*.^[103] Mohammed provided operational support for the plot, including target selections and helping arrange travel for the hijackers.^[103] Bin Laden overruled Mohammed, rejecting some potential targets such as the U.S. Bank Tower in Los Angeles^[105] because "there was not enough time to prepare for such an operation".^[106]

Bin Laden provided leadership for the plot, along with financial support, and was involved in selecting participants for the plot.^[107] Bin Laden initially selected Nawaf al-Hazmi and Khalid al-Mihdhar, both experienced jihadists who fought in Bosnia. Hazmi and Mihdhar arrived in the United States in mid-January 2000, after traveling to Malaysia to attend the Kuala Lumpur al-Qaeda Summit. In spring 2000, Hazmi and Mihdhar took flying lessons in San Diego, California, but both spoke little English, did not do well with flying lessons, and eventually served as "muscle" hijackers.^{[108][109]}

In late 1999, a group of men from Hamburg, Germany arrived in Afghanistan, including Mohamed Atta, Marwan al-Shehhi, Ziad Jarrah, and Ramzi Binalshibh.^[110] Bin Laden selected these men for the plot, as they were educated, could speak English, and had experience living in the west.^[111] New recruits were routinely screened for special skills, which allowed Al Qaeda leaders to also identify Hani Hanjour, who already had a commercial pilot's license, for the plot.^[112]

Hanjour arrived in San Diego on December 8, 2000, joining Hazmi. They soon left for Arizona, where Hanjour took refresher training. Marwan al-Shehhi arrived at the end of May 2000, while Atta arrived on June 3, 2000, and Jarrah arrived on June 27, 2000. Binalshibh applied several times for a visa to the United States, but as a Yemeni, he was rejected out of concerns he would overstay his visa and remain as an illegal immigrant. Binalshibh remained in Hamburg, providing coordination between Atta and Khalid Sheikh Mohammed. The three Hamburg cell members all took pilot training in south Florida.

In spring 2001, the muscle hijackers began arming in the United States.^[113] In July 2001, Atta met with Binalshibh in Spain, where they coordinated details of the plot, including final target selection. Binalshibh also passed along Bin Laden's wish for the attacks to be carried out as soon as possible.^[114]

Osama bin Laden

Main articles: Osama bin Laden and Videos of Osama bin Laden

Osama bin Laden's declaration of a holy war against the United States, and a fatwā signed by bin Laden and others calling for the killing of American civilians in 1998, are seen by investigators as evidence of his motivation to commit such acts.^[115]

Bin Laden initially denied, but later admitted, involvement in the incidents.^[116] On September 16, 2001, bin Laden denied any involvement with the attacks by reading a statement which was broadcast by Qatar's Al Jazeera satellite channel: "I stress that I have not carried out this act, which appears to have been carried out by individuals with their own motivation."^[117] This denial was broadcast on U.S. news networks and worldwide.

In November 2001, U.S. forces recovered a videotape from a destroyed house in Jalalabad, Afghanistan, in which Osama bin Laden is talking to Khaled al-Harbi. In the tape, bin Laden admits foreknowledge of the attacks.^[118] The tape was broadcast on various news networks from December 13, 2001. His distorted appearance on the tape has been attributed to tape transfer artifact.^[119] The detailed timeline of Bin Laden's having prior knowledge were revealed in a September 2002 interview documentary-maker Yosri Fouda conducted with Khalid Sheikh Mohammed and Ramzi Binalshibh: the decision to launch a "martyrdom operation inside America" was made by Al Qaeda's military committee in early 1999; Atta, after deciding on the date (9/11/01) for the attacks, informed Binalshibh of this date on August 29, 2001, and Bin Laden was given this information on September 6, 2001.^[120]

On December 27, 2001, a second bin Laden video was released. In the video, he states, "Terrorism against America deserves to be praised because it was a response to injustice, aimed at forcing America to stop its support for Israel, which kills our people", but he stopped short of admitting responsibility for the attacks.^[121]

Shortly before the U.S. presidential election in 2004, in a taped statement, bin Laden publicly acknowledged al-Qaeda's involvement in the attacks on the U.S. and admitted his direct link to the attacks. He said that the attacks were carried out because "we are free...and want to regain freedom for our nation. As you undermine our security we undermine yours."

^[122] Osama bin Laden says he had personally directed his followers to attack the World Trade Center^[123] In the video, he says, "We had agreed with the Commander-General Muhammad Atta, Allah have mercy on him, that all the operations should be carried out within 20 minutes, before Bush and his administration notice."^[116] Another video obtained by Al Jazeera in September 2006 shows Osama bin Laden with Ramzi Binalshibh, as well as two hijackers, Hamza al-Ghamdi and Wail al-Shehri, as they make preparations for the attacks.^[124]

Khalid Sheikh Mohammed

Main article: Khalid Sheikh Mohammed

The journalist Yosri Fouda of the Arabic television channel Al Jazeera reported that in April 2002, Khalid Sheikh Mohammed admitted his

Wikinews has related news:
Wikinews obtains 10 years of messages, interviews from Osama bin Laden translated by CIA



The *9/11 Commission Report* determined that the animosity towards the United States felt by Khalid Sheikh Mohammed, the "principal architect" of the 9/11 attacks, stemmed "not from his experiences there as a student, but rather from his violent disagreement with U.S. foreign policy favoring Israel".^[103]

Mohamed Atta shared this motivation. Ralph Bodenstein, a former classmate of Atta described him as "most imbued actually about... U.S. protection of these Israeli politics in the region".^[128] Abdulaziz al-Omari, a hijacker aboard Flight 11 with Mohamed Atta, said in his video will, "My work is a message those who heard me and to all those who saw me at the same time it is a message to the infidels that you should leave the Arabian peninsula defeated and stop giving a hand of help to the coward Jews in Palestine."^[129]

Khalid Sheikh Mohammed was also an adviser and financier of the 1993 World Trade Center bombing. He is also the uncle of Ramzi Yousef, the lead bomber in that attack.

Khalid Sheikh Mohammed was arrested on March 1, 2003 in Rawalpindi, Pakistan by Pakistani security officials working with the CIA, and is currently being held at Guantanamo Bay.^[130] During U.S. hearings in March 2007, Sheikh Mohammed again confessed his responsibility for the attacks, saying "I was responsible for the 9/11 operation, from A to Z."^{[127][131]} Mohammed made the confession after being subject to waterboarding.^[132] In November 2009, U.S. Attorney General Eric Holder announced that Mohammed and four accused co-conspirators will be transferred from Guantanamo Bay, Cuba to stand trial in civilian court near Ground Zero in New York. No trial date was given. Holder expressed confidence that the defendants would get a fair trial that was "open to the public and open to the world".^[133]



Khalid Sheikh Mohammed after his capture in Pakistan

Other al-Qaeda members

In "Substitution for Testimony of Khalid Sheikh Mohammed" from the trial of Zacarias Moussaoui, five people are identified as having been completely aware of the operation's details. They are Osama bin Laden, Khalid Sheikh Mohammed, Ramzi Binalshibh, Abu Turab al-Urduni and Mohammed Atef.^[134] To date, only peripheral figures have been tried or convicted for the attacks. Bin Laden has not yet been formally indicted for the attacks.^[135]

On September 26, 2005, the Spanish high court directed by judge Baltasar Garzón sentenced Abu Dahdah to 27 years of imprisonment for conspiracy on the 9/11 attacks and being a member of the terrorist organization al-Qaeda. At the same time, another 17 al-Qaeda members were sentenced to penalties of between six and eleven years.^{[136][137]} On February 16, 2006, the Spanish Supreme Court reduced the Abu Dahdah penalty to 12 years because it considered that his participation in the conspiracy was not proven.^[138]

Motives

See also: Motives for the September 11 attacks

The motives for the attacks include the presence of the U.S. in Saudi Arabia,^[139] the support of Israel by the U.S.,^[140] and the sanctions against Iraq.^[141] These motives were explicitly stated by Al-Qaeda in proclamations before the attacks, including the *Fatwā* of August 1996,^[142] and a shorter *fatwā* published in February 1998.^[143] After the attacks, bin Laden and al-Zawahiri published additional video tapes and audio tapes, some of which repeated those reasons for the attacks. Two particularly important publications were bin Laden's 2002 "Letter to America",^[144] and a 2004 video tape by bin Laden.^[145] In addition to direct pronouncements by bin Laden and Al-Qaeda, numerous political analysts have postulated motivations for the attacks.

