

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	87054820
LAW OFFICE ASSIGNED	LAW OFFICE 124
MARK SECTION	
MARK	https://tmng-al.uspto.gov/resting2/api/img/87054820/large
LITERAL ELEMENT	GUARANTEED RATE
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	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_19294203253-20180419105426678229_.GUARANTEED_RATE.Request.for.Reconsideration.pdf
CONVERTED PDF FILE(S) (87 pages)	\\TICRS\EXPORT17\IMAGEOUT17\870\548\87054820\xml6\RFR0002.JPG
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DESCRIPTION OF EVIDENCE FILE	a pdf titled GUARANTEED RATE Request for Reconsideration
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Rebecca Liebowitz/

SIGNATORY'S NAME	Rebecca Liebowitz
SIGNATORY'S POSITION	Attorney of record, D.C./VA bar member
SIGNATORY'S PHONE NUMBER	202-344-4976
DATE SIGNED	04/19/2018
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Apr 19 11:09:18 EDT 2018
TEAS STAMP	USPTO/RFR-XXX.XX.XXX.XXX- 20180419110918458770-8705 4820-510ca43863dbcfe2db2e bcfbe22f0ab865c9d0e38cc98 e88687f82844ade5cddb-N/A- N/A-20180419105426678229

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PTO Form 1960 (Rev 10/2011)

OMB No. 0651-0050 (Exp 09/20/2020)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **87054820** GUARANTEED RATE(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/87054820/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 a pdf titled GUARANTEED RATE Request for Reconsideration has been attached.

Original PDF file:

[evi_19294203253-20180419105426678229_.GUARANTEED_RATE_Request_for_Reconsideration.pdf](#)

Converted PDF file(s) (87 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

[Evidence-11](#)

[Evidence-12](#)

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[Evidence-87](#)

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Rebecca Liebowitz/ Date: 04/19/2018

Signatory's Name: Rebecca Liebowitz

Signatory's Position: Attorney of record, D.C./VA bar member

Signatory's Phone Number: 202-344-4976

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: 87054820

Internet Transmission Date: Thu Apr 19 11:09:18 EDT 2018

TEAS Stamp: USPTO/RFR-XXX.XX.XXX.XXX-201804191109184

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Mark: GUARANTEED RATE
Serial No.: 87/054,820

Request for Reconsideration

The Examiner has issued a final refusal of the above-referenced mark on the basis that it is descriptive and merely informational. The Examiner has refused the acquired distinctiveness claim made by Applicant.

In support of the refusals, the Examiner has provided various types of evidence and has raised a number of arguments. Applicant respectfully submits that the Examiner's basis for the refusal is insufficient. Specifically, the Examiner's evidence is not probative that the mark is merely informational. Further, Applicant's evidence of acquired distinctiveness, contrary to the Examiner's contentions, shows an association between the mark and Applicant.

Applicant has addressed the Examiner's points below.

I. Merely Informational Refusal

The Examiner has argued that the mark is merely informational and therefore fails to function as a mark. In particular, the Examiner asserts that the applied-for mark is commonly used in the mortgage industry to indicate that a company provides a particular mortgage interest or loan rate for a specific term or period of time.

As explained in more detail below, the Examiner's determination is not supported by the evidence. First, the relevant consuming public will perceive the applied-for mark as a designation for Applicant. This prevents it from being merely informational. Second, the Examiner's evidence is not probative of the merely informational refusal.

A. The mark is associated with Applicant

"The critical inquiry in determining whether a designation functions as a mark is how the designation would be perceived by the relevant public." (In re *Eagle Crest, Inc.*, 96 USPQ2d 1227, 1228 (TTAB 2010)).

In this case, the evidence is clear that the mark would be perceived by the relevant public as a source-identifying trademark for Applicant. Per the USPTO's Examination Guide 02-17 on Merely Informational Matter, to overcome a merely informational refusal the applicant must show that the wording would be perceived as a mark. The guide elaborates that to do this, "the applicant must provide evidence that the relevant consumers recognize the matter as a source indicator that distinguishes the applicant's goods or services from those of others." Examination Guide 02-17, pg. 12 (July 2017).

Further, the case law on merely informational marks establishes that evidence of the mark's use is relevant to show how the public would perceive the mark. See In re *Volvo Cars of North America, Inc.*, 46 USPQ2d 1455, 1459 (TTAB 1997) ("In order to assess the commercial impact

created by the designation involved here, we look to the specimens and other materials which show how the mark is actually used in the marketplace.”); *Application of Standard Oil Company*, 275 F.2d 945, 947 n.2 (CCPA 1960) (“It is not intended to suggest that the words would not be registrable under Section 2(f) if the Commissioner were convinced that they had, by usage, acquired a secondary meaning, but, as has been pointed out, it is not contended that they have and the record contains no evidence to that effect.”). Particularly, in *In re Volvo Cars of North America, Inc.*, the Board noted that the applicant had not provided evidence to indicate that the purchasing public recognized the applied-for mark as a source indicator. This omission was central to the determination that the mark was merely informational.

In this case, Applicant has ample evidence showing that consumers associate the applied-for mark with it. In addition to the evidence previously submitted with Applicant’s Declaration of Acquired Distinctiveness, Applicant submits herewith the supplementary evidence listed below.

- Exhibit A – Screenshots from Zillow.com showing consumer reviews for Guaranteed Rate. As the screenshots show, Guaranteed Rate has been reviewed 5577 times.
- Exhibit B – Screenshots from lendingtree.com showing that Guaranteed Rate has been reviewed 935 times.
- Exhibit C – Screenshots from bankrate.com showing that Guaranteed Rate has been reviewed 225 times.
- Exhibit D – 2018 Review of Guaranteed Rate from Nerdwallet
- Exhibit E – Review of Guaranteed Rate from consumersadvocate.org.
- Exhibit F – Review of Guaranteed Rate from Value Penguin.
- Exhibit G – Google search results for “Guaranteed Rate,” pages 1-3
- Exhibit H – Screenshot of Top Mortgage Lender Rankings from Scotsman Guide
- Exhibit I – Article from Mediapost Agency Daily about Applicant’s Super Bowl commercial
- Exhibit J – Article from chicagoagentmagazine.com naming Applicant 2016 “Lender of the Year”
- Exhibit K – Article from chicagoagentmagazine.com naming Applicant 2011 “Lender of the Year”
- Exhibit L – Wikipedia entry for Guaranteed Rate
- Exhibit M – Screenshot from Applicant’s Twitter account showing 4,542 followers
- Exhibit N – Screenshot from Applicant’s Facebook account showing 68,762 “likes” and 66,954 follows
- Exhibit O – Screenshot from Applicant’s Instagram account showing it has 1,456 followers
- Exhibit P – Screenshot from Applicant’s YouTube page showing 273 subscribers, 1,231 views for its “Guaranteed Rate - About Us” video and hundreds of views for Applicant’s other commercials
- Exhibit Q – Screenshots from the Inc. Magazine website showing Applicant’s placement in the Inc. 5000 in 2015, which ranks the fastest growing private firms in America. These screenshots show that Applicant was ranked every year from 2008-2015.

- Exhibit R – Webpages from the Chicago Tribune naming Applicant a Top Work Place in 2017. These webpages also show that Applicant was named as a Top Work Place in 2010, 2012, 2013, 2014, 2015 and 2016 as well.
- Exhibit S – Webpage for GUARANTEED RATE FIELD
- Exhibit T – Chicago Tribune article regarding renaming of Chicago White Sox stadium to GUARANTEED RATE FIELD
- Exhibit U – Wikipedia page for “List of current Major League Baseball stadiums”

Exhibits A-C include consumer reviews. They show that Applicant has been the subject of a significant amount of consumer reviews over several real estate or lending-related websites. When consumers review a company, they need to identify it by name in order to have it posted to the correct page on the review website. If the applied-for mark failed to function as a mark and was not a recognized brand, then consumers would not have been able to identify applicant in a review. Yet, Applicant has been reviewed almost 8,000 times.

Further, consumers write reviews with the intent that others will search the name of the reviewed company and read the input. If consumers did not believe that Guaranteed Rate was source-identifying for Applicant, they would have no reason to write a review identifying the company as Guaranteed Rate. Therefore, Exhibits A-C show direct evidence that consumers associate Guaranteed Rate with Applicant.

The same reasoning regarding consumer reviews applies to the reviews in Exhibits D-F. These reviews come from websites that consumers look to as resources for navigating financial questions and decisions. If the websites in question did not believe that GUARANTEED RATE was source identifying for Applicant, they would not have written a review for Guaranteed Rate. Consumers looking for resources about home buying will read the reviews in Exhibits D-F and they will associate the GUARANTEED RATE mark with Applicant because the mark is used in a review about a particular mortgage provider.

Exhibit G shows the first three pages of Google results for the term “guaranteed rate.” Applicant is the subject of all twenty-seven non-ad results. None of the results show an informational use of the term. This evidence shows that GUARANTEED RATE is associated exclusively with Applicant when viewing the top search engine results for the term.

Exhibit H comes from a mortgage originator industry resource called Scotsman Guide. It shows the most recent rankings. Applicant is the fifth largest mortgage lender in terms of overall volume. This information puts Applicant’s previously-submitted revenues into context. Namely, it shows Applicant’s dominance in the mortgage field. Of the seventy-five mortgage companies included in the rankings, only four had higher volume than Applicant. Applicant would not have achieved this placement if consumers were unable to perceive its name as a trademark. Clearly, consumers recognize Applicant as a leading company in the mortgage industry.

Exhibit I is an article about Applicant’s 2016 Super Bowl commercial. Given the popularity of the Super Bowl, it is likely that Applicant’s ad was viewed by millions. Thus, this evidence suggests that a large number of consumers heard or saw the mark in an advertisement associated with Applicant.

Exhibit J is an article from Chicago Agent Magazine naming Applicant as the 2016 “Lender of the Year.” This industry recognition is important for consumers who are researching potential lenders. Therefore, Exhibit J suggests that consumers are likely to be familiar with Applicant’s accolades under the applied-for mark, and will therefore associate Applicant with the applied-for mark. Exhibit K is another article from Chicago Agent Magazine naming Applicant as the 2011 “Lender of the Year.” This indicates longstanding industry recognition, which translates to consumers associating the mark with Applicant.

Exhibit L shows the Wikipedia entry for GUARANTEED RATE. As the Examiner can see, this entry refers to Applicant. Further, it does not show disambiguation for the term “GUARANTEED RATE.” Given the sole presence of Applicant in the Wikipedia entry for GUARANTEED RATE, consumers will associate the mark with Applicant. The absence of an informational entry for GUARANTEED RATE suggests that the term is not informational.

Exhibits M-P show Applicant’s presence in various social media platforms. These exhibits demonstrate Applicant’s extensive marketing efforts as well as its substantial number of followers among consumers. Further, the fact that consumers have been able to identify Applicant via social media shows an association between the applied-for mark and Applicant.

Exhibit Q shows that Applicant was honored in the Inc. 5000 over multiple years. This recognition demonstrates Applicant’s meteoric success over a period of several years and demonstrates recognition in the business field generally.

Exhibit R demonstrates Applicant’s reputation as a top workplace. This indicates additional recognition for Applicant in the business field.

Exhibit S shows the webpage for GUARANTEED RATE FIELD, the baseball stadium for the Chicago White Sox Major League Baseball Team. As part of its marketing efforts, Applicant purchased the naming rights for the White Sox stadium in 2016. The article included in Exhibit T shows early reaction to the renaming, including a focus on the GUARANTEED RATE name.

The use of Applicant’s name for an MLB stadium is an unmistakably high-profile marketing effort that is specifically directed to pushing recognition for the GUARANTEED RATE name. As one of only thirty baseball stadium names, the GUARANTEED RATE FIELD name holds a place of incredible prominence among consumers.

Further, consumers are accustomed to seeing brand names used as stadium names. Exhibit U is a Wikipedia article listing the MLB stadiums. Of the thirty stadiums, nineteen are named for companies. Thus, consumers viewing GUARANTEED RATE FIELD will understand that GUARANTEED RATE is a brand.

The foregoing evidence shows that the applied-for mark would be perceived by the relevant public as Applicant’s name. Because of this, the mark is not merely informational. Consumers seeing the mark will associate it with Applicant rather than the informational meaning the Examiner claims it has.

B. The Examiner's evidence is insufficient to show that the mark is merely informational

A refusal that a mark is merely informational must be supported by evidence. In particular, this evidence should show that the term would be perceived by the relevant public merely as informational matter.