The continued presence of U.S. troops after the Gulf War in Saudi Arabia was one of the stated motivations behind the September 11th terrorist attacks,^[143] the Khobar Towers bombing, as well, the date chosen for the 1998 United States embassy bombings (August 7), was eight years to the day that American troops were sent to Saudi Arabia.^[146] Bin Laden interpreted the Prophet Muhammad as banning the "permanent presence of infidels in Arabia".^[147] In 1996, Bin Laden issued a *fatwā*, calling for American troops to get out of Saudi Arabia. In the 1996 *fatwā*, Al-Qaeda wrote "for over seven years the United States has been occupying the lands of Islam in the holiest of places, the Arabian Peninsula, plundering its riches, dictating to its rulers, humiliating its people, terrorizing its neighbors, and turning its bases in the Peninsula into a spearhead through which to fight the neighboring Muslim peoples."^[148] In the December 1999 interview with Rahimullah Yusufzai, bin Laden said he felt that Americans were "too near to Mecca" and considered this a provocation to the entire Muslim world.^[148]

In his November 2002 "Letter to America", Bin Laden described the United States support of Israel as a motivation: "The creation and continuation of Israel is one of the greatest crimes, and you are the leaders of its criminals. And of course there is no need to explain and prove the degree of American support for Israel. The creation of Israel is a crime which must be erased. Each and every person whose hands have become polluted in the contribution towards this crime must pay its price, and pay for it heavily."^[150] In 2004 and 2010, Bin Laden again repeated the connection between the September 11 attacks and the support of Israel by the United States.^{[151][152][153]} Several analysts, including Mearsheimer and Walt, also claim a motivation for the attacks was the support of Israel by the United States.^{[149][154]}

In the 1998 *fatwā*, Al-Qaeda identified the Iraq sanctions as a reason to kill Americans: "despite the great devastation inflicted on the Iraqi people by the crusader-Zionist alliance, and despite the huge number of those killed, which has exceeded 1 million... despite all this, the Americans are once again trying to repeat the horrific massacres, as though they are not content with the protracted blockade imposed after the ferocious war or the fragmentation and devastation.... On that basis, and in compliance with Allah's order, we issue the

following fatwā to all Muslims. The ruling to kill the Americans and their allies—civilians and military—is an individual duty for every Muslim...^[148]

In addition to the motives published by Al Qaeda, analysts have suggested other motives, including humiliation resulting from the Islamic world falling behind the Western world - this discrepancy made especially visible due to recent globalisation.^{[155][156]} Another speculated motive was the desire to provoke the U.S. into a broader war against the Islamic world, with the hope of motivating more allies to support Al Qaeda.^[157]

Aftermath

Immediate response

See also: Airport security repercussions due to the September 11 attacks, Closings and cancellations following the September 11 attacks, Aftermath of the September 11 attacks, Reactions to the September 11 attacks, and U.S. military response during the September 11 attacks

The 9/11 attacks had immediate and overwhelming effects upon the American people.^[158] Many police officers and rescue workers elsewhere in the country took leaves of absence to travel to New York City to assist in the process of recovering bodies from the twisted remnants of the Twin Towers.^[159] Blood donations across the U.S. also saw a surge in the weeks after 9/11.^{[160][161]}

Over 3000 children were left without one or more parents.^[162] Children's reactions both to these actual losses, yet also to feared losses of life and a protective environment in the aftermath of the attacks are well-documented, as were their effects on surviving caregivers.^{[163][164]}^[165]

For the first time in history, SCATANA was invoked forcing all non-emergency civilian aircraft in the United States and several other countries including Canada to be immediately grounded,^[166] stranding tens of thousands of passengers across the world.^[167] Any international flights were closed to American airspace by the Federal Aviation Administration, causing about five hundred flights to be turned back or redirected to other countries. Canada received 226 of the diverted flights and launched Operation Yellow Ribbon to deal with the large numbers of grounded planes and stranded passengers.^[168]

Military operations following the attacks

See also: War on Terror

At 2:40 p.m. in the afternoon of September 11, Secretary of Defense Donald Rumsfeld was issuing rapid orders to his aides to look for evidence of Iraqi involvement, according to notes taken by senior policy official Stephen Cambone. "Best info fast. Judge whether good enough hit S.H." — meaning Saddam Hussein — "at same time. Not only UBL" (Osama bin Laden), Cambone's notes quoted Rumsfeld as saying. "Need to move swiftly — Near term target needs — go massive — sweep it all up. Things related and not."^{[169][170]}

The NATO council declared that the attacks on the United States were considered an attack on all NATO nations and, as such, satisfied Article 5 of the NATO charter.^[171] Upon returning to Australia having been on an official visit to the U.S. at the time of the attacks, Australian Prime Minister John Howard invoked Article IV of the ANZUS treaty. In the immediate aftermath of the attacks, the Bush administration announced a war on terror, with the stated goals of bringing Osama bin Laden and al-Qaeda to justice and preventing the emergence of other terrorist networks. These goals would be accomplished by means including economic and military sanctions against states perceived as harboring terrorists and increasing global surveillance and intelligence sharing.

The second-biggest operation of the U.S. Global War on Terrorism outside of the United States, and the largest directly connected to terrorism, was the overthrow of the Taliban rule of Afghanistan by a U.S.-led coalition. The United States was not the only nation to increase its military readiness, with other notable examples being the Philippines and Indonesia, countries that have their own internal conflicts with Islamic terrorism.^{[172][173]}

Domestic response

Following the attacks, President Bush's job approval rating soared to 90%.^[174] On September 20, 2001, the U.S. president spoke before the nation and a joint session of the United States Congress, regarding the events of that day, the intervening nine days of rescue and recovery efforts, and his intent in response to those events. In addition, the highly visible role played by New York City mayor Rudy Giuliani won him high praise nationally and in New York.^[175]

Many relief funds were immediately set up to assist victims of the attacks, with the task of providing financial assistance to the survivors of the attacks and to the families of victims, such as the Coalition of 9/11 Families. By the deadline for victim's compensation, September 11, 2003, 2,833 applications had been received from the families of those who were killed.^[176]

Statement by the American President in his

Contingency plans for the continuity of government and the evacuation of leaders



U.S. President George W. Bush is briefed on the World Trade Center attack.



Statement by the American President in his Address to the Nation



George W. Bush's address to the people of the United States, September 11, 2001, 8:30pm EDT.

Problems listening to this file? See media help.

Continuing plans for the continuity of government and the execution of rescue were also implemented almost immediately after the attacks.^[167] Congress, however, was not told that the United States was under a continuity of government status until February 2002.^[177]

President Bush addresses a joint session of Congress on September 20, 2001

Within the United States, Congress passed and President Bush signed the Homeland Security Act of 2002, creating the Department of Homeland Security, representing the largest restructuring of the U.S. government in contemporary history. Congress also passed the USA PATRIOT Act, stating that it would help detect and prosecute terrorism and other crimes.^[178]

Civil liberties groups have criticized the PATRIOT Act, saying that it allows law enforcement to invade the privacy of citizens and eliminates judicial oversight of law-enforcement and domestic intelligence gathering.^{[179][180][181]} The Bush Administration also invoked 9/11 as the reason to initiate a secret National Security Agency operation, "to eavesdrop on telephone and e-mail communications between the United States and people overseas without a warrant".^[182]

Hate crimes

Numerous incidents of harassment and hate crimes were reported against Middle Easterners and other "Middle Eastern-looking" people in the days following the 9/11 attacks.^{[183][184]} Sikhs were also targeted because Sikh males usually wear turbans, which are stereotypically associated with Muslims. There were reports of verbal abuse, attacks on mosques and other religious buildings (including the firebombing of a Hindu temple and assaults on people, including one murder: Balbir Singh Sodhi was fatally shot on September 15, 2001. He, like others, was a Sikh who was mistaken for a Muslim.^[183]

According to a study by Ball State University, people perceived to be Middle Eastern were as likely to be victims of hate crimes as followers of Islam during this time. The study also found a similar increase in hate crimes against people who may have been perceived as members of Islam, Arabs and others thought to be of Middle Eastern origin.^[185]

A report by South Asian American advocacy group SAALT documented media coverage of 645 bias incidents against Americans of South Asian or Middle Eastern descent between September 11 and September 17, including vandalism, arson, assault, shootings, harassment, and threats.^{[186][187]}

Muslim American reaction

Top Muslim organizations in the United States were swift to condemn the attacks on 9/11 and called "upon Muslim Americans to come forward with their skills and resources to help alleviate the sufferings of the affected people and their families".^[188] Top organizations included the Islamic Society of North America, American Muslim Alliance, American Muslim Council, Council on American-Islamic Relations, Islamic Circle of North America, and the Shari'a Scholars Association of North America. Along with monetary donations, many Islamic organizations launched blood drives and provided medical assistance, food, and shelter for victims.^{[189][190][191]}

International response

The attacks were denounced by mass media and governments worldwide. Across the globe, nations offered pro-American support and solidarity.^[192] Leaders in most Middle Eastern countries, and Afghanistan, condemned the attacks. Iraq was a notable exception, with an immediate official statement that "the American cowboys are reaping the fruit of their crimes against humanity".^[193]

Tens of thousands of people attempted to flee Afghanistan following the attacks, fearing a response by the United States. Pakistan, already home to many Afghan refugees from previous Afghan conflict, closed its border with Afghanistan on September 17. Approximately one month after the attacks, the United States led a broad coalition of international forces in the removal of the Taliban regime for harboring the al-Qaeda organization.^[194] Pakistani authorities moved reluctantly^[195] to align themselves with the United States in a war against the Taliban. Pakistan provided the United States a number of military airports and bases for its attack on the Taliban regime and arrested over 600 suspected al-Qaeda members, whom it handed over to the United States.^[196]

Numerous countries, including Canada, China, the United Kingdom, France, Russia, Germany, India and Pakistan introduced anti-terrorism legislation and froze the bank accounts of businesses and individuals they suspected of having al-Qaeda ties.^{[197][198]} Law enforcement and intelligence agencies in a number of countries, including Italy, Malaysia, Indonesia, and the Philippines arrested people they labeled terrorist suspects for the stated purpose of breaking up militant cells around the world.^{[199][200]}

In the U.S., this aroused some controversy, as critics such as the Bill of Rights Defense Committee argued that traditional restrictions on federal surveillance (e.g. COINTELPRO's monitoring of public meetings) were "dismantled" by the USA PATRIOT Act.^[201] Organizations such as the American Civil Liberties Union and Liberty argued that certain civil rights protections were also being circumvented.^{[202][203]}

The United States set up a detention center at Guantánamo Bay, Cuba to hold inmates they defined as "illegal enemy combatants". The legitimacy of these detentions has been questioned by, among others, the European Parliament, the Organization of American States, and Amnesty International.^{[204][205][206]}



A New York City firefighter looks up at the remains of the South Tower.

or these decisions had been questioned by, among others, the European Parliament, the Organisation of Islamic Cooperation, and Amnesty International.

The international events and reactions immediately after the attacks affected the impact of the *World Conference against Racism 2001*, which had ended in discord and international recriminations just three days before.^[207]

As in the United States, the aftermath of the attacks saw tensions increase in other countries between Muslims and non-Muslims.^[208]

Conspiracy theories

Main article: 9/11 conspiracy theories

Conspiracy theorists question the accepted version of the attacks, the motivations behind them, and the parties involved, and have engaged in independent investigations. Some of the conspiracy theories see the attacks as a *casus belli* through a false flag to bring about increased militarization and police power.

Some proponents of 9/11 conspiracy theories have speculated that individuals inside the United States possessed detailed information about the attacks and deliberately chose not to prevent them, or that individuals outside of al-Qaeda planned, carried out, or assisted in the attacks. Some conspiracy theorists claim the World Trade Center did not collapse because of the crashing planes but was instead demolished with explosives. This controlled demolition hypothesis is rejected by the National Institute of Standards and Technology, who, after their research, concluded that the impacts of jets at high speeds in combination with subsequent fires caused the collapse of both Towers.^{[209][210]}

Long-term effects

Economic aftermath

Main article: Economic effects arising from the September 11 attacks

The attacks had a significant economic impact on the United States and world markets.^[211] The *New York Stock Exchange* (NYSE), the *American Stock Exchange* (AMEX), and *NASDAQ* did not open on September 11 and remained closed until September 17. When the stock markets reopened, the *Dow Jones Industrial Average* (DJIA) stock market index fell 684 points, or 7.1%, to 8921, a record-setting one-day point decline.^[212]

By the end of the week, the DJIA had fallen 1,369.7 points (14.3%), its then-largest one-week point drop in history, though later surpassed in 2008 during the *global financial crisis*.^[213] U.S. stocks lost \$1.4 trillion in value for the week.^[213] This is equivalent to \$1.74 trillion in present day terms.^[214]

In New York City, about 430,000 job-months and \$2.8 billion in wages were lost in the three months following the 9/11 attacks. The economic effects were mainly focused on the city's export economy sectors.^[215] The city's GDP was estimated to have declined by \$27.3 billion for the last three months of 2001 and all of 2002. The Federal government provided \$11.2 billion in immediate assistance to the *Government of New York City* in September 2001, and \$10.5 billion in early 2002 for economic development and infrastructure needs.^[216]

The 9/11 attacks also hurt small businesses in Lower Manhattan near the World Trade Center, destroying or displacing about 18,000 of them. Assistance was provided by Small Business Administration loans and federal government Community Development Block Grants and Economic Injury Disaster Loans.^[216] Some 31,900,000 square feet (2,960,000 m²) of Lower Manhattan office space was damaged or destroyed.^[217]

Many wondered whether these jobs would return, and the damaged tax base recover.^[218] Studies of the economic effects of 9/11 show that the Manhattan office real-estate market and office employment were less affected than initially expected because of the financial services industry's need for face-to-face interaction.^{[219][220]}

North American air space was closed for several days after the attacks and air travel decreased upon its reopening, leading to nearly a 20% cutback in air travel capacity, and exacerbating financial problems in the struggling U.S. airline industry.^[221]



A satellite view of Manhattan shows a large smoke plume a day after the attacks.



A New York City fireman calls for 10 more rescue workers to make their way into the rubble of the World Trade Center.

Health effects

Main article: Health effects arising from the September 11 attacks

The thousands of tons of toxic debris resulting from the collapse of the Twin Towers contained more than 2,500 contaminants, including known

The thousands of tons of toxic debris resulting from the collapse of the Twin Towers contained more than 2,000 contaminants, including known carcinogens.^{[222][223]} This has led to debilitating illnesses among rescue and recovery workers, which many claim to be directly linked to debris exposure.^{[6][224]} For example, NYPD Officer Frank Macri died of lung cancer that spread throughout his body on September 3, 2007; his family contends the cancer is the result of long hours on the site and they have filed for line-of-duty death benefits, which the city has yet to rule on.^[225]

Health effects have also extended to some residents, students, and office workers of Lower Manhattan and nearby Chinatown.^[226] Several deaths have been linked to the toxic dust caused by the World Trade Center's collapse and the victims' names will be included in the World Trade Center memorial.^[227] There is also scientific speculation that exposure to various toxic products in the air may have negative effects on fetal development. Due to this potential hazard, a notable children's environmental health center is currently analyzing the children whose mothers were pregnant during the WTC collapse, and were living or working near the World Trade Center towers.^[228] A study of rescue workers released in April 2010 found that all the workers studied had impaired lung functions, and that 30% to 40% of workers were reporting persistent symptoms that started within the first year of the attack with little or no improvement since.^[229]

Legal disputes over the attendant costs of illnesses related to the attacks are still in the court system. On October 17, 2006, federal judge Alvin Hellerstein rejected New York City's refusal to pay for health costs for rescue workers, allowing for the possibility of numerous suits against the city.^[230] Government officials have been faulted for urging the public to return to lower Manhattan in the weeks shortly following the attacks. Christine Todd Whitman, administrator of the EPA in the aftermath of the attacks, was heavily criticized for incorrectly saying that the area was environmentally safe.^[231] President Bush was criticized for interfering with EPA interpretations and pronouncements regarding air quality in the aftermath of the attacks.^[232] In addition, Mayor Giuliani was criticized for urging financial industry personnel to return quickly to the greater Wall Street area.^[233]