The Examiner's evidence falls short in several respects. First, most of the evidence the Examiner submitted does not show the GUARANTEED RATE applied-for mark at all. Second, the evidence in the Examiner's informational refusals is inconsistent as to what GUARANTEED RATE means. Third, prior case law on informational marks required substantial evidence of the same phrase; there is not substantial evidence of use of GUARANTEED RATE. Fourth, the Examiner's evidence indicates that the concept she believes "guaranteed rate" refers to actually has a different name that is well-established in the industry. Fifth, the third party registrations the Examiner submitted are not typical of the financial category and have no probative value. Sixth, the evidence does not show common use of the GUARANTEED RATE wording in the mortgage industry.

- i. The majority of the Examiner's evidence does not show the phrase "GUARANTEED RATE"

In support of the merely informational refusal in the Office Action of March 14, 2017, the Examiner submitted a number of web pages allegedly showing informational use of the phrase GUARANTEED RATE. Applicant pointed out that the evidence submitted did not show the phrase GUARANTEED RATE. The Examiner responded in the Office Action of October 23 with additional evidence of third-party use of the words "guaranteed" and/or "rate" and also made the point that relevant evidence could show "the same or similar wording" commonly used in an informational manner.¹

In many cases, the Examiner's additional evidence does not show the phrase GUARANTEED RATE at all. Rather, it shows the phrases "guaranteed interest rate," "guaranteed mortgage rate," "rate guarantee," "cannot be guaranteed," "nothing is guaranteed," "no surprises guarantee," "is your interest rate guaranteed?" "a lender can quote you an interest rate but not 'guarantee' that low rate," "unbelievable interest rate was not guaranteed," "interest rate is guaranteed for that period of time," "requires lenders to disclose whether the interest rate is 'locked' or guaranteed and for what period of time," "but not tell you that the interest rate is not guaranteed," "We can not and do not guarantee the applicability or accuracy in regards to your individual circumstances."

It is clear on the face of many of these phrases ("cannot be guaranteed," "nothing is guaranteed," "no surprises guarantee," "We can not and do not guarantee the applicability or accuracy in regards to your individual circumstances") that they are so far removed from the applied-for mark that they cannot be fairly considered even similar to the mark.

¹ While the Examining Attorney argues that Applicant also makes informational use of GUARANTEED RATE, there is no evidence to support this contention.

The phrase that appeared most often in the Examiner's evidence was "guaranteed interest rate" or "guaranteed mortgage rate." These phrases are not merely a similar phrase to the applied-for mark. Rather, these phrases include "interest" or "mortgage" to communicate what type of specific rate is guaranteed. Without these words, Applicant's mark has a different meaning and is ambiguous. For instance, GUARANTEED RATE could mean that Applicant guarantees that it has the lowest available rates.

The Examiner showed the phrase GUARANTEED RATE in four instances. These phrases included two uses of "in order to receive a guaranteed rate," and one example each of "satisfaction guaranteed rate," and "can't provide guaranteed rate projections."

The use of "satisfaction guaranteed rate" is inapplicable because the phrase is saying that the consumer's satisfaction will be guaranteed, rather than the rate. This leaves only three examples of the phrase "GUARANTEED RATE" being used in a mortgage context. Given the vast mortgage and lending industry, this represents a *de minimus* number.

Because the Examiner's evidence of the use of GUARANTEED RATE is so minimal, it does not show that the consuming public assigns a merely informational meaning to the applied-for mark.

- ii. The Examiner's evidence is inconsistent with respect to what GUARANTEED RATE means

Applicant notes that between the Office Actions of March 14, 2017 and October 23, 2017, the Examiner has submitted evidence purporting to show two different allegedly informational meanings of GUARANTEED RATE.

In the Office Action of March 14, 2017, the Examiner argued that the applied-for mark was "widely used in the industry to indicate a company that promises to deliver or provide a particular interest rate." (Office Action of March 14, 2017, pg. 2). In support of this argument, the Examiner included a number of sources that used the words "guarantee" and/or "rate" or a variation thereof in connection with promises to provide the lowest rates or give the consumer some form of compensation if their rate was not the lowest. These examples included the following:

- Front Street Mortgage states, "We are offering the best rate guarantee if we are presented with a Competitor's quote".
- In connection with their mortgages, Lake Michigan Credit Union states they "will match any legitimate competitor's offer, or credit the borrower \$300 of closing costs. Our low rate guarantee cannot be combined with any other offer."
- Resource Financial states in its "Rate Guarantee" section, "We believe so strongly in our ability to find you the lowest rate with the best terms that we will beat any lender's price or pay you \$300."

In most cases, the Examiner's evidence from the Office Action of March 14, 2017 corresponded to a rate matching program whereby the lender gives the consumer some form of remuneration if

the lender does not have the lowest rate. However, some of the evidence showed a different meaning, such as a program to waive certain fees (idealthomeloans.com).

In the Office Action of October 23, 2017, the Examiner states that the applied-for mark “is commonly used by those in applicant’s particular trade or industry to indicate that a company provides a specified mortgage interest rate that is guaranteed for the term of the contract or loan.” However, the evidence the Examiner provided in support of this office action was directed for the most part to rate locking, whereby a lender locks rates for a period of time.

Looking at the evidence over the two office actions, it is clear that the Examiner has advanced two entirely different concepts as being the informational meaning conveyed by the applied-for mark. The evidence in the first office action purported to show that the mark indicated a rate matching promise (or other program for saving money). The evidence in the second office action alleges that the mark is informational for rate locking programs. Rate matching and rate locking in the mortgage industry are not the same thing. The inconsistency of the evidence itself shows that GUARANTEED RATE does not have a standard meaning in the mortgage industry.

By including evidence that purports to show the applied-for mark as informational matter for two different concepts, the Examiner demonstrated that the applied-for mark cannot be informational because the wording in the mark may be used to describe several different concepts related to the mortgage industry. While this may reinforce the descriptiveness of the wording in the mark, it does not show that it is informational. Rather, the inconsistency shows that the wording is ambiguous and that the applied-for mark, as a whole, is consequently ambiguous and not informational.

- iii. The applicable case law involves situations where the evidence included exact uses of the applied-for mark

Applicant notes that the applicable case law cited by the Examiner for informational marks in most cases involves substantial evidence showing informational use of the same mark. See *In re Eagle Crest, Inc.*, 96 USPQ2d 1227 (“[T]he evidence shows that the slogan is commonly used in an informational and ornamental manner on t-shirts and various other retail items produced and/or sold by others.”); *In re Hulting d/b/a No More RINOs! Enterprises*, 107 USPQ2d 1175 (“The record evidence shows that consumers are accustomed to seeing the phrase No More RINOs! displayed on bumper stickers, t-shirts, novelty pins and other items from many different sources.”); *In re Boston Beer Co.*, 198 F.3d 1370 (“The record shows that “The Best Beer in America” is a common phrase used descriptively by others before and concurrently with Boston Beer’s use, and is nothing more than a claim of superiority.”).

The Examiner cited three informational cases where the evidence did not include the same mark. However, these cases are distinguishable or inapplicable. *In re Melville Corporation*, 228 USPQ 970 (TTAB 1986) addressed the registrability of the phrase BRAND NAMES FOR LESS. As evidence that this phrase was informational, the Examiner introduced the following similar phrases: “Brand name furniture at *low low* discount prices”, “Brand Name Discounts”, “FAMOUS MAKES AT DISCOUNT PRICES”; “BRAND NAME SHOES FOR THE ENTIRE FAMILY FOR LESS!”; “DISCOUNT PRICES ON QUALITY NAME BRANDS”, “NAME

BRANDS AT DISCOUNT PRICES”; “BIG DISCOUNTS ON NAME BRANDS”, “QUALITY NAME BRAND CLOTHING AT LOW DISCOUNT PRICES.” The Court was careful to note that the similar phrases had the same meaning as the applied-for mark and conveyed the same information. *Id.* at 971. The same is not true here. The examples the Examiner used have varied meanings—they don’t even have the same meaning as each other. Further, none of them have the same meaning as Applicant’s mark. Applicant’s mark is a two-word brand name with an ambiguous meaning that may obliquely relate to multiple concepts in the mortgage industry. The examples the Examiner included show use of the same wording in Applicant’s mark in different contexts that invoke the traditional meaning of the words “guarantee” and “rate.” Therefore, the *Melville* case is clearly distinguishable from the issue at hand. Whereas that case involved similar phrases with the same meaning, this case involves the same wording used in dissimilar phrases with no one clear meaning and no meaning that corresponds to the meaning of Applicant’s mark.

The second case the Examiner cited that did not involve evidence of the same mark was *In re Aerospace Optics, Inc.*, 78 USPQ2d 1861 (TTAB 2006). However, this case was based on a specimen refusal, namely, the applicant’s failure to show non-informational use of the mark on its own specimen. Under these circumstances, external evidence of informational use of the mark was not required. Thus, *In re Aerospace Optics, Inc.* is inapplicable to the current situation, where there is no question that Applicant has made appropriate trademark use of the mark on its specimens.

Finally, Applicant notes that the Examiner also cited *Application of Standard Oil Company*, 275 F.2d 945 CCPA 1960) for the proposition that words that convey information about services will not be perceived as a service mark that identifies the source of the service. However, this case turned on the court’s finding that the phrase GUARANTEED STARTING was descriptive. To the extent the court determined that the wording conveyed information, this determination was made based on the record of applicant’s use, with no regard to extrinsic evidence submitted by the Examiner (“The record shows an extensive and varied use of ‘Guaranteed Starting’ by the applicant in connection with tis ‘winterizing’ motor service. However, the record nowhere shows that the words have become distinctive of the applicant’s services in commerce . . . or that they have acquired any such secondary meaning in the minds of the public.”). Given that this case addressed the applicant’s use, like *Aerospace Optics*, it is inapplicable.

In view of the fact that all of the applicable cases the Examiner cited turned on a large record of informational use of the same mark or similar phrases with the same meaning, the evidentiary burden for establishing informational use is high. While the Examiner argues that evidence of similar marks may support a finding that a mark is informational, Applicant respectfully asserts that the case law simply doesn’t support this; evidence of the same mark is the most persuasive, and where that is not available, the evidence must show that the similar marks have the same meaning. Therefore, the evidence of record is insufficient to establish that the mark is merely informational.

- iv. The Examiner’s evidence demonstrates that another term in the mortgage industry is used to convey the information the Examiner argues GUARANTEED RATE communicates

The Examiner submitted evidence of seven online mortgage-related dictionaries or thesauruses. None of these entries show the term GUARANTEED RATE. Rather, the dictionary/thesaurus evidence shows definitions for variations on the term “lock” (Lock, Lock in Rate, Lock-N-Shop, Rate Lock, Lock-In). The wording “guarantee” and/or “rate” (or a variation thereof) appear in the definitions for these terms. None of the definitions include the phrase “guaranteed rate.” In addition to the dictionary and thesaurus entries, the Examiner included a blog post from stearns.com titled “What’s a rate lock? And why does it matter?” This evidence is similar to the dictionary evidence in that it defines “rate lock.”

TMEP 1202.04(a) instructs that dictionary or encyclopedia entries showing the meaning or significance of the wording is one type of evidence that may demonstrate that a term is informational. Thus, if the Examiner wanted to include evidence to show that GUARANTEED RATE was informational, this evidence might include dictionaries where GUARANTEED RATE was a defined term. However, rather than showing informational use of GUARANTEED RATE, the Examiner has shown informational use of phrases using “lock,” where some variation on “guarantee” appears in the definition as a descriptive term.

The dictionary evidence the Examiner included shows that “lock”-formative terms are the industry standard for indicating that an interest or mortgage rate will be locked for a period of time. So while this might show that “Locked Rate” may be informational, it does not show that GUARANTEED RATE is. Specifically, GUARANTEED RATE is not commonly used to indicate locked rates because there is already a commonly-used phrase for that, and this phrase appears in numerous mortgage industry dictionaries.

- v. The Examiner’s evidence of third-party registrations does not show common use of the term GUARANTEED RATE in the financial industry

As a final piece of evidence, the Examiner has included third-party registrations that use the term “GUARANTEED RATE” in the identification. The examiner argues that these registrations show common use of the term in the financial industry. She acknowledges that the registrations do not refer to mortgage services, but argues that they show “that the term is used in the financial field and readily understandable by consumers as a term that immediately conveys information about the services.”