Some Americans became alarmed at the prospect of using planes for travel, using automobiles instead. This resulted in an estimated 1,595 "excess" highway deaths in the ensuing year.^[234]

Investigations

FBI investigation

Main article: PENTTBOM

Immediately after the attacks, the *Federal Bureau of Investigation* started PENTTBOM, the largest criminal inquiry in the history of the United States. The FBI told the U.S. Senate that there is "clear and irrefutable" evidence linking Al Gaida and Bin Laden to the attacks.^[235]

9/11 Commission

Main article: 9/11 Commission

The *National Commission on Terrorist Attacks Upon the United States* (9/11 Commission), chaired by former New Jersey Governor Thomas Kean,^[236] was formed in late 2002 to prepare a thorough account of the circumstances surrounding the attacks, including preparedness for, and the immediate response to, the attacks. On July 22, 2004, the 9/11 Commission issued the *9/11 Commission Report*. The commission and its report have been subject to criticism.^{[237][238]}

Collapse of the World Trade Center

Main article: Collapse of the World Trade Center

A federal technical building and fire safety investigation of the collapses of the Twin Towers and 7 WTC has been conducted by the United States Department of Commerce's *National Institute of Standards and Technology* (NIST). The goals of this investigation were to determine why the buildings collapsed, the extent of injuries and fatalities, and the procedures involved in designing and managing the World Trade Center.^[239] The investigation into the collapse of 1 WTC and 2 WTC was concluded in October 2005, and the investigation into the collapse of 7 WTC concluded in August 2008.^{[240][241]}

The report concluded that the fireproofing on the Twin Towers' steel infrastructures was blown off by the initial impact of the planes and that, if this had not occurred, the towers would likely have remained standing.^[242] A study published by researchers of *Purdue University* confirmed that, if the thermal insulation on the core columns were scoured off and column temperatures were elevated to approximately 700 °C (1,292 °F), the fire would have been sufficient to initiate collapse.^{[243][244]}

W. Gene Corley, the director of the original investigation, commented that "the towers really did amazingly well. The terrorist aircraft didn't



A silhouetted firefighter stands amidst the rubble and smoke in New York City.



6 WTC, one of the partially collapsed World Trade Centre buildings.

W. Gene Corley, the director of the original investigation, commented that "the towers really did amazingly well. The terrorist aircraft didn't bring the buildings down; it was the fire which followed. It was proven that you could take out two thirds of the columns in a tower and the building would still stand."^[245] The fires weakened the trusses supporting the floors, making the floors sag. The sagging floors pulled on the exterior steel columns to the point where exterior columns bowed inward. With the damage to the core columns, the buckling exterior columns could no longer support the buildings, causing them to collapse. In addition, the report asserts that the towers' stairwells were not adequately reinforced to provide emergency escape for people above the impact zones.^[246] NIST concluded that uncontrolled fires in 7 WTC caused floor beams and girders to heat and subsequently "caused a critical support column to fail, initiating a fire-induced progressive collapse that brought the building down".^[241]

Internal review of the CIA

The Inspector General of the CIA conducted an internal review of the CIA's pre-9/11 performance and was harshly critical of senior CIA officials for not doing everything possible to confront terrorism. He criticized their failure to stop two of the 9/11 hijackers, Nawaf al-Hazmi and Khalid al-Mihdhar, as they entered the United States and their failure to share information on the two men with the FBI.^[247] In May 2007, senators from both the Democratic Party and the Republican Party drafted legislation that would openly present an internal CIA investigative report. One of the backers, Senator Ron Wyden stated "The American people have a right to know what the Central Intelligence Agency was doing in those critical months before 9/11.... I am going to bulldog this until the public gets it." The report investigates the responsibilities of individual CIA personnel before and after the 9/11 attacks. The report was completed in 2005, but its details have never been released to the public.^[248]

Rebuilding

Main article: World Trade Center site

On the day of the attacks, New York City mayor Rudy Giuliani proclaimed, "We will rebuild. We're going to come out of this stronger than before, politically stronger, economically stronger. The skyline will be made whole again."^[249] The Lower Manhattan Development Corporation, tasked with coordinating rebuilding efforts at the World Trade Center site, was criticized for doing little with the enormous funding directed to the rebuilding efforts.^{[250][251]}

Aside from construction of 7 World Trade Center, adjacent to the main site and completed in 2006, and the PATH station, which opened in late 2003, work on rebuilding on the main World Trade Center site was delayed until late 2006 when leaseholder Larry Silverstein and the Port Authority of New York and New Jersey came to an agreement on financing of the new buildings.^[252] The 1 World Trade Center is currently under construction at the site and at 1,776 ft (541 m) upon completion in 2011, will become one of the tallest buildings in North America, behind only the CN Tower in Toronto.^{[253][254]}

Three more towers were expected to be built between 2007 and 2012 on the site, and will be located one block east of where the original towers stood. After the late-2000s recession, the site's owners said that construction of new towers could be delayed until 2036.^[255] The damaged section of the Pentagon was rebuilt and occupied within a year of the attacks.^[256]

Memorials

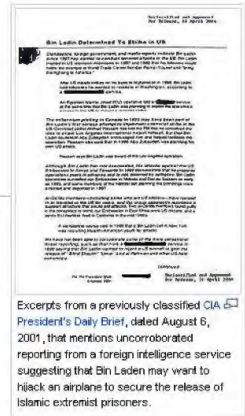
Main article: Memorials and services for the September 11 attacks

In the days immediately following the attacks, many memorials and vigils were held around the world.^{[257][258][259]} In addition, people posted photographs of the dead and missing all around Ground Zero. A witness described being unable to "get away from faces of innocent victims who were killed. Their pictures are everywhere, on phone booths, street lights, walls of subway stations. Everything reminded me of a huge funeral, people quiet and sad, but also very nice. Before, New York gave me a cold feeling; now people were reaching out to help each other."^[260]



One of the first memorials was the Tribute in Light, an installation of 88 searchlights at the footprints of the World Trade Center towers which projected two vertical columns of light into the sky.^[261] In New York, the World Trade Center Site Memorial Competition was held to design an appropriate memorial on the site.^[262] The winning design, *Reflecting Absence*, was selected in August 2006, and consists of a pair of reflecting pools in the footprints of the towers, surrounded by a list of the victims' names in an underground memorial space.^[263] Plans for a museum on the site have been put on hold, following the abandonment of the International Freedom Center in reaction to complaints from the families of many victims.^[264]

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Excerpts from a previously classified CIA President's Daily Brief, dated August 6, 2001, that mentions uncorroborated reporting from a foreign intelligence service suggesting that Bin Laden may want to hijack an airplane to secure the release of Islamic extremist prisoners.



The Tribute in Light viewed from Jersey City on the anniversary of the attacks in 2004

The **Pentagon Memorial** was completed and opened to the public on the seventh anniversary of the attacks, September 11, 2006.^{[265][266]} It consists of a landscaped park with 184 benches facing the Pentagon.^[267] When the Pentagon was repaired in 2001–2002, a private chapel and indoor memorial were included, located at the spot where Flight 77 crashed into the building.^[268]

At Shanksville, a permanent **Flight 93 National Memorial** is planned to include a sculpted grove of trees forming a circle around the crash site, bisected by the plane's path, while wind chimes will bear the names of the victims.^[209] A temporary memorial is located 500 yards (457 m) from the crash site.^[270] New York City firefighters donated a memorial to the Shanksville Volunteer Fire Department. It is a cross made of steel from the World Trade Center and mounted on top of a platform shaped like the Pentagon.^[271] It was installed outside the

firehouse on August 25, 2006.^[272]

Many other permanent memorials are being constructed elsewhere, and scholarships and charities have been established by the victims' families, along with many other organizations and private figures.^[273]

On every anniversary, in New York City, the names of the victims who died at that location are read out against a background of somber music. The President of the United States also attends a memorial service at the Pentagon.^[274] Smaller services are held in Shanksville, Pennsylvania, which are usually attended by the President's spouse.

Final resting place for WTC victims

Following the attacks, the **Fresh Kills Landfill** on Staten Island was temporarily reopened to receive and process much of the debris from the destruction of the World Trade Center. The debris contained the remains of many of the victims; much of it in the form of dust and small fragments. In August 2005, 17 plaintiffs, claiming to have support from 1,000 other relatives, filed a case in court to have the City of New York move nearly one million tons of material from the Fresh Kills landfill to another location where it would be sifted and placed in a cemetery. Norman Siegel, the lawyer for the plaintiffs, stated "It comes down to this: Are we prepared to leave hundreds of body parts and human remains on top of a garbage dump?" James E. Tyrell, a lawyer representing the city, argued "You have to be able to particularize and say it's your body part. All that's left here is a bunch of undifferentiated dust."^{[275][276]}

On March 26, 2010, families of 9/11 victims received notice that the city will conduct a sifting operation for World Trade Center remains at the Fresh Kills landfill. The operation is scheduled to take three months at an estimated cost of \$1.4 million. Anthropologists and other trained professionals will carefully evaluate and search the material, and potential remains will be sent for further testing to the laboratories of the Office of the Chief Medical Examiner.^[277]

On October 4, 2010, the Supreme Court of the United States rejected an appeal by some families of 9/11 victims to require a more thorough examination of material from the WTC site to check for human remains before disposal. They claimed that some of the material (223,000 tons out of approximately 1.65 million) had either not been screened or not screened adequately, and that a landfill was not a proper resting place for material that may still contain remains of victims. (According to court records, the remains of approximately 1,100 of the 2,752 people killed at the site were never recovered or identified.) City officials said that they spent 10 months carefully examining the material for human remains before sending it to the landfill. Lower federal courts had already rejected the lawsuit by the families against the City of New York.^[278]

See also

- Families of September 11
- Flight 93 (TV film)
- Legal issues related to the September 11 attacks
- List of terrorist incidents, 2001
- Survivor registry
- United 93 (film)



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External links

- National Commission on Terrorist Attacks Upon the United States ↗ official commission website
- September 11, 2001, Documentary Project ↗ from the U.S. Library of Congress, *Memory.loc.gov*
- September 11, 2001, Web Archive ↗ from the U.S. Library of Congress, *Minerva*
- September 11 Digital Archive: Saving the Histories of September 11, 2001 ↗ from the Center for History and New Media and the American Social History Project/Center for Media and Learning
- September 11 attacks ↗ at the Open Directory Project
- DoD: Khalid Sheikh Mohammed Verbatim Transcript of Combatant Status Review Tribunal Hearing for ISN 10024, From WikiSource
- Sept. 11 Co-Conspirators ↗ from the U.S. Defense Department on Military Commissions including case documents on Khalid Sheikh Mohammed et al.
- Statistics from September 11 ↗ Numbers of victims, deaths, other information
- CNN September 11 Memorial ↗ – List of victims, and photos.

Multimedia

- CNN.com ↗ – Video archive, including the first and second planes.
- Incide 9/11 ↗ National Geographic Society
- Time.com ↗ – 'Shattered: a remarkable collection of photographs', James Nachtwey
- September 11, 2001 Screenshot Archive ↗ – Database of 230 screenshots from news sites around the world.
- September 11 attacks ↗ in the Newseum archive of front page images from 2001-09-12.
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- World trade center
- 9 11 video footage
- 9 11 conspiracy
- 9 11 victims
- 9 11 memorial
- Sept 11 2001

Nearby Words

- 8vo
- 8x86
- 9
- 9-11**
- 9-membered
- 9/11
- 90

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World English Dictionary

nine-eleven, 9-11 or 9/11

— *n*

Also called: **September eleven** the 11th of September 2001, the day on which the twin towers of the World Trade Center in New York were flown into and destroyed by aeroplanes hijacked by Islamic fundamentalists

[C21: from the US custom of expressing dates in figures, the day of the month following the number of the month]

9-11, 9-11 or 9/11

— *n*

[C21: from the US custom of expressing dates in figures, the day of the month following the number of the month]

9/11, 9-11 or 9/11

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9/11, 9-11 or 9/11

— *n*

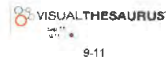
[C21: from the US custom of expressing dates in figures, the day of the month following the number of the month]

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NEW Related Words for: **9-11**

9/11, Sep 11, Sept. 11, September 11

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Cultural Dictionary

9-11 definition

See [September 11 attacks](#).

The American Heritage® Dictionary of Cultural Identity. Third Edition. Copyright © 2011 by Houghton Mifflin Harcourt. Published by Houghton Mifflin Harcourt. All rights reserved. [Cite This Source](#)

Famous Quotations

9-11

"(1) Do not cry. No matter what. (2) Use your appearance..."

"Airplanes are invariably scheduled to depart at such ti..."

"Behold, O God our shield, and look upon the face of thi..."

"Does Job fear God for nothing? Have you not put a fence..."

"That was the grandest funeral

That ever passed on ..."

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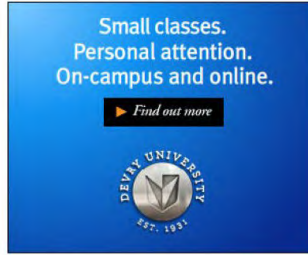
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[September 11th Attacks](#)

Get a Close Look at September 11 & See How One Day Changed Everything. [History.com](#)

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Define **9-11** Instantly. Faster Page Loads With Fewer Ads. [Dictionary.com](#)

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Dictionary

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Dictionary Thesaurus Translations

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

memento mori
Memnon
memo
memoir
memoirist
memorabilia
memorable
memorandum
▶ **memorial**
Memorial Day
memorial park

memorial

me-mo-ri-al [mə mawree əl]

noun (plural me-mo-ri-als)

Definition:

1. commemorative object or event: something that is intended to

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memorialist
memorialize
memorize
memory
memory bank



Also available:

[World English Dictionary](#)
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adjective

Definition:

commemorative: intended as a reminder of a person or event or as a celebration of somebody's life and work

[14th century, < French< Latin *memoria* (see [memory](#))]

- **me-mo-ri-al-ly** *adverb*

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To: National September 11 Memorial & Museum ETC. (pto@fkks.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85036050 - 9/11 MEMORIAL - 16418.0100
Sent: 12/16/2010 9:31:20 PM
Sent As: ECOM116@USPTO.GOV
Attachments:

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

**USPTO OFFICE ACTION HAS ISSUED ON 12/16/2010 FOR
SERIAL NO. 85036050**

Please follow the instructions below to continue the prosecution of your application:

TO READ OFFICE ACTION: Click on this [link](#) or go to <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to [access](#) the Office action.

PLEASE NOTE: The Office action may not be immediately available but will be viewable within 24 hours of this e-mail notification.

RESPONSE IS REQUIRED: You should carefully review the Office action to determine (1) how to respond; and (2) the applicable [response time period](#). Your response deadline will be calculated from **12/16/2010** (or sooner if specified in the office action).

Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System [Response Form](#).

HELP: For *technical* assistance in accessing the Office action, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office action.

WARNING

Failure to file the required response by the applicable deadline will result in the [ABANDONMENT](#) of your application.

*** User:wbreckenfe ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:02	85032948[SN]
02	1002	N/A	0	0	0:01	*sept*[bi.ti]
03	1002	N/A	0	0	0:02	*9-11*[bi.ti] or "9 11"[bi.ti] or *911*[bi.ti]
04	4109	N/A	0	0	0:02	*eleven*[bi.ti] or *11*[bi.ti]
05	455	N/A	0	0	0:08	*2001*[bi.ti] or "two thousand one"[bi.ti] or "two thousand and one"[bi.ti]
06	4406	N/A	0	0	0:01	*nine*[bi.ti]
07	105211	N/A	0	0	0:02	*one*[bi.ti]
08	9	7	2	2	0:01	(2 or 6) and (4 or 7) and 5
09	320	159	15	15	0:01	(2 or 6) and ((4 or 7) or 5)
10	28	20	8	8	0:01	((4 or 7) and 5)
11	769	N/A	0	0	0:03	*m{v}m{v}r{v}{v}1*[bi.ti]
12	29	8	21	21	0:01	(2 3) and 11

Session started 6/14/2011 5:30:42 PM

Session finished 6/14/2011 5:32:30 PM

Total search duration 0 minutes 25 seconds

Session duration 1 minutes 48 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 85036050