This evidence is not probative for a number of reasons. First, the informational refusal is based on the argument that the term GUARANTEED RATE is informational for a particular mortgage service. Evidence that GUARANTEED RATE is used in connection with any other non-mortgage services is simply irrelevant.

The problems with the Examiner’s evidence go deeper than being irrelevant. The Examiner alleges that the registrations show “common use” of the term GUARANATEED RATE in the financial industry. Yet, the Examiner has included only four active registrations (cited Reg. No. 3961920 was cancelled in December 2017). Given that there are over 128,000 active registered marks in Class 36, four registrations is a very, very small number, especially when none of them relate to mortgage services.

It appears that a search for the phrase “GUARANTEED RATE” in the goods/services identification for Class 36 yields only six active results, two of which are a standard character and design mark for the same wording and an additional two of which have the same owner. Applicant respectfully submits that this is far from “common.”

Additionally, Applicant notes that two of the registrations (Reg. Nos. 3047289 and 4635106) are owned by governmental agencies for college savings programs. Since these types of registrants are not normal for financial services, the registrations hardly show typical use of the phrase “GUARANTEED RATE” in the financial industry.

Finally, regarding the Examiner’s contention that the registrations show the term would be readily understandable by consumers, the Examiner has submitted no proof that consumers routinely study the identifications of services in trademark registrations. On the contrary, the authority is clear that a few registrations are “not evidence of what happens in the market place or that customers are familiar with them.” *AMF Inc. v. Am. Leisure Prods., Inc.*, 474 F.2d 1403, 1406 (CCPA 1973); see *Richardson-Vicks Inc. v. Franklin Mint Corp.*, 216 USPQ 989, 992 (TTAB 1982).

Based on the foregoing, the Examiner’s evidence in the form of third-party registration has zero probative value and therefore does not show that GUARANTEED RATE is informational.

vi. There is a lack of evidence showing use of the mark in the mortgage industry

Evidence showing an applicant’s exclusive use of the applied-for mark in the relevant marketplace for the identified services may be submitted in support of registration. USPTO Examination Guide 02-17, pg. 13 (July 2017).

In Applicant’s office action response of February 13, 2017, Applicant submitted a declaration attesting to its belief that it was the substantially exclusive user of the GUARANTEED RATE mark. This declaration is evidence of Applicant’s exclusive use of the mark.

With respect to the Examiner’s evidence of alleged third-party use, as previously mentioned, the Examiner showed the exact phrase “GUARANTEED RATE” in only four instances by only three mortgage lenders (State Bank of Delano, Mortgages Unlimited, Stearns Home Loans).

Applicant refers the Examiner to Exhibit H, which shows the top forty mortgage lenders in the United States. The three lenders that used the term “GUARANTEED RATE” do not appear in the list of the top forty mortgage lenders. Thus, these few lenders are hardly representative of the mortgage industry generally.

In fact, none of the 19 mortgage lenders that the Examiner included in the evidence from the March 14, 2017 and October 23, 2017 office actions appears in the list shown in Exhibit H. Clearly, these are not well-recognized lenders. Accordingly, their use of the words “guaranteed” and “rate” does not represent common use of the phrase in the mortgage industry.

Given the lack of mortgage lenders that use the phrase “GUARANTEED RATE” and the lack of market presence for the lenders who have used this wording, Applicant’s use of the mark GUARANTEED RATE is substantially exclusive in any sense, and definitely exclusive as a mark. The paucity of evidence of third party users of “GUARANTEED RATE” demonstrates that Applicant is the exclusive user of this phrase. Because of this, the mark is not merely informational. *See In re First Union Nat’l Bank*, 223 USPQ 278, 280 (TTAB 1984) (in reversing the failure-to-function refusal to register TAKE A CLOSER LOOK for banking services, the Board explained that the applicant’s response containing advertisements showing the mark used in a trademark manner combined with the lack of evidence that third parties in the banking industry used the wording were sufficient to overcome the refusal).

II. Merely Descriptive/Refusal to accept claim of acquired distinctiveness

The Examiner has refused to accept the Applicant’s claim of acquired distinctiveness. Consequently, the refusal to register based on the fact that the mark is merely descriptive stands.

Applicant has submitted additional evidence to show that the applied-for mark has acquired distinctiveness. This evidence appears in Exhibits A-U, which are described and discussed above. Applicant has verified this evidence in a Supplemental Declaration of Acquired Distinctiveness, which is included as Exhibit V. This Supplemental Declaration of Acquired Distinctiveness also includes updates sales and advertising figures for 2017 and projections for 2018. Along with its prior evidence of acquired distinctiveness, Applicant submits that it has made a strong showing that consumers associate the applied-for mark with Applicant and that the mark has secondary meaning.

The Examiner argues that Applicant’s prior evidence of acquired distinctiveness was insufficient because the mark is informational and incapable of functioning as a mark and because the majority of the evidence contains the mark with the stylized presentation.

Regarding the Examiner’s argument that the mark cannot have acquired distinctiveness because it is informational, this reasoning is without merit because, as explained above, the mark is not informational. Further, the Examiner is fundamentally incorrect to maintain that an informational mark may not have acquired distinctiveness. As the courts have made clear, the critical inquiry in determining whether a designation functions as a mark is how the designation would be perceived by the relevant public. Thus, if the public perceives a mark as source-designating, it may have acquired distinctiveness notwithstanding informational use of the mark.

With respect to the Examiner’s claim that the majority of Applicant’s evidence shows the mark in a stylized format, this is untrue. Of the nineteen pieces of discrete evidence (comprising advertising and third-party publicity) submitted in Applicant’s Office Action Response of September 14, 2017, fourteen of the examples showed GUARANTEED RATE in standard characters in a position of prominence. Of the additional twelve examples submitted herewith, eleven show GUARANTEED RATE in standard characters in a position of prominence.

Even if it were not the case that Applicant had submitted substantial evidence of use of the mark without stylization, the Examiner’s argument regarding the effect of stylization would be

unpersuasive. First, the Examiner has cited no authority for the proposition that a mark in stylized form is not capable of gaining source-indicating significance for the wording in the mark. Second, it is well established that if a mark comprises both wording and a design, greater weight is often given to the wording because it is the wording that purchasers would use to refer to or request the goods or services. TMEP 1207.01(c)(ii). The wording in Applicant's mark therefore has more significance than the design elements, and it would consequently be recognizable to consumers, notwithstanding the use of the wording in a stylized format.

Based on the foregoing, Applicant has provided sufficient evidence to claim acquired distinctiveness in the applied-for mark. Because it has acquired distinctiveness, consumers will see the mark as a designation for Applicant rather than being merely descriptive.

Conclusion

The Examiner has refused registration of the mark on the basis that it is merely informational and merely descriptive. With respect to the merely informational refusal, Applicant has shown that the mark is not merely informational because the relevant public associates the mark with Applicant. Additionally, Applicant has explained why the Examiner's evidence that the mark is informational is inapplicable and unpersuasive.

The Examiner concludes her argument in favor of the informational refusal with the statement that "consumers are accustomed to seeing 'guaranteed rate' in all its forms (e.g., guaranteed interest rate, guaranteed loan rate, guaranteed mortgage rate, interest rate 'lock' or guarantee) in connection with mortgages and financial services." This argument reveals the questionable basis of the Examiner's refusal. The "forms" the Examiner lists are not forms of GUARANTEED RATE but rather entirely different phrases with different meanings. As explained above, the details about the rate being guaranteed transform the mark from a vague concept that could just as well mean that Applicant offers competitive rates to one that is specific as to a particular rate being guaranteed. Further, the Examiner's evidence shows that "lock" is a clearly defined term in the mortgage industry while "guaranteed rate" is not. That the Examiner has had to stretch the meaning of the applied-for mark in this manner demonstrates that there is insufficient basis for the refusal.

With respect to the descriptiveness refusal, the mark is not merely descriptive because it has acquired distinctiveness by reason of Applicant's longstanding use and substantial marketing efforts surrounding the mark. Applicant has submitted extensive evidence of this, in the form of advertisements, third-party publicity, unsolicited customer reviews, industry reviews, marketplace rankings and industry accolades.

Because the mark is neither merely informational nor merely descriptive, Applicant requests that the refusals be withdrawn and the mark be approved for publication without further delay.

CONTINGENT AMENDMENT TO THE SUPPLEMENTAL REGISTER FOLLOWING APPEAL

In response to the Section 2(e)(1) refusal, Applicant amends the application to the Supplemental Register in the alternative. To be absolutely clear, this amendment is expressly made in the alternative, meaning that Applicant will only accept registration on the Supplemental Register if the Trademark Trial and Appeal Board affirms the Examining Attorney's refusal under Section 2(e)(1) (while rejecting the failure to function refusal) and refuses to accept Applicant's claim of acquired distinctiveness. See T.B.M.P. § 1215; T.M.E.P. § 816.04.

Applicant will be filing a notice of appeal. If the Examining Attorney continues to believe the refusal under Section 2(e)(1) and the failure to function refusal are proper, she is requested to accept the alternative amendment to the Supplemental Register in the event that the Board affirms the 2(e)(1) refusal but not the failure to function refusal.

The Examining Attorney is invited to contact the undersigned with any questions.

Exhibit A

The screenshot shows a web browser window with the URL <https://www.zillow.com/lender-profile/Guaranteed%20Rate%20Inc/>. The browser's address bar and menu bar are visible at the top. The Zillow logo is in the top left corner. The navigation menu includes 'Buy', 'Rent', 'Sell', 'Mortgages', 'Agent finder', 'Home design', 'More', 'Advertise', and 'Sign in or Join'. Below the navigation menu, there are links for 'Mortgage lenders', 'Mortgage rates', 'Mortgage calculator', and 'Lender reviews'. The breadcrumb trail reads 'Lender Directory > Illinois > Chicago > Guaranteed Rate'. The main content area features a large red arrow pointing down, the Zillow Lender logo, the company name 'Guaranteed Rate', 'NMLS# 2611', and a 5-star rating with '(5577 Reviews)'. A blue button labeled 'Contact Guaranteed Rate' is positioned to the right. Below this is a section titled 'About Guaranteed Rate' with a paragraph of text and a list of states where the company is licensed to work. To the right of the 'About' section is a box containing contact information: 'ADDRESS: 3940 N Ravenswood, Chicago, IL 60613', 'OFFICE: (844) 825-8312', 'FAX: (617) 933-7626', and 'WEBSITE: http://www.rate.com'. The browser's status bar at the bottom shows the URL https://www.zillow.com/home-loans/#source=Z_Mortgagestopnav and a zoom level of 125%.

Guaranteed Rate Ratings an... x




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Suggested Sites

Zillow Buy Rent Sell **Mortgages** Agent finder Home design More Advertise Sign in or Join

Mortgage lenders Mortgage rates Mortgage calculator **Lender reviews**

Lender Directory > Illinois > Chicago > Guaranteed Rate

  **Guaranteed Rate**
NMLS# 2611
 (5577 Reviews)

[Contact Guaranteed Rate](#)

About Guaranteed Rate

Guaranteed Rate is the eighth largest retail mortgage lender in the U.S. The company has become The Home Purchase Experts® by introducing the world's first Digital Mortgage and offering low rate, low fee mortgages through an easy-to-understand process and unparalleled customer service. Headquartered in Chicago with approximately 175 offices across the U.S. and licensed in all 50 states, Guaranteed Rate has helped hundreds of thousands of homeowners with approximately \$100 billion in home purchase loans and refinances since 2000 and \$18 billion in 2015 alone. Guaranteed Rate was ranked No. 1 in Scotsman Guide's Top Mortgage Lenders 2015 honors and was named one of Chicago's Top Workplaces by the Chicago Tribune in four of the past five years. In 2015, Guaranteed Rate was recognized as one of Inc. 5000's Fastest Growing Companies in America. Visit www.rate.com for more information.

Licensed to work in: Arizona (0907078), Connecticut (MS 2611, ML-2611), Idaho (MBL-5827), Missouri (16-1744), Washington (CL-2611)

ADDRESS
3940 N Ravenswood
Chicago, IL 60613

OFFICE
(844) 825-8312

FAX
(617) 933-7626


WEBSITE
<http://www.rate.com>

https://www.zillow.com/home-loans/#source=Z_Mortgagestopnav 125%

Guaranteed Rate Rating: x

Secure | <https://www.zillow.com/lender-profile/Guaranteed%20Rate%20Inc/>

Apps Global Platform Add To Investigation



Guaranteed Rate

★★★★★ (5577 Reviews)

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Reviews

[Write a review](#)

★★★★★

4.95 Stars · 5577 Reviews

★★★★★ 3/16/2018

Proactive lender

Chris from Stoughton, WI | worked with [Tom Lavallee](#)

I have used Tom to buy and refinance homes for the past 20 years. He proactively contacts me when rates go down and recommends when I should refi. Over the years I have recommended him to many other family and friends. You would be in good hands if you choose ...

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LOAN STATUS	Closed Jul 2015	INTEREST RATE	Lower than expected
LOAN TYPE	Purchase	FEES/CLOSING COSTS	As expected
CLOSE ON TIME	Yes		

15 year fixed Conventional Loan



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Feedback



NMLS ID: [2611](#)

Guaranteed Rate, Inc.

★★★★★ (4.5 of 5)

935 Reviews

97% of our customers would recommend this lender.

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Refinance



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Loan Officers



Rick Richter
Saline, MI



John Shaw
Saint Augustine, FL



Thomas Lavallee
Chicago, IL



Trevor Tashlik
West Chester, PA



Sheena Rhee
Irvine, CA



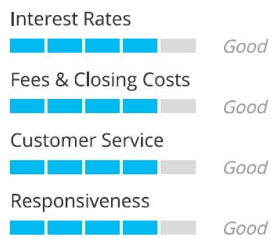
Christopher Wilno
Norco, CA

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Feedback

Customer Reviews

935 Reviews



Review Breakdown

5 Stars		(733)
4 Stars		(95)
3 Stars		(26)
2 Stars		(30)
1 Stars		(51)

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 Loan Officer Review

Ian from Rockford, MI

★★★★★ (5 of 5)

 Recommended!

Reviewed: March 15, 2018

Loan Type: Home Purchase

Services: Closed loan with this loan officer

Great service. Great team.

After my loan process with another lending company fell apart, Rick Richter came to the rescue! He was able to pick up the pieces and complete the whole process fast and efficiently without having to change our original anticipated closing date. Rick was nothing but kind, courteous, and very informative from start to finish. I would highly recommend the services of Ri... [Read More](#)

Feedback

 Lender Review

Shannon from Kennesaw, GA

★★★★★ (5 of 5)

 Recommended!

Reviewed: March 5, 2018

Loan Type: Home Purchase

Services: Closed loan with this lender

Easy process and lots of help

This process was simple and straight-forward. Unlike other lenders we were not continually ask to provide the same documentation repeatedly. We were very happy with how quickly and easily the loan took from start to finish. The loan officer Matthew McDevitt was available when needed, but not overbearing. We had a previous poor experience with a lender that made nu... [Read More](#)

 Lender Review

Brandon from Buffalo, NY

★★★★★ (5 of 5)

 Recommended!

Reviewed: February 22, 2018

Loan Type: Home Purchase

Services: Closed loan with this lender

Incredible Service!

I had a fantastic experience working with Brian Belcer and his team at Guaranteed Rate while purchasing my first home. He made himself available just about any time, day or night, to walk me through the process and answer all of my questions. I am very happy with the mortgage I was able to obtain, and ultimately feel that I am much more educated on the process now tha... [Read More](#)

 Lender Review

Danielle from Little River, KS

 (1 of 5)

Reviewed: February 14, 2018

Loan Type: Home Purchase

Services: None - we connected, but I didn't move forward

bad, they had bad customer service

bad

 Lender Review

Nicholas from Naperville, IL

 (5 of 5)

 Recommended!

Reviewed: January 24, 2018

Loan Type: Home Purchase

Services: Closed loan with this lender

Tracy for the win!

I worked with Tracy Padgett, she completely professional and always willing to help explain things at any time of the day. She was great to work with, and I would definitely recommend her to family and friends!

 Loan Officer Review

Ruzanna from Tarzana, CA

 (5 of 5)

 Recommended!

Reviewed: January 15, 2018

Loan Type: Home Purchase

Services: Closed loan with this loan officer

Great Experience

Our experience with Tom exceeded expectations, he was always available to answer my questions via email, phone and text. Tom and his team (Ken) were true professionals, they delivered on everything they said they would. Couldn't be happier with the home buying process because of them. Thankful that we choose Guaranteed Rate through Lending Tree. Thank you Tom!!!

 Loan Officer Review

Brittany from Dearborn, MI

 (5 of 5)

 Recommended!

Feedback

Reviewed: December 22, 2017
Loan Type: Home Purchase
Services: Closed loan with this loan officer

Rockstar Team

Chuck Williams and the Richter Team made buying our first home a great experience! They gave us quality customer service and helped explain every step of the process. The team was able to work within our tight timeline and the process felt like a breeze. We feel comfortable knowing we got the right loan! Definitely recommending their services to everyone.

Lender Review

David from Howell, MI

 (5 of 5)

 Recommended!

Reviewed: November 9, 2017
Loan Type: Refinance
Services: Closed loan with this lender

Great!

It was quick and easy, and they were a pleasure to work with! Any and all questions were answered! Recommend them anytime! Matt and Rich were great! Thank you!

Loan Officer Review

David from Howell, MI

 (5 of 5)

 Recommended!

Reviewed: November 9, 2017
Loan Type: Refinance
Services: I'm currently working with this loan officer

Awesome

It was quick and easy, and they were a pleasure to work with! Any and all questions were answered! Recommend them anytime! Matt and Rich were great! Thank you!

Loan Officer Review

Manar from Ypsilanti, MI

 (5 of 5)

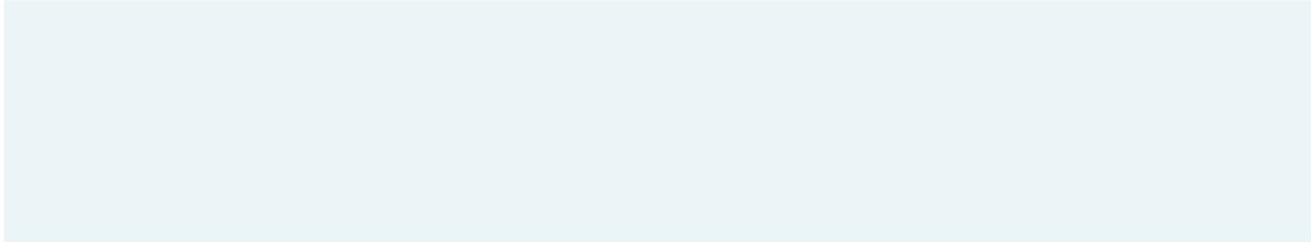
 Recommended!

Reviewed: November 6, 2017
Loan Type: Reverse Mortgage
Services: Closed loan with this loan officer

Construction station

You guys are doing good, very niceness

Feedback



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Feedback



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98%
recommend

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Professionalism	4.9
Knowledge	5.0
Responsiveness	4.9
Level of Service	4.9
222 out of 225 rates honored.	99%

Consumer Reviews

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They made it so easy!
My home purchase was made so by the hard work by everyone who worked on more

By Robert12 (Chicago, IL, United States)
Reviewed on: 7/22/2014 11:46:30 AM



Incredible
They were fantastic! The process was amazing and would refer them to my entire network.

By RedCat57 (Alexandria, VA, United States)
Reviewed on: 7/22/2014 11:57:53 AM



Great team
In all of my experiences of obtaining a mortgage or refinancing an existing mortgage, the

more

By Happy14 (Chicago, IL, United States)

Reviewed on: 12/31/2014 12:27:49 PM



Fast and honest!

These people are the best. This was our second time doing business with Guaranteed Rate

more

By pfbf67 (Riverside, CA)

Reviewed on: 12/31/2014 12:41:08 PM



Brad Lando is a God among men!

Seriously, he was fantastic, along with the rest of the team. Highest possible recommendation!

By delfinparis (Chicago, IL, United States)

Reviewed on: 1/1/2015 1:00:38 PM



Great Service

I had a wonderful experience working with Guaranteed Rate. Rusty (Rep) took all the time

more

By Mary O (Quincy, MA, United States)

Reviewed on: 1/2/2015 9:44:47 AM



Excellent Team

I was pleased throughout the whole process of purchasing our home with a homestyle loan.

more

By gdog131018 (Glastonbury, CT, United States)

Reviewed on: 1/2/2015 4:20:06 PM



exceptional customer service.

I have dealt with Kevin kutcher for two transactions. I will be giving Kevin my

more

By (Sandown, NH, United States)

Reviewed on: 1/3/2015 10:26:39 AM



By bob76

Reviewed on: 1/3/2015 12:10:43 PM



By Thanks

Reviewed on: 1/3/2015 12:17:22 PM



they are great

So much help. They made the buying process very smooth!

By glen

Reviewed on: 1/3/2015 1:12:39 PM



Great company to work with!

We worked specifically with Mark Katz for our unplanned (but beneficial!) mortgage refinance. We couldn't more

By Kimba115 (Mesa, Arizona)

Reviewed on: 1/4/2015 8:38:22 AM



Amazing service

Virna Brown was extremely thorough in every step of the process, ensuring that our loan more

By JimMac (Hooksett NH)

Reviewed on: 1/5/2015 12:33:35 PM



Professional and thorough

Frank did a great job of running down all of my mortgage options, and was more

By JohnK (Durham, NC, United States)

Reviewed on: 1/6/2015 3:02:03 PM



By Warren Butch

Reviewed on: 1/6/2015 5:15:36 PM

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Guaranteed Rate Mortgage Review 2018



DEBORAH KEARNS

January 11, 2018



Guaranteed Rate doesn't shy away from calculated risk. In fact, the online lender embraces it by offering conventional, FHA, VA, USDA and jumbo mortgages for both purchases and refinances. Now, it's taken a step forward by offering borrowers a simpler and faster digital mortgage process.

Headquartered in Chicago, Guaranteed Rate has closed more than \$100 billion in mortgage loans since its inception in 2000. The company has weathered housing booms, busts and everything in between with a single goal: to transform the mortgage industry by offering customers transparency and efficiency.



NerdWallet's rating: 4.5 / 5



AT A GLANCE

- Minimum credit score: 620 (580 for FHA and VA loans)
- Offers fixed-rate and adjustable rate loans
- Offers FHA, USDA, VA loans

[Get Started](#)

[Compare Guaranteed Rate with other lenders](#)

In This Article

- [Guaranteed Rate's digital offering](#)
- [Who Guaranteed Rate is for](#)
- [How Guaranteed Rate works](#)
- [Where Guaranteed Rate shines](#)
- [Where Guaranteed Rate falls short](#)
- [How Guaranteed Rate compares to other lenders](#)

Moving into the digital age

Online, you'll find that Guaranteed Rate enjoys high marks and hundreds of positive reviews on sites like the Better Business Bureau, Yelp and LendingTree.com. With a 95% customer satisfaction rate, Guaranteed Rate is proud of its track record and is working on making customers even happier with its new Digital Mortgage platform, says Kasey Marty, Guaranteed Rate's executive vice president of secondary marketing.

Launched in July 2016, the platform offers an entirely online mortgage process. Borrowers can enter their current loan details, see their free credit scores from the three main bureaus, securely upload and digitally sign all of their loan documents. Customers don't have to speak to anyone to get approved for a [mortgage refinance](#) or purchase loan, Marty says.

Guaranteed Rate offers purchase and refinance loans, including cash-out, FHA, USDA, VA, various adjustable rate mortgages and longer-term loans. Borrowers who might feel overwhelmed by the choices the company provides can talk to a qualified loan officer who can walk them through any part of the application process. Keeping rates low while making the process more transparent and accessible helps customers be active participants in the lending process, Marty says.

"We're confident in our low rates, and we encourage people to compare us to other online lenders," Marty says. "The platform creates efficiency for all involved, and it drives lower closing time periods and higher quality."

» **MORE:** Use our [mortgage calculator](#) to find out your monthly mortgage payment.

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Who is it for?

Almost anyone with a good credit score, a stable income and solid credit history can use

Guaranteed Rate. What sets the online lender apart from its competitors is its willingness to work with borrowers who might not bring a high down payment to the table but are otherwise well-qualified for a new loan or refinance.