NOTE TO THE FILE

SERIAL NUMBER: 85036050
DATE: 06/14/2011
NAME: wbreckenfeld

NOTE:

Searched:

Google
 Lexis/Nexis
 OneLook
 Wikipedia
 Acronym Finder
 Other:

Discussed ID with:

Senior Atty
 Managing Atty

 Protest evidence reviewed

Checked:

Geographic significance
 Surname
 Translation
 ID with ID/CLASS mailbox

Discussed Geo. Sig. with:

Senior Atty
 Managing Atty

Discussed file with

Attorney/Applicant via:

phone
 email

Left message with
Attorney/Applicant

Requested Law Library search
for:

Issued Examiner's Amendment
and entered changes in TRADEUPS

PRINT **DO NOT PRINT**

Description of the mark
 Translation statement

Added design code in TRADEUPS

Negative translation statement
 Consent of living individual

Re-imaged standard character
drawing

Changed TRADEUPS to:

Contacted TM MADRID ID/CLASS
about misclassified definite ID

OTHER:

Sent to TICRS as Serial Number: 85032948
Sent to TICRS as Serial Number: 85036049

To: National September 11 Memorial & Museum ETC. (pto@fkks.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85036050 - 9/11 MEMORIAL - 16418.0100
Sent: 6/14/2011 9:45:28 PM
Sent As: ECOM116@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

APPLICATION SERIAL NO. 85036050

MARK: 9/11 MEMORIAL

85036050

CORRESPONDENT ADDRESS:

MARY J. SOTIS
FRANKFURT KURNIT KLEIN & SELZ PC
488 MADISON AVE FL 10
NEW YORK, NY 10022-5754

GENERAL TRADEMARK INFORMATION:

<http://www.uspto.gov/main/trademarks.htm>

APPLICANT: National September 11 Memorial & Museum ETC.

CORRESPONDENT'S REFERENCE/DOCKET NO :
16418.0100

CORRESPONDENT E-MAIL ADDRESS:
pto@fkks.com

EXAMINER'S AMENDMENT

ISSUE/MAILING DATE: 6/14/2011

APPLICATION HAS BEEN AMENDED: In accordance with the authorization granted by Christopher Chase on June 14, 2011, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. Otherwise, no response is necessary. TMEP §707. Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); see TMEP §§1402.06 *et seq.*

No claim is made to the exclusive right to use "9/11" apart from the mark as shown.

The applicant is the owner of U.S. Registration Nos. 3943308 and 3943317.

The application is amended to the Supplemental Register.

/William Breckenfeld/
Trademark Attorney
Law Office 116
571-272-9133 Phone
william.breckenfeld@uspto.gov (informal queries)

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.

To: National September 11 Memorial & Museum ETC. (pto@fkks.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85036050 - 9/11 MEMORIAL - 16418.0100
Sent: 6/14/2011 9:45:30 PM
Sent As: ECOM116@USPTO.GOV
Attachments:

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

**USPTO LETTER (AN OFFICE ACTION) HAS ISSUED ON 6/14/2011 FOR
SERIAL NO. 85036050**

Please follow the instructions below:

TO READ OFFICE LETTER: Click on this [link](#) or go to <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to [access](#) the Office letter

PLEASE NOTE: The Office letter may not be immediately available but will be viewable within 24 hours of this e-mail notification.

HELP: For *technical* assistance in accessing the Office correspondence, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office letter.

Trademark Snap Shot Amendment & Mail Processing Stylesheet
(Table presents the data on Amendment & Mail Processing Complete)

OVERVIEW

SERIAL NUMBER	85036050	FILING DATE	05/12/2010
REG NUMBER	0000000	REG DATE	N/A
REGISTER	SUPPLEMENTAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BRECKENFELD, WILLIAM G	L.O. ASSIGNED	116

PUB INFORMATION

RUN DATE	06/15/2011		
PUB DATE	N/A		
STATUS	647-EXAMINERS AMENDMENT - MAILED		
STATUS DATE	06/14/2011		
LITERAL MARK ELEMENT	9/11 MEMORIAL		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	06/14/2011		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	9/11 MEMORIAL
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	YES

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	National September 11 Memorial & Museum at the World Trade Center Foundation, Inc.
ADDRESS	One Liberty Plaza New York, NY 10006

ENTITY	99-non-profit corporation
CITIZENSHIP	New York
GOODS AND SERVICES	
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Museum services; educational services, namely, instruction and conducting programs about the terrorist attacks of September 11, 2001

GOODS AND SERVICES CLASSIFICATION							
INTERNATIONAL CLASS	041	FIRST USE DATE	03/00/2010	FIRST USE IN COMMERCE DATE	03/00/2010	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS	
CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	The color(s) blue and black is/are claimed as a feature of the mark.
DISCLAIMER W/PREDETER TXT	"9/11"
DESCRIPTION OF MARK	The mark consists of the number "9" followed by a forward slash, both in black font, followed by a stylized representation of the Twin Towers in blue, underneath which is the word "MEMORIAL" in black font.
OWNER OF US REG NOS	3943308 3943317

PROSECUTION HISTORY				
DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/14/2011	XAEC	I	EXAMINER'S AMENDMENT ENTERED	016
06/14/2011	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	015
06/14/2011	GNEA	O	EXAMINERS AMENDMENT E-MAILED	014
06/14/2011	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	013
12/16/2010	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	012
12/16/2010	GNFR	O	FINAL REFUSAL E-MAILED	011
12/16/2010	CNFR	R	FINAL REFUSAL WRITTEN	010
11/24/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
11/24/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
11/24/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/08/2010	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
06/08/2010	GNRT	F	NON-FINAL ACTION E-MAILED	005
06/08/2010	CNRT	R	NON-FINAL ACTION WRITTEN	004
06/01/2010	DOCK	D	ASSIGNED TO EXAMINER	003
05/17/2010	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
05/15/2010	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION	
ATTORNEY	Mary J. Sotis
CORRESPONDENCE ADDRESS	MARY J. SOTIS FRANKFURT KURNIT KLEIN & SELZ PC 488 MADISON AVE FL 10 NEW YORK, NY 10022-5754
DOMESTIC REPRESENTATIVE	NONE

9/11

MEMORIAL

Trademark Snap Shot Publication Stylesheet
(Table presents the data on Publication Approval)

OVERVIEW

SERIAL NUMBER	85036050	FILING DATE	05/12/2010
REG NUMBER	0000000	REG DATE	N/A
REGISTER	SUPPLEMENTAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BRECKENFELD, WILLIAM G	L.O. ASSIGNED	116

PUB INFORMATION

RUN DATE	06/16/2011		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	06/15/2011		
LITERAL MARK ELEMENT	9/11 MEMORIAL		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	06/14/2011		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	9/11 MEMORIAL
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	YES

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	National September 11 Memorial & Museum at the World Trade Center Foundation, Inc.
ADDRESS	One Liberty Plaza New York, NY 10006

ENTITY	99-non-profit corporation
CITIZENSHIP	New York
GOODS AND SERVICES	
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Museum services; educational services, namely, instruction and conducting programs about the terrorist attacks of September 11, 2001

GOODS AND SERVICES CLASSIFICATION							
INTERNATIONAL CLASS	041	FIRST USE DATE	03/00/2010	FIRST USE IN COMMERCE DATE	03/00/2010	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS	
CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	The color(s) blue and black is/are claimed as a feature of the mark.
DISCLAIMER W/PREDETER TXT	"9/11"
DESCRIPTION OF MARK	The mark consists of the number "9" followed by a forward slash, both in black font, followed by a stylized representation of the Twin Towers in blue, underneath which is the word "MEMORIAL" in black font.
OWNER OF US REG NOS	3943308 3943317

PROSECUTION HISTORY				
DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/15/2011	CNTA	O	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	017
06/14/2011	XAEC	I	EXAMINER'S AMENDMENT ENTERED	016
06/14/2011	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	015
06/14/2011	GNEA	O	EXAMINERS AMENDMENT E-MAILED	014
06/14/2011	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	013
12/16/2010	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	012
12/16/2010	GNFR	O	FINAL REFUSAL E-MAILED	011
12/16/2010	CNFR	R	FINAL REFUSAL WRITTEN	010
11/24/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
11/24/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
11/24/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/08/2010	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
06/08/2010	GNRT	F	NON-FINAL ACTION E-MAILED	005
06/08/2010	CNRT	R	NON-FINAL ACTION WRITTEN	004
06/01/2010	DOCK	D	ASSIGNED TO EXAMINER	003
05/17/2010	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
05/15/2010	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION	
ATTORNEY	Mary J. Sotis
CORRESPONDENCE ADDRESS	MARY J. SOTIS FRANKFURT KURNIT KLEIN & SELZ PC 488 MADISON AVE FL 10 NEW YORK, NY 10022-5754

DOMESTIC REPRESENTATIVE

NONE

9/11

MEMORIAL

Trademark Snap Shot Publication & Issue Review Stylesheet
(Table presents the data on Publication & Issue Review Complete)

OVERVIEW

SERIAL NUMBER	85036050	FILING DATE	05/12/2010
REG NUMBER	0000000	REG DATE	08/09/2011
REGISTER	SUPPLEMENTAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BRECKENFELD, WILLIAM G	L.O. ASSIGNED	116

PUB INFORMATION

RUN DATE	07/07/2011		
PUB DATE	N/A		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	07/06/2011		
LITERAL MARK ELEMENT	9/11 MEMORIAL		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	06/14/2011		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	9/11 MEMORIAL
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
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CITIZENSHIP	New York

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INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Museum services; educational services, namely, instruction and conducting programs about the terrorist attacks of September 11, 2001

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	041	FIRST USE DATE	03/00/2010	FIRST USE IN COMMERCE DATE	03/00/2010	CLASS STATUS	6-ACTIVE
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MISCELLANEOUS INFORMATION/STATEMENTS

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OWNER OF US REG NOS	3943308 3943317

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
07/06/2011	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	019
07/06/2011	ALIE	A	ASSIGNED TO LIE	018
06/15/2011	CNTA	O	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	017
06/14/2011	XAEC	I	EXAMINER'S AMENDMENT ENTERED	016
06/14/2011	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	015
06/14/2011	GNEA	O	EXAMINERS AMENDMENT E-MAILED	014
06/14/2011	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	013
12/16/2010	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	012
12/16/2010	GNFR	O	FINAL REFUSAL E-MAILED	011
12/16/2010	CNFR	R	FINAL REFUSAL WRITTEN	010
11/24/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
11/24/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
11/24/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/08/2010	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
06/08/2010	GNRT	F	NON-FINAL ACTION E-MAILED	005
06/08/2010	CNRT	R	NON-FINAL ACTION WRITTEN	004
06/01/2010	DOCK	D	ASSIGNED TO EXAMINER	003
05/17/2010	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
05/15/2010	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Mary J. Sotis
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CORRESPONDENCE ADDRESS

MARY J. SOTIS
FRANKFURT KURNIT KLEIN & SELZ PC
488 MADISON AVE FL 10
NEW YORK, NY 10022-5754

DOMESTIC REPRESENTATIVE

NONE

9/11

MEMORIAL

United States of America
United States Patent and Trademark Office

9/11
MEMORIAL

Reg. No. 4,010,627

Registered Aug. 9, 2011

Int. Cl.: 41

SERVICE MARK

SUPPLEMENTAL REGISTER

NATIONAL SEPTEMBER 11 MEMORIAL & MUSEUM AT THE WORLD TRADE CENTER
FOUNDATION, INC. (NEW YORK NON-PROFIT CORPORATION)
ONE LIBERTY PLAZA
NEW YORK, NY 10006

FOR: MUSEUM SERVICES; EDUCATIONAL SERVICES, NAMELY, INSTRUCTION AND
CONDUCTING PROGRAMS ABOUT THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001,
IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 3-0-2010; IN COMMERCE 3-0-2010.

OWNER OF U.S. REG. NOS. 3,943,308 AND 3,943,317.

THE COLOR(S) BLUE AND BLACK IS/ARE CLAIMED AS A FEATURE OF THE MARK.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "9/11", APART FROM THE
MARK AS SHOWN.

THE MARK CONSISTS OF THE NUMBER "9" FOLLOWED BY A FORWARD SLASH, BOTH
IN BLACK FONT, FOLLOWED BY A STYLIZED REPRESENTATION OF THE TWIN TOWERS
IN BLUE, UNDERNEATH WHICH IS THE WORD "MEMORIAL" IN BLACK FONT.

SER. NO. 85-036,050, FILED PR. 5-12-2010; AM. S.R. 6-14-2011.

WILLIAM BRECKENFELD, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85036050
REGISTRATION NUMBER	4010627
LAW OFFICE ASSIGNED	LAW OFFICE 116
ATTORNEY DOCKET NUMBER	016418.0201
MARK SECTION	
MARK	9/11 MEMORIAL (stylized and/or with design)
ATTORNEY SECTION	
ORIGINAL ADDRESS	MARY J. SOTIS 16418.0100 488 MADISON AVE FL 10 NEW YORK New York 10022-5754 US 212-980-0120 212-593-9175 pto@fkks.com
NEW ATTORNEY ADDRESS	
STATEMENT TEXT	By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney:
NAME	Christopher R. Chase
FIRM NAME	Frankfurt Kurmit Klein & Selz, PC
STREET	488 Madison Avenue Fl. 10
CITY	New York
STATE	New York
COUNTRY	United States
POSTAL/ZIP CODE	10022-5754
PHONE	(212) 980-0120
FAX	(212) 593-9175
EMAIL	pto@fkks.com
ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
NEW OTHER APPOINTED ATTORNEYS	Catherine M.C. Farrelly, Rachel Kronman, Gayle Denman, Dorna Mohaghegh and all other attorneys
NEW CORRESPONDENCE ADDRESS	

NAME	Christopher R. Chase
FIRM NAME	Frankfurt Kurnit Klein & Selz, PC
STREET	488 Madison Avenue Fl. 10
CITY	New York
STATE	New York
COUNTRY	United States
POSTAL/ZIP CODE	10022-5754
PHONE	(212) 980-0120
FAX	(212) 593-9175
EMAIL	pto@fkks.com;cchase@fkks.com; frobinson@fkks.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER	016418.0201
OTHER APPOINTED ATTORNEY	Catherine M.C. Farrelly, Rachel Kronman, Gayle Denman, Dorna Mohaghegh and all other attorneys
SIGNATURE SECTION	
SIGNATURE	/Noelle Lilien/
SIGNATORY NAME	Noelle Lilien
SIGNATORY DATE	04/25/2016
SIGNATORY POSITION	General Counsel
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Apr 25 16:42:06 EDT 2016
TEAS STAMP	USPTO/RAA-XXX.XX.XXX.XX-2 0160425164206047392-77551 689-5503031d7481d24452586 30b888a3c401f5c736de2f631 7479911169ae04de8b6-N/A-N /A-20160413120554810140

Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

To the Commissioner for Trademarks:

MARK: 9/11 MEMORIAL (stylized and/or with design)

SERIAL NUMBER: 85036050

REGISTRATION NUMBER: 4010627

ATTORNEY DOCKET NUMBER 016418.0201

The original attorney

MARY J. SOTIS

16418.0100

488 MADISON AVE FL 10

NEW YORK New York 10022-5754

US

212-980-0120

212-593-9175

pto@fkks.com

Original Correspondence Address :

MARY J. SOTIS

FRANKFURT KURNIT KLEIN & SELZ PC

488 MADISON AVE FL 10

NEW YORK New York 10022-5754

US

212-980-0120

212-593-9175

pto@fkks.com

By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney: In addition, any additional previously-appointed attorneys that are currently listed in the application are replaced with the new "Other Appointed Attorneys" listed below.

Newly Appointed Attorney:

Christopher R. Chase

Frankfurt Kurnit Klein & Selz, PC

488 Madison Avenue Fl. 10

New York, New York 10022-5754

United States

(212) 980-0120

(212) 593-9175

pto@fkks.com

Other Appointed Attorneys:

Catherine M.C. Farrelly, Rachel Kronman, Gayle Denman, Dorna Mohaghegh and all other attorneys

The following is to be used as the correspondence address:

Christopher R. Chase

Frankfurt Kurnit Klein & Selz, PC

488 Madison Avenue Fl. 10

New York, New York 10022-5754

United States

(212) 980-0120

(212) 593-9175

pto@fkks.com;cchase@fkks.com; frobinson@fkks.com

The attorney docket/reference number is 016418.0201.