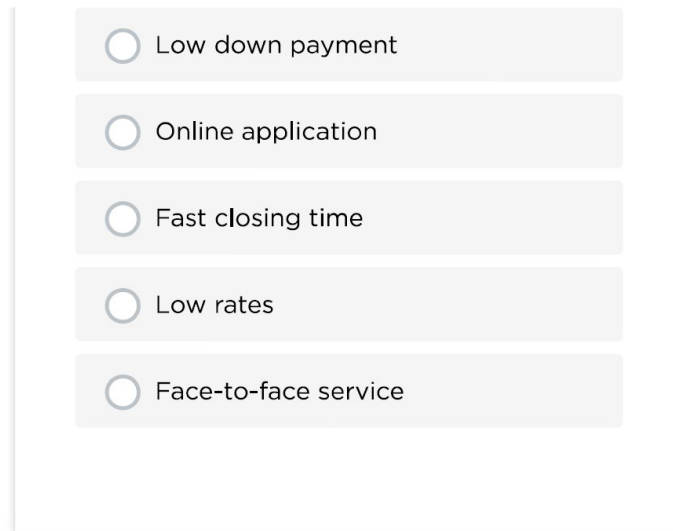
As more online lenders shy away from government loans and those tailored to jumbo borrowers, Guaranteed Rate has filled the gap without hesitation, Marty says.

“Other firms have put their gloves up and said that potential compliance and regulation issues make it difficult for them to offer FHA, VA or USDA loans because of delinquencies and defaults,” Marty says. “We feel the opposite. We’re very tight with our guidelines, and we want to enrich the [lending] experience and make lenders accountable.” He adds that loan defaults are rare among Guaranteed Rate’s customers.

Thinking of shopping additional lenders?

When you shop multiple lenders, you get better rates and can find a better match for your needs. Answer two questions and get matched with a lender that works for you.

I care most about



A screenshot of a survey form with five radio button options. The options are: Low down payment, Online application, Fast closing time, Low rates, and Face-to-face service. Each option is preceded by an empty radio button.

- Low down payment
- Online application
- Fast closing time
- Low rates
- Face-to-face service

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How it works

Jason Miller, head of product, and Stephen Prosser, vice president of software development, gave NerdWallet a step-by-step rundown of how Guaranteed Rate's Digital Mortgage platform works:

1. When you start the process, you can "Explore Loan Options," where you can choose either a new home loan or a refinance. We'll walk through the refinance portion.
2. Then choose what's most important to you: lower payments, a lower rate or a shorter term. You can skip this section if you like.
3. Next, select how you plan to use the property, for example, a home to live in, vacation home or investment property. Then indicate what sort of property it is, such as a single-family home or a condo.

4. In the next few steps you'll provide your ZIP code and details about the estimated value of your home, your remaining loan balance, whether or not you have additional loans on the property, whether you want to borrow additional cash, and how long you plan to own the home. There's also a question regarding military status to help steer borrowers toward VA products, if applicable.
5. After choosing your credit score range you'll be shown loan rates and product options — all without having to provide personal information.
6. Once your loan options pop up, you can choose a product, ask questions virtually or by phone, and get more details. In all, the process up to this point takes just a few minutes.
7. If you decide to apply for a loan, you'll be walked through the loan application process, which takes about 15 minutes.

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Where Guaranteed Rate shines







- Works with most borrowers as long as they have good credit scores and incomes
- Provides a user-friendly digital platform that covers all types of borrowing scenarios
- Has a 95% customer satisfaction rate, according to company data

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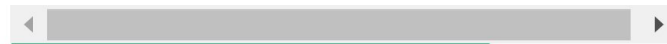
Where it falls short

- Charges some fees, such as a \$1,290 lender fee which includes a \$150 application fee
- Offers many products, which might confuse or overwhelm borrowers
- Rate tool requires several click-throughs to complete
- Doesn't consider [nontraditional credit history](#), such as rent and utility payments, for majority of products

How Guaranteed Rate compares to other lenders

  Learn More	  Learn More	  Learn More
Min. credit score Conventional: 620 FHA, VA: 580	Min. credit score Conventional, VA: 620 FHA: 580	Min. credit score Conventional: 620 FHA, VA: 580
Min. down payment 3%	Min. down payment 3%	Min. down payment 3%
Loan Types	Loan Types	Loan Types

Purchase, refinance, jumbo, fixed, ARM, FHA, VA, and USDA	Loan Types Purchase, refinance, jumbo, fixed, ARM, FHA, VA, and USDA	Purchase, refinance, jumbo, reverse, fixed, ARM, FHA, VA, and USDA
See NerdWallet's pick for best lenders		



Get started with Guaranteed Rate

More from NerdWallet:

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Updated on Jan. 11, 2018

NerdWallet's star ratings for mortgage lenders are awarded based on our evaluation of the products and services that lenders offer to consumers who are actively shopping for the best mortgage. The six key areas we evaluated include the loan types and loan products offered, online capabilities, online mortgage rate information, customer service and the number of complaints filed with the Consumer Financial Protection Bureau as a percentage of loans issued. We also awarded lenders up to one bonus star for a unique program or borrower focus that set them apart from other lenders. To ensure consistency, our ratings are reviewed by multiple people on the NerdWallet Mortgages team.

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Home > Mortgage Refinance > Top 10 >


Guaranteed Rate Mortgage Refinance Review



ConsumersAdvocate.org Rating: 8 / 10 (Very good) Like 0

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Guaranteed Rate is a Chicago-based company founded in 1999 with the aim of providing mortgage services in the United States. They offer mortgages for both first-time buyers and people looking to refinance, and are the first to have a fully Digital Mortgage service. They are a BBB-accredited business with an A+ rating.



[View Top 10 List](#)

Guaranteed Rate is a Chicago-based, licensed mortgage broker focused on providing mortgage lending services throughout the United States, for both buying and refinancing a home. Their convenient online application form and mobile app connects homeowners searching for home refinancing options with their specialized team of loan officers, each with their own team of specialists, in order to streamline the process. Their portal allows real-time online access to rates and information about all their loan products, and they eliminate the hassle of time-wasting paper-pushing by working fully digitally, via their Transfersafe secure document transfer and storage system.

Types of Home Mortgages

Fixed Rate Mortgages

Adjustable Rate Mortgages



VA Home Loans

Jumbo Mortgages

Qualifying for Mortgage Refinance

Many people applying for home refinancing are doing so due to difficulties in keeping up with their monthly payments. This generally means that their credit scores have also experienced some bruising, which can be a problem when attempting to obtain lower rates with a new mortgage. Guaranteed Rate will take into account your credit score and your income-to-debt ratio when determining the rates they can offer, but they also evaluate employment history and the amount of equity accumulated in your home.

Things you may be asked for:

Current mortgage information

Homeowners insurance

Property tax bill

Prior closing documents

Latest payroll stubs

W-2 forms

Most recent bank statements

Refinance Mortgage Rates

Fixed Rate Mortgages

	30-Year Term	15-Year Term
Rate	4.000%	3.250%
Annual percentage rate (APR)	4.047%	3.332%
Fees	\$1,690	\$1,690



5/1 ARM	
Rate	3.25%
Annual Percentage Rate (APR)	3.793% for the first 60 months
Fees	\$1,690

Why Mortgage Refinance at Guaranteed Rate

Guaranteed Rate has consistently outperformed their competition with their exceptional customer service, resulting in a 95% customer satisfaction rating and an astonishing 80% Net Promoter® Score (NPS). Their website not only provides the first fully Digital Mortgage, it also offers a whole host of educational resources that go above and beyond the usual (from step-by-step guides before you begin your mortgage search to 10 different calculators to gardening tips for your home). Guaranteed Rate goes the extra mile to make sure that their customers get the best rates and full transparency on their fees, ensuring that their home refinance is a hassle-free process.

Leave a comment for Guaranteed Rate Mortgage Refinance

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Guaranteed Rate Mortgage Review: Great Option for Highly Qualified Borrowers



Apply Now 

Editor's Rating



Good for

- Strong mortgage offers for applicants that meet credit/income standards
- Multiple lender credits to reduce closing costs and no prepayment penalties
- Very low rate of customer service complaints

Bad for

- High credit score and income requirements on best loan offers
- No brick-and-mortar service options available

Guaranteed Rate is a nationwide mortgage lender that specializes in financing purchase loans for more highly qualified borrowers. If you have a strong credit score and income level, Guaranteed Rate's low interest rate offers and upfront fee discounts make it a competitive choice for funding your home purchase. The company's detailed website also makes for a more informative user experience than you'll get at most other direct lenders.

- [Guaranteed Rate Review: Good Deals —If You Qualify](#)
- [How Do Guaranteed Rate Mortgages Compare?](#)
- [Customer Service and Mortgage Servicing](#)
- [Mortgage Loan Products at Guaranteed Rate](#)
- [Where Can You Get a Mortgage With Guaranteed Rate?](#)

Guaranteed Rate Review: Good Deals —If You Qualify

While it's somewhat more difficult to get approved for a mortgage with Guaranteed Rate, people who make the cut enjoy the benefits of the lender's lower rates and closing costs. The credit score minimum on Guaranteed

Rate's conventional loans is 620, but the lender claims to be a bit more selective when it comes to its requirements for income and available funds. For those who qualify, Guaranteed Rate carries extremely advantageous rate offers for purchase mortgages in a range of terms and loan types.

In addition, Guaranteed Rate offers an array of smaller discounts that can help you cut back on your closing costs. In our phone call with the company's loan officers, we found that you can obtain significant credits towards your loan fees if you work with one of Guaranteed Rate's affiliated real estate agents. This makes the lender a good place to start if you're still in the early stages of finding a home to buy. And none of Guaranteed Rate's mortgage products come with [prepayment penalties](#), which means you won't have to worry about extra fees if you refinance to a new mortgage early on. This is a rare feature compared to other home lenders.

How Do Guaranteed Rate Mortgages Compare?

When we looked over Guaranteed Rate's mortgage offers through its online tool, we found that both the user experience and the numbers were much better than what we've found with the average direct lender. We made a comparison of the company's 30-year mortgage with those at major banks, based on a purchase price of \$198,000 and down payment of 10%.

30-Year Fixed Rate Mortgage Estimates at Major Banks

	Guaranteed Rate	Chase	Bank of America	Wells Fargo
Interest Rate	3.88%	3.88%	3.75%	3.88%
APR	4.32%	4.16%	4.11%	4.15%
Cost of Points	-\$300	\$223	\$1,000	\$0
Monthly P+I	\$838	\$838	\$825	\$838
Mortgage Insurance	\$45	\$65	\$66	\$61

While mortgage rates are [constantly changing](#), obtaining these estimates at the same time allowed us to get an idea of Guaranteed Rate's competitive advantage. While the rate on offer isn't significantly better than those at national brands like Chase, Guaranteed Rate will actually give you lender credit in situations where others would charge you for discount points. These points and credits count towards your closing costs, making Guaranteed Rate the more cost-efficient option if you're determined to [reduce your upfront mortgage fees](#).

If you're going into a purchase mortgage with less than 20% in down payment, you should note that Guaranteed Loan also provided the cheapest estimate on the cost of mortgage interest. Mortgage interest actually protects the lender from the risk of default, but it's mandatory for borrowers themselves to cover this cost in most cases.

Although [borrower-paid mortgage insurance](#) can be canceled eventually, having lower premiums from the beginning of your home loan can save you hundreds in the long run.

Customer Service and Mortgage Servicing

We found that while Guaranteed Rate publishes a good deal of helpful information on its website, the company's loan officers are willing and able to provide much more detail about the company's distinguishing features. They were knowledgeable and helpful compared to other mortgage lenders' customer service representatives. In terms of the raw numbers, Guaranteed Rate's business draws far fewer complaints than any of the major banks that provide mortgage loans.

Mortgage-Related Complaints at Major Banks, 2013-2017

Company	Mortgage Originations	CFPB Complaints	Ratio	2016 JD Power Rating
Guaranteed Rate	222,228	98	0.04%	843
Chase	948,000	14,778	1.56%	835
Wells Fargo	2,155,222	25,182	1.17%	832
Bank of America	1,172,113	28,187	2.40%	832

Guaranteed Rate does about one-fifth of the business seen by Chase, but the CFPB has recorded fewer than a hundred formal complaints about the company's origination practices and loan servicing. While this may indicate that the company has outsourced its loan servicing to third parties, the low rate of complaints about mortgage originations and Guaranteed Rate's lead in the most recent JD Power satisfaction survey suggest that the lender does have notably higher standards of customer satisfaction.