Signature: /Noelle Lilien/ Date: 04/25/2016

Signatory's Name: Noelle Lilien

Signatory's Position: General Counsel

Serial Number: 85036050

Internet Transmission Date: Mon Apr 25 16:42:06 EDT 2016

TEAS Stamp: USPTO/RAA-XXX.XX.XXX.XX-2016042516420604

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8a3c401f5c736de2f6317479911169ae04de8b6-

N/A-N/A-20160413120554810140

Change Of Owner's Address

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85036050
REGISTRATION NUMBER	4010627
LAW OFFICE ASSIGNED	LAW OFFICE 116
MARK SECTION	
MARK	9/11 MEMORIAL (stylized and/or with design, see http://tmng-al.uspto.gov/resting2/api/img/85036050/large)
OWNER SECTION (current)	
NAME	National September 11 Memorial & Museum at the World Trade Center Foundation, Inc.
STREET	One Liberty Plaza
CITY	New York
STATE	New York
ZIP/POSTAL CODE	10006
COUNTRY	US
NEW OWNER ADDRESS	
STREET	200 Liberty Street, 16th Floor
CITY	New York
STATE	New York
ZIP/POSTAL CODE	10281
COUNTRY	United States
SIGNATURE SECTION	
SIGNATURE	/Noelle Lilien/
SIGNATORY NAME	Noelle Lilien
SIGNATORY DATE	04/25/2016
SIGNATORY POSITION	General Counsel
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Apr 25 16:40:53 EDT 2016
TEAS STAMP	USPTO/COA-XXX.XX.XXX.XX-2 0160425164053704582-85032 948-5508ca22a911fb4427823 a8b0f048aa7487153b739bdc8 dc6216550db4ec7ed-N/A-N/A -20160413120129914822

From: TMOOfficialNotices@USPTO.GOV
Sent: Tuesday, August 9, 2016 01:05 AM
To: pto@fkks.com
Cc: cchase@fkks.com ; frobinson@fkks.com
Subject: Official USPTO Courtesy Reminder of Required Trademark Registration Maintenance Filing Under Section 8: U.S. Trademark RN 4010627: 9/11 MEMORIAL (Stylized/Design); Docket/Reference No. 016418.0201

U.S. Serial Number: 85036050
U.S. Registration Number: 4010627
U.S. Registration Date: Aug 9, 2011
Mark: 9/11 MEMORIAL (Stylized/Design)
Owner: National September 11 Memorial & Museum at the World Trade Center Foundation, Inc. e World Trade Center Foundation

Aug 9, 2016

**U.S. PATENT AND TRADEMARK OFFICE ("USPTO") COURTESY REMINDER
OF REQUIRED TRADEMARK REGISTRATION MAINTENANCE FILING UNDER SECTION 8**

WARNING: Your trademark registration will be CANCELLED if you do not file the required document below during the specified statutory time period.

The above-identified registration registered on Aug 9, 2011. Therefore, the owner of the registration must file a Declaration of Use and/or Excusable Nonuse under §8 of the Trademark Act anytime between now and Aug 9, 2017. For an additional fee, the owner may file the declaration within the six-month grace period that ends on Feb 9, 2018. See 15 U.S.C. §1058. The current fee for filing a declaration under §8 is \$100 per class, and the additional fee for filing during the six-month grace period is \$100 per class. 37 C.F.R. §2.6.

If the registration meets the requirements of §15 of the Trademark Act, the owner may additionally file an optional Declaration of Incontestability under §15. See 15 U.S.C. §1065. The current fee for filing a declaration under §15 is \$200 per class. 37 C.F.R. §2.6.

To expedite processing, the owner is encouraged to file through the USPTO's official website using the Trademark Electronic Application System ("TEAS"). Official forms for filing Declarations of Use and/or Excusable Nonuse under §8 and Combined Declarations of Use and Incontestability under §§8 and 15 are available through TEAS at http://www.uspto.gov/trademarks/teas/reg_maintain.jsp.

For information regarding how to record ownership documents such as assignments, name changes and mergers, please see TMEP §503. To expedite recordation, the owner is encouraged to file requests for recordation through the Electronic Trademark Assignment System ("ETAS") at <http://etas.uspto.gov>.

For further information regarding the maintenance of a trademark registration, including future maintenance filings, please consult the USPTO website at <http://www.uspto.gov/trademarks/process/maintain/prfaq.jsp>.

This reminder notice is being sent only as a courtesy to those trademark owners who have authorized e-mail communication and maintain a current e-mail address with the USPTO. Failure by the USPTO to send a reminder or non-receipt of a reminder does not excuse a trademark owner from meeting the statutory obligations for maintaining a trademark registration. If a registration is cancelled and/or expired due to the failure to timely file required maintenance documents, it cannot be reinstated or revived.

To check the status of this registration, go to http://tsdr.uspto.gov/#caseNumber=85036050&caseType=SERIAL_NO&searchType=statusSearch or contact the Trademark Assistance Center at 1-800-786-9199.

Beware of Unofficial Trademark Solicitations: Please be aware that private companies not associated with the USPTO often use trademark registration information from the USPTO's database to mail or e-mail trademark-related solicitations. This is the only official reminder that you will receive from the USPTO about your upcoming required maintenance filing. For additional information about these private solicitations, please visit the USPTO website at http://www.uspto.gov/trademarks/solicitation_warnings.jsp.

In order to be eligible for future e-mail reminders of maintenance filings, please remember to authorize e-mail communication when filing your maintenance documents through TEAS and ensure that you maintain a current e-mail address with the USPTO.

Exhibit 6

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tactical

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Follow:

tactical

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adjective tac·ti·cal \ 'tak-ti-kəl\

Popularity: Top 30% of words

[Examples: tactical in a sentence](#)▼

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Definition of *tactical*

1. *t* : of or relating to combat [tactics](#): such as *a* (*1*) : of or occurring at the battlefield <*a tactical defense*> <*a tactical first strike*> (*2*) : using or being weapons or forces employed at the battlefield <*tactical missiles*> *b* of an air force : of, relating to, or designed for air attack in close support of friendly ground forces
2. *2a* : of or relating to tactics: such as (*1*) : of or relating to small-scale actions serving a larger purpose (*2*) : made or carried out with only a limited or immediate end in view *b* : adroit in planning or maneuvering to accomplish a purpose

tactically

[play](#) \-k(ə-)lē\ *adverb*

See [tactical defined for English-language learners](#)

See [tactical defined for kids](#)

Examples of *tactical* in a sentence

1. They gained a *tactical* advantage by joining with one of their competitors.
2. He made a serious *tactical* error.
3. The planes provided *tactical* air support for the soldiers on the ground.

1570

First Known Use of *tactical*

1570

tactical Synonyms

Synonyms

[advisable](#), [desirable](#), [judicious](#), [politic](#), [prudent](#), [expedient](#), [wise](#)

Antonyms

[impolitic](#), [imprudent](#), [inadvisable](#), [inexpedient](#), [injudicious](#), [unwise](#)

Related Words

[advantageous](#), [beneficial](#), [profitable](#); [useful](#), [utilitarian](#); [feasible](#), [possible](#), [practicable](#), [practical](#); [opportune](#), [seasonable](#), [timely](#); [opportunistic](#), [self-seeking](#)

Near Antonyms

[impractical](#), [profitless](#), [unfeasible](#), [unprofitable](#); [inopportune](#), [unseasonable](#), [untimely](#)

Other Military Terms

[bivouac](#), [logistics](#), [petard](#), [salient](#), [sally](#), [supernumerary](#)

TACTICAL Defined for English Language Learners

tactical

[play](#)

adjective tac·ti·cal \ 'tak-ti-kəl\

Definition of *tactical* for English Language Learners

- : of, relating to, or used for a specific plan that is created to achieve a particular goal in war, politics, etc.
-

Learn More about *tactical*

1. See [words that rhyme with tactical](#) Thesaurus: [All synonyms and antonyms for tactical](#) Spanish Central: [Translation of tactical](#) Nglsh: [Translation of tactical for Spanish speakers](#) Britannica English: [Translation of tactical for Arabic speakers](#)
-

Seen and Heard

What made you want to look up *tactical*? Please tell us where you read or heard it (including the quote, if possible).