Mortgage Loan Products at Guaranteed Rate

Guaranteed Rate provides a standard mix of home loan products that should cover the needs of most borrowers looking for a mortgage. It offers the typical 30-year and 15-year fixed rate terms on conventional mortgages as well as government-backed agency loans and non-conforming jumbo loans. Guaranteed Rate also provides [interest-only mortgages](#) for people seeking to minimize their monthly payments.


Mortgage Product	Interest Rate	APR	Lender Credits
30-year fixed rate	3.88%	4.32%	\$300
20-year fixed rate	3.75%	4.17%	\$600

Mortgage Product	Interest Rate	APR	Lender Credits
15-year fixed rate	3.25%	3.66%	\$300
5-year ARM	3.38%	4.37%	-
7-year ARM	3.50%	4.32%	\$200
10-year ARM	3.75%	4.38%	\$500

Overall, Guaranteed Rate's products come with highly competitive rate estimates: not only are its rates lower than average for each loan type, they are actually packaged with lender credits that can reduce your closing costs. Lender credits are generally included in your Loan Estimate when you accept a higher interest rate than you'd otherwise qualify for. Although the results from Guaranteed Rate's online tool aren't the same as a formal Loan Estimate, the fact that the lender's rates are lower than average even with lender credits is an indicator that Guaranteed Rate may deliver some of the lowest mortgage rates.

Where Can You Get a Mortgage With Guaranteed Rate?

Guaranteed Rate is a licensed mortgagee in all fifty states and Washington, DC, which makes it a viable option for pretty much anybody looking for a purchase or refinance mortgage in the US. The company's primary method of reaching customers is through its website, where you can input your loan details to get a more in-depth picture of your mortgage options.



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Guaranteed Rate
Company

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Guaranteed Rate Inc., is a U.S. residential mort company headquartered in Chicago, Illinois. For 2000 by Victor Ciardelli, the company was a top mortgage lender in 2016 with \$22.9 billion in fur volume. [Wikipedia](#)

Headquarters: Chicago, IL
CEO: Victor Ciardelli
Founder: Victor Ciardelli
Founded: 2000
Chief marketing officer: Steve Moffat
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Top 66 Reviews and Complaints about Guaranteed Rate Mortgage

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Number of employees: 3,400 **Products:** Mortgage
Number of locations: 215 **Founder:** Victor Ciardelli

Mortgage lender Guaranteed Rate lays off about 180 employees, 30 in ...

www.chicagotribune.com/business/ct-biz-guaranteed-rate-layoffs-20180308-story.html ▾

Mar 8, 2018 - Chicago-based mortgage lender **Guaranteed Rate** has laid off workers in Chicago and around the country after its new mortgage loan business dipped in 2017.


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 Jobs 1 - 10 of 123 - CA - City of Industry. CA - Corona. CA - Del Mar. CA - El Dorado Hills. CA - Elk Grove. CA - Healdsburg. CA - Huntington Beach. CA - Irvine. CA - Irvine DTC. CA - La Mirada. CA - Los Angeles. CA - Mountain View. CA - Norco. CA - Pasadena. CA - Pleasanton. CA - Rancho Santa Fe. CA - Rolling Hills ...

Guaranteed Rate - YouTube

<https://www.youtube.com/channel/UCc4dTfT3Eh1U59jisp4EuQ>
Guaranteed Rate has helped hundreds of thousands of people with their home purchases and refinances. With our full service solution and more than 170 offices...

Guaranteed Rate a target of phishing - Finance News - Crain's ...

www.chicagobusiness.com/.../email-phishing-hack-puts-guaranteed-rate-clients-staffer...
 Jan 12, 2018 - Visit Crain's Chicago Business for complete business news and analysis including healthcare, real estate, manufacturing, government, sports and more.

Guaranteed Rate Mortgage Review: Great Option for Highly Qualified ...

<https://www.valuepenguin.com/mortgages/guaranteed-rate-mortgage-review>
 ★★★★★ Rating: 80% - Review by Chris Moon
Guaranteed Rate is a nationwide mortgage lender specializing in lower rates and fees for highly qualified homebuyers. Click to read about **Guaranteed Rate's** home loan rates, processing fees and quality of customer service.

Guaranteed Rate, Inc.: Private Company Information - Bloomberg

<https://www.bloomberg.com/research/stocks/private/snapshot.asp?privcapld...>
Guaranteed Rate, Inc. company research & investing information. Find executives and the latest company news.

Working at Guaranteed Rate | Glassdoor

<https://www.glassdoor.com/.../Working-at-Guaranteed-Rate-ELJE318640.11,26.htm>
★★★★★ Rating: 3 - 476 reviews
Feb 8, 2018 - See what employees say it's like to work at Guaranteed Rate. Salaries, reviews, and more - all posted by employees working at Guaranteed Rate.

Guaranteed Rate laying off 180 employees, plans to hire 1,500 more ...

<https://www.housingwire.com/.../42721-guaranteed-rate-laying-off-180-employees-pl...>
7 days ago - Guaranteed Rate plans on laying off approximately 180 employees as part of a move to "rebalance" its organization, Crain's Chicago Business reported this week. But in a statement provided to HousingWire, Guaranteed Rate said the layoffs, while unfortunate, will position the company to grow even more ...

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Guaranteed Rate Careers Chicago: Jobs, Benefits & Insider Info | Built ...

<https://www.builtinchicago.org/company/guaranteed-rate>
 Jan 1, 2000 - Find jobs, benefits and insider info about **Guaranteed Rate**, a FinTech, Real Estate company in Chicago. Office address: 3940 N. Ravenswood Chicago, IL 60613 United States.

Guaranteed Rate Announces Strategic Investment from Thomas H ...

<https://www.businesswire.com/.../Guaranteed-Rate-Announces-Strategic-Investment-T...>
 Dec 14, 2017 - CHICAGO & BOSTON—(BUSINESS WIRE)—**Guaranteed Rate**, Inc. (the "Company" or "**Guaranteed Rate**"), a leading independent retail mortgage company operating throughout the United States, today announced that it has entered into a definitive agreement with an affiliate of Thomas H. Lee Partners, ...

Guaranteed Rate, Inc. - Mortgage Company Reviews - LendingTree

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 About **Guaranteed Rate**, Inc. **Guaranteed Rate** is the eighth largest retail mortgage lender in the U.S. The company has become The Home Purchase Experts® by introducing the world's first Digital Mortgage and offering low rate, low fee mortgages through an easy-to-understand process... Read more ...

Guaranteed Rate Ratings and Reviews | Zillow

<https://www.zillow.com> > [Lender Directory](#) > [Illinois](#) > [Chicago](#)
 ★★★★★ Rating: 5 - 5,562 reviews
 Visit **Guaranteed Rate's** profile on Zillow to read customer ratings and reviews. Find great Chicago, IL mortgage lending professionals on Zillow like **Guaranteed Rate**.

Guaranteed Rate Salaries | Glassdoor

<https://www.glassdoor.com/Salary/Guaranteed-Rate-Salaries-E318640.htm>
 Jan 24, 2018 - A free inside look at **Guaranteed Rate** salary trends. 330 salaries for 169 jobs at **Guaranteed Rate**. Salaries posted anonymously by **Guaranteed Rate** employees.

Guaranteed Rate sells ownership stake to Thomas H. Lee | National ...

<https://www.nationalmortgagenews.com/.../guaranteed-rate-sells-ownership-stake-to-th...>
 Dec 15, 2017 - **Guaranteed Rate** Inc. is the latest mortgage industry investment for Boston-based private equity firm Thomas H. Lee Partners LP.

Guaranteed Rate Named a Best Overall Online Mortgage Lender and ...

<https://globenewswire.com/.../Guaranteed-Rate-Named-a-Best-Overall-Online-Mortga...>
 Jan 30, 2018 - Chicago, Jan. 30, 2018 (GLOBE NEWSWIRE) — **Guaranteed Rate**, one of the largest retail mortgage lenders in the nation, was named a Best Overall Online Lender and a Best FHA Mortgage Lender for Refinance by the popular personal finance news site NerdWallet. NerdWallet's Best-of Awards Program ...

THL to invest in Guaranteed Rate - PE Hub

<https://www.pehub.com/2017/12/thl-to-invest-in-guaranteed-rate/>

Dec 14, 2017 - THL's capital infusion into **Guaranteed Rate** will be used to further enhance the Company's value proposition to consumers, realtors and loan officers. **Guaranteed Rate** intends to build on its existing origination framework to create a next generation lending platform that further streamlines the mortgage ...

Guaranteed Rate - Chicago, IL - Inc.

<https://www.inc.com/profile/guaranteed-rate>

Guaranteed Rate: A retail mortgage company that offers self-service tools and one-on-one mortgage help in 175 offices across the U.S..

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<https://www.mlb.com/whitesox/tickets/premium-seating/guaranteed-rate-club>

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mortgage-loans.thetop10sites.com/Mortgage_Loans/Low_Rates

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Top Overall Volume: Scotsman Guide's Top Mortgage Lenders 2016

#	Company	Headquarters	Volume	% Wholesale	% Retail	% Correspondent	Closed Loans	2015 Volume
1	Freedom Mortgage Corp.	Mount Laurel, NJ	\$53,703,928,299	15%	46%	40%	246,140	\$36,792,036,316
2	Caliber Home Loans	Irving, TX	\$40,621,975,427	34%	39%	27%	157,835	\$25,878,917,975
3	loanDepot	Foothill Ranch, CA	\$38,091,434,735	15%	85%	0%	136,761	\$28,381,815,084
4	United Wholesale Mortgage	Troy, MI	\$23,027,410,967	99%	1%	0%	82,705	\$13,110,227,389
5	Guaranteed Rate Inc.	Chicago, IL	\$22,938,875,636	0%	100%	0%	73,073	\$18,104,299,962
6	HomeBridge Financial Services Inc.	Iselin, NJ	\$18,295,818,807	27%	73%	0%	65,273	\$8,727,008,000
7	Finance of America Mortgage LLC	Horsham, PA	\$17,972,081,860	24%	76%	0%	63,125	\$12,298,003,556
8	Fairway Independent Mortgage Corp.	Madison, WI	\$17,608,917,574	6%	92%	1%	77,663	\$11,152,468,839
9	Pacific Union Financial LLC	Irving, TX	\$16,470,601,515	16%	18%	65%	72,172	\$13,603,740,537
10	Guild Mortgage Co.	San Diego, CA	\$15,965,271,676	1%	93%	6%	69,894	\$13,847,885,136
11	PrimeLending, a PlainsCapital Company	Dallas, TX	\$15,460,212,864	0%	100%	0%	66,881	\$13,352,119,450
12	Plaza Home Mortgage Inc.	San Diego, CA	\$14,275,443,087	54%	0%	46%	54,970	\$12,731,841,397
13	Movement Mortgage	Indian Land, SC	\$12,056,042,846	0%	100%	0%	53,434	\$7,818,224,718
14	New American Funding	Tustin, CA	\$11,716,890,418	6%	94%	0%	40,629	\$9,619,274,981
15	CMG Financial	San Ramon, CA	\$11,179,933,312	35%	28%	37%	42,942	\$10,037,074,016
16	The Money Source Inc.	Melville, NY	\$10,110,131,143	10%	13%	77%	44,195	\$7,563,512,626
17	HomeStreet Bank	Seattle, WA	\$9,707,056,769	0%	94%	6%	31,997	\$7,796,987,850
18	American Pacific Mortgage Corp.	Roseville, CA	\$9,685,963,705	0%	100%	0%	29,610	\$8,107,623,950
19	Universal American Mortgage Co., dba Eagle Home Mortgage Co.	Miami, FL	\$9,398,065,431	0%	100%	0%	33,939	\$8,926,896,854
20	Stonestate Mortgage Corp.	Indianapolis, IN	\$9,363,003,000	23%	13%	64%	39,642	\$11,238,041,000
21	Academy Mortgage	Draper, UT	\$9,236,985,742	0%	100%	0%	42,632	\$8,645,891,449
22	New Penn Financial	Plymouth Meeting, PA	\$7,972,399,000	37%	63%	0%	32,501	\$7,080,597,170
23	Supreme Lending	Dallas, TX	\$7,765,111,612	0%	100%	0%	35,232	\$5,072,387,681
24	Sierra Pacific Mortgage	Folsom, CA	\$7,116,639,196	54%	41%	5%	24,041	\$6,428,773,284
25	MB Financial Bank	Ann Arbor, MI	\$7,064,830,924	79%	21%	0%	25,454	\$7,015,028,998
26	RPM Mortgage	Alamo, CA	\$6,677,965,967	0%	100%	0%	18,610	\$5,768,127,205
27	Primary Residential Mortgage Inc.	Salt Lake City, UT	\$6,272,065,472	1%	99%	0%	28,943	\$6,060,025,337
28	Gateway Mortgage Group LLC	Irving, TX	\$4,861,686,746	0%	60%	40%	26,070	\$3,156,127,692
29	Wintrust Mortgage	Rosemont, IL	\$4,854,375,121	0%	92%	8%	17,771	\$4,313,546,714
30	American Financial Network Inc.	Brea, CA	\$4,804,363,258	28%	72%	0%	16,467	\$3,066,764,064
31	Home Point Financial	Ann Arbor, MI	\$4,796,051,065	34%	66%	0%	19,201	\$1,877,800,279
32	NYCB Mortgage Banking	Cleveland, OH	\$4,725,012,747	65%	0%	35%	16,043	\$4,553,373,503
33	Bay Equity Home Loans	Sausalito, CA	\$4,656,622,760	0%	100%	0%	16,065	\$3,071,005,519
34	AmeriSave Mortgage Corp.	Atlanta, GA	\$4,352,114,161	12%	88%	1%	17,980	\$2,675,072,368
35	Summit Funding Inc.	Sacramento, CA	\$4,254,405,140	0%	100%	0%	16,857	\$3,340,712,049
36	Homeward Residential Inc.	Addison, TX	\$4,189,723,849	46%	26%	28%	19,813	\$3,435,936,750
37	FBC Mortgage LLC	Orlando, FL	\$4,151,117,095	31%	63%	6%	16,917	\$3,785,145,819
38	George Mason Mortgage LLC	Fairfax, VA	\$4,067,703,640	0%	100%	0%	11,825	\$3,601,788,215
39	Embrace Home Loans	Middletown, RI	\$3,788,241,611	0%	84%	16%	17,333	\$3,352,175,251
40	Associated Bank	Green Bay, WI	\$3,704,506,167	9%	54%	37%	14,488	\$3,535,062,717

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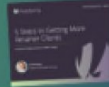
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Ty Pennington Stars In Guaranteed Rate Ad To Air Locally During Super Bowl

by Larissa Faw , January 28, 2016



Guaranteed Rate wasn't planning to run a Super Bowl-related commercial initially, but when the Chicago-based online lender learned that there were still a few available placements in local markets around the country, it jumped at the chance.

The company's ad will air in Chicago, Boston, Tampa and Salt Lake City, based on its "overall business coverage and growth as compared to the available commercial inventory remaining."

Developed with agency Modus Direct and its own in-house creative team, the 30-second spot will focus on the top three reasons to choose Guaranteed Rate for a home loan – namely its low rates, Digital Mortgage and rank as a top 10 national lender.

"The messaging is clear and direct to effectively communicate what sets us apart from other mortgage lenders," the company stated.

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Lender of the Year: Guaranteed Rate

OCTOBER 17, 2016



GUARANTEED RATE

Guaranteed Rate is the eighth largest retail mortgage lender in the U.S. Headquartered in Chicago, the company has approximately 175 offices across the country and is licensed in all 50 states. Founded in 2000, Guaranteed Rate has helped hundreds of thousands of homeowners with approximately \$100 billion in home purchase loans and refinances, and \$18 billion in 2015 alone. The company became the Home Purchase Experts® by introducing the world's first Digital Mortgage SM technology and offering low-rate, low-fee mortgages.

Guaranteed Rate won an American Business Award for its Digital Mortgage SM technology in 2016, ranked No. 1 in Scotman Guide's Top Mortgage Lenders 2015 honors and was named one of Chicago's Top Workplaces by the Chicago Tribune in four of the past five years.

"We are thrilled to be chosen as lender of the year, and want to thank the amazing real estate agents in Chicago who helped us grow. We would not be in the position we are today without you!" -Victor Gardelli, CEO

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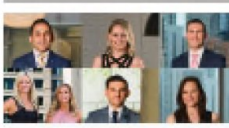


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Lender of the Year : Guaranteed Rate

NOVEMBER 7, 2011



(https://chicagoagentmagazine.com/wp-content/uploads/2011/11/gr_sm.jpg)
Guaranteed Rate

The winner of last year's "Best Lender" Agents' Choice award, Guaranteed Rate has become one of the largest and fastest growing independent mortgage lenders in the country, with licenses in 44 states, 1,100 employees and \$6.9 billion in mortgage funding in 2010 alone.

Operating on a straightforward business model structured to provide its customers with the right products, rates and service, Guaranteed Rate has approached lending in recent years in a seemingly counterintuitive way. Founded in 2000 at the genesis of the housing boom, (<https://chicagoagentmagazine.com/wp-content/uploads/2011/11/guarenteed-rate.gif>)

lending activity from Guaranteed Rate has not slowed with the financial markets. While some banks have decreased their lending and clouded their procedures, Guaranteed Rate has increased lending and streamlined its processes – without compromising its bottom line or reputation.



By building a team of industry-leading mortgage professionals from whom it expects the best, Guaranteed Rate strives to optimize the mortgage experience for its customers and assist its employees in achieving their professional and personal goals.

“Guaranteed Rate is delighted to be chosen Lender of the Year by the Chicagoland Realtor community. Guaranteed Rate’s business model has always placed the highest emphasis on helping our Realtor partners grow their businesses, so winning this honor is especially rewarding for us. We help our Realtor partners succeed in part by offering great mortgage rates and products, but we also go the extra mile by offering several unique and innovative tools to our Realtor partners that help differentiate them in the marketplace. Thank you again for this award, and be assured that Guaranteed Rate will continue to work diligently in the years ahead in helping Chicagoland Realtors succeed in growing their own businesses.” Victor Ciardelli, CEO and president, Guaranteed Rate

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Guaranteed Rate

Guaranteed Rate Inc., is a U.S. residential mortgage company headquartered in Chicago, Illinois. Founded in 2000 by **Victor Ciardelli**, the company was a top 5 mortgage lender in 2016 with \$22.9 billion in funded volume.^[1] As of 2017, the company has approximately 3,400 employees and 215 offices nationwide and has licenses in 50 states.^[2] In 2013, Guaranteed Rate was listed as one of the fastest growing companies in Chicago.^[3]

Guaranteed Rate, Inc.	
	
Type	Private
Industry	Mortgage
Founded	2000
Founder	Victor Ciardelli
Headquarters	Chicago, Illinois, United States
Number of locations	215
Products	Mortgage
Number of employees	3,400
Website	www.guaranteedrate.com (http://www.guaranteedrate.com/)

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History

Guaranteed Rate was founded in Chicago in 2000 by Victor F Ciardelli III. The company is now a top 5 retail mortgage lender with approximately 3,400 employees in 215 offices across all 50 states. Guaranteed Rate has funded over \$100 billion in home loans since inception and \$22.9 billion in 2016.^[4]

In 2013, Guaranteed Rate grew to more than \$15.9 billion in residential home loans, an increase of \$1.2 billion over 2012.^{[5][6]} This moved the company from the 12th-largest retail mortgage lender in the U.S. to the 10th.^[7]

Guaranteed Rate was named to the Chicago Tribune's Top Workplaces list in 2012, 2013, 2014, 2015 and 2016.^{[8][9]}

As of February 2018 the company is rated 3.0 (out of 5) on Glassdoor.com, continuing a steady downward trend since August 2017.^[10]

In February 2014, Guaranteed Rate launched its first national ad campaign, featuring Ty Pennington.^[7] The company budgeted up to \$10 million for the campaign, growing to as much as \$15 million in 2015.^[7] A 2016 Guaranteed Rate Super Bowl commercial featuring Ty Pennington was aired in a number of regional markets.

^[11]

In 2015, Guaranteed Rate became the 8th largest retail mortgage lender with volume of more than \$18 billion in home loans and was named Lender of the Year by Chicago Agent magazine.^[12] In July, the company released the World's First Digital Mortgage, an online home loan application.^[13]

In March 2016, Guaranteed Rate and one of its loan officers were found guilty in California of diverting loans from Mount Olympus Mortgage, and ordered to pay \$25 million in damages to the Irvine, California-based company. Guaranteed Rate denied any involvement and is pursuing appeal.^[14]

In May 2016, the company released the Intuitive Loan Finder, an online tool that helps homebuyers find a mortgage.^[15] During the same month, Guaranteed Rate bought the URL Rate.com for \$725,000.^[16]

In August 2016, the Chicago White Sox announced a 13-year agreement with Guaranteed Rate to rename their stadium to Guaranteed Rate Field beginning November 1, 2016.^[17]

In March 2017, Guaranteed Rate announced their intent to add 280 more employees to its online sales division.^[18]

In 2017, Guaranteed Rate entered into a joint venture with Realogy Holdings Corp to form Guaranteed Rate Affinity. Guaranteed Rate will provide marketing services to Realogy's subsidiaries, including NRT and Cartus, and will take over some assets of its former joint venture partner, PHH Mortgage out of New Jersey.^[19]

In December 2017, a former loan officer sued Guaranteed Rate claiming that he was owed \$2 million and that executives at the company were manipulating and misreporting financial information for their own benefit.^[20]

In January 2018, Guaranteed Rate announced that it was the victim of an email phishing that breached employees' and customers' personal information.^[21]

Acquisitions

In 2012, Guaranteed Rate acquired Manhattan Mortgage, a residential mortgage brokerage in the New York Metropolitan Area.^[22] Founded in 1985 by Melissa L. Cohn, the company employed more than 100 home loan professionals and originated loans in New York, Vermont, Massachusetts, Connecticut, Florida and New Jersey.^[23] Cohn later sued Guaranteed Rate and CEO Victor Ciardelli for breach of contract and fraud among other complaints but was unsuccessful.^{[24][25]}

In 2014, Guaranteed Rate acquired Sun State Home Loans, Nationwide Direct, and Arbor Mortgage in one deal.^[26] In also acquired lender FirsTrust Mortgage in Overland Park, Kansas.^[27]

Awards and accolades

- Guaranteed Rate recognized as one of the most successful private companies in the U.S. for a fifth consecutive year by Inc. Magazine^[28]
- Guaranteed Rate named a top private U.S. job creator by Inc. Magazine^[28]
- Guaranteed Rate ranked as a top workplace by the Chicago Tribune in 2012, 2013, 2014, 2015 and 2016^{[8][9]}
- Guaranteed Rate was named the Lender of the Year by Chicago Agent Magazine^[29]

- Founder and CEO, Victor Ciardelli, III was named an Ernst & Young Entrepreneur of the Year Award winner in 2012^[30]
- Guaranteed Rate wins Moxie Award For Best Corporate Digital Innovation 2013 for Guaranteed Rate's Online Mortgage App^[31]

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External links

- [Official website \(http://www.guaranteedrate.com\)](http://www.guaranteedrate.com)
-

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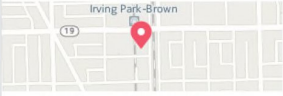
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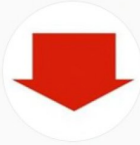
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Exhibit O

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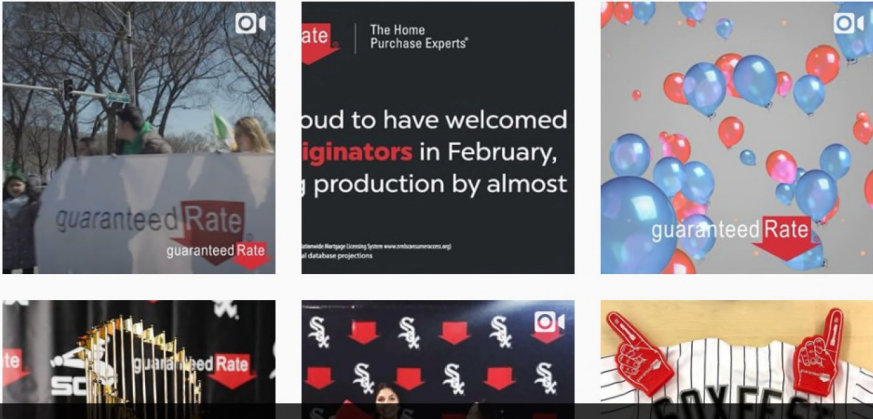



Exhibit P

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Perfect Home	335 views	6 months ago
Smart Phone	491 views	11 months ago
All Types	289 views	11 months ago

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Guaranteed Rate

A retail mortgage company that offers self-service tools and one-on-one mortgage help in 175 offices across the U.S.



2015 Rank: #3188

Leadership: Victor Ciardelli

2014 Revenue: \$378 M

3-Year Growth: 107

Industry: Real Estate

Location: Chicago, IL

Founded: 2001

Employees: 2429

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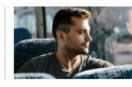
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8-Time Inc. 5000 Honoree

PREVIOUS INC. 5000 RANKINGS

2014	#2457	2013	#1218
2012	#1509	2011	#1441
2010	#2197	2009	#3438
2008	#2795		

MORE COMPANY INFORMATION

Website: guaranteedrate.com

NEXT COMPANY

Exhibit R



About Guaranteed Rate, Inc.

<http://www.guaranteedrate.com>

Guaranteed Rate is the eighth largest retail mortgage lender in the United States. Headquartered in Chicago, the company has approximately 195 offices across the U.S. and Washington, D.C., and is licensed in all 50 states. Since its founding in 2000, Guaranteed Rate has helped hundreds of thousands of homeowners with home purchase loans and refinances and funded nearly \$23 billion in loans in 2016 alone. The company has become the Home Purchase Experts® by introducing the world's first Digital Mortgage technology and offering low rate, low fee mortgages through an easy-to-understand process and unparalleled customer service. Guaranteed Rate won an American Business Award for its Digital Mortgage technology in 2016, ranked No. 1 in Scotsman Guide's Top Mortgage Lenders 2016 and was chosen Top Lender 2016 by Chicago Agent magazine



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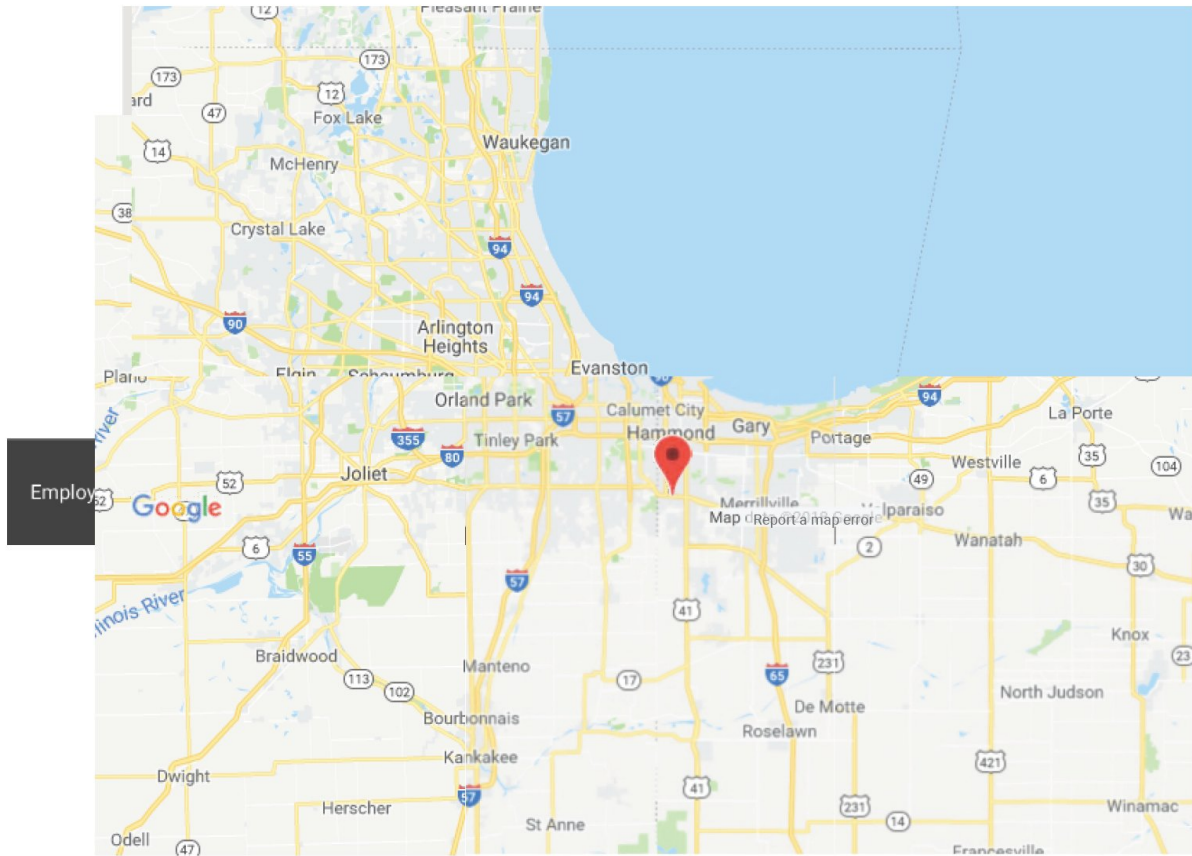


Exhibit S



Guaranteed Rate Field

 [Amenities Map](#)

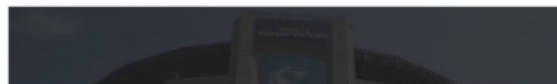
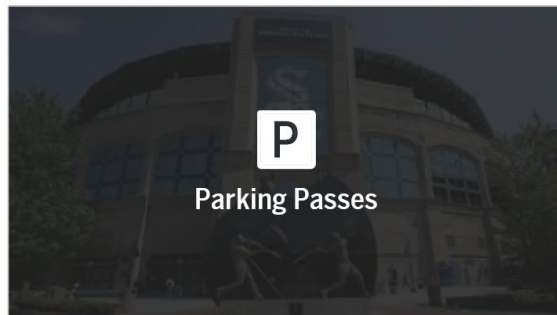
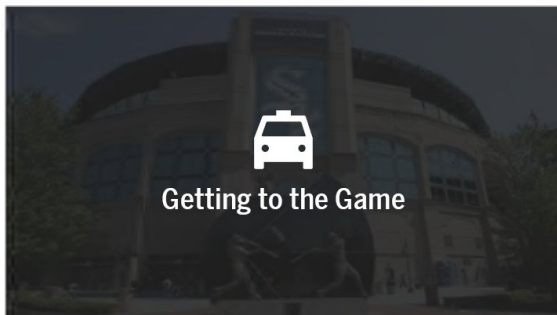
From the Party Deck to the XFINITY Fundamentals area, to the Guaranteed Rate Club and Club Level, Guaranteed Rate Field has a lot to offer Chicago fans. View our Amenities Map to find out where everything is at the ballpark. [Amenities Map »](#)



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U.S. Cellular Field, home of the White Sox, to become Guaranteed Rate Field



Tribune photographer Chris Sweda asks Sox fans what they think of the name change from U.S. Cellular Field to Guaranteed Rate Field before a game on Aug. 24, 2016. (Chris Sweda/Chicago Tribune)



By **Chris Kuc**
Chicago Tribune

AUGUST 24, 2016, 9:19 PM

Out with the Cell, in with ... well, fans aren't quite sure what to call it yet.

In a marriage between the White Sox and one of the largest home lenders in the United States, the ballpark located at 35th and Shields will undergo a name change Nov. 1 from U.S. Cellular Field to Guaranteed Rate Field.

The Sox announced Wednesday a 13-year naming-rights agreement with the mortgage lender after the owner and operator of the stadium, the Illinois Sports Facilities Authority (ISFA), approved the name change at a

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News of the name change triggered immediate bemusement on social media with the hashtag #BetterSoxStadiumNames trending in Chicago.

White Sox fans long have been uneasy about calling the team's home anything other than Comiskey Park.

When the current ballpark replaced venerable Comiskey Park in 1991, it was called New Comiskey Park. In 2003, the White Sox struck a naming-rights deal with U.S. Cellular for \$68 million over 20 years. The park's name was changed to U.S. Cellular Field, much to the displeasure of fans and the family of founding team owner Charles A. Comiskey.

"The Cell" became a popular nickname for U.S. Cellular Field, but what to make of Guaranteed Rate Field?

Sox outfielder Adam Eaton called the new name "different" after confirming the business of the new naming-rights partner.

"It's a mortgage company?" Eaton asked. "Man, they must be doing really well. ... I don't really know what to say. I'm excited to see what kind of names they come up with for the (nickname). It doesn't have that good of a ring to it, but I don't know."

Sprint bought U.S. Cellular's spectrum in Chicago in 2013, making the stadium name of diminished marketing value, at least locally. The team approached U.S. Cellular to end the deal early and find a new stadium sponsor, according to Brooks Boyer, White Sox senior vice president of sales and marketing, and Guaranteed Rate stepped up to the plate.

Founded in 2000 by Victor Ciardelli, Guaranteed Rate is one of the largest home lenders in the United States, funding \$18 billion in loans last year, according to the company. Securing naming rights for the Sox's stadium will help turn the company into a household name, at least in Chicago.

In a statement, White Sox Chairman Jerry Reinsdorf praised Guaranteed Rate as a "partner founded in Chicago by Chicagoans, which shares our commitment to the city and to our fans."

While the sides would not disclose the financial terms of the agreement, it includes broad marketing opportunities, both inside the stadium and through external media.

"There's significant in-stadium signage, behind-home-plate signage and merchandising," said Lynette Grinter, Guaranteed's vice president of marketing. "There's a lot of PR and community outreach opportunities and digital advertising included."

It is a coup for Guaranteed Rate, a privately held Chicago-based mortgage lender that has its sights on becoming one of the top five mortgage companies in the country, right up there with Wells Fargo and Quicken Loans. Right now, it is ranked No. 8, according to trade publication Inside Mortgage Finance.

The company, which relies heavily on technology to streamline the mortgage process, has quickly built its business by opening offices and acquiring competitors across the country.

Since its founding, Guaranteed Rate has grown to more than 3,200 employees nationally, including more than 700 at its headquarters in Chicago's North Center neighborhood, and has funded \$13.7 billion in loans so far this year.

Guaranteed Rate hired home renovation TV star Ty Pennington as its spokesman three years ago, and beefed up its marketing budget with a national TV campaign and ads behind home plate at 10 major-league stadiums. Putting the company's name on the home of the White Sox will be a big boost to the company's brand, according to Ciardelli.

"This was a next great step for us to build a national brand name and to increase our awareness," Ciardelli said.

A lifelong Chicago sports fan, Ciardelli said he attended every home game during the White Sox World Series run in 2005 and wants to help build attendance through promotion and community outreach as the team cycles through leaner times.

"We're going to put a lot of effort into getting some buzz and having some fun in the stadium," he said. "I hope to bring a lot of fans in. Our market share in Chicago is significant. We really want to use our customer base to drive more people into the ballpark. "

While changing the name of an iconic structure doesn't always take, Ciardelli is confident it eventually will prove to be a good investment, especially if the team improves.

"The naming rights will work out for itself in the long run, if we're both doing our part," he said.

While the financial terms of the 13-year deal were not disclosed, it is likely significantly higher than the previous one, based on the current market value of stadium naming rights sponsorships.

"I'd be shocked if it wasn't more than what U.S Cellular was paying," said Jim Andrews, senior vice president of IEG, a Chicago-based sponsorship research and valuation firm

On Tuesday, the Banc of California announced it had secured a 15-year naming-rights deal with a new Los Angeles pro soccer stadium for a reported \$100 million, or roughly \$6.7 million per year. Marc Ganis, a Chicago-based sports business consultant, said the White Sox deal should be in the same ballpark.

"You're in one of the great corporate environments in the world, in the third-largest market in the United States, with a sport that plays 81 home games, with a stadium that is on one of the most traveled highways in the country," Ganis said. "That should generate above-average rates."

Mortgage lenders are an unusual category for stadium naming rights, which usually go to banks and airlines, Ganis said. Getting into such rarefied corporate air will likely burnish Guaranteed Rate's image, he said.

“Getting the naming rights to the White Sox stadium adds a tremendous amount of credibility to Guaranteed Rate,” Ganis said.

ISFA Chairman Manny Sanchez said the facilities authority could receive up to \$6.4 million in revenue to put back into the ballpark. He also said the IFSA figures to save at least \$15 million and as much as \$20-\$25 million in potential facilities improvements as part of a compromise with the team for approving the naming-rights deal.

Sox players weren't immediately sold on the park's new name.

Infielder Tyler Saladino calls it the Cell, and he repeated the new name four times after learning of the change.

“That's a different one,” Saladino said. “That's going to take some getting used to. It's a lot easier to say the Cell, but all right.”

Saladino and Eaton noted they like some parks with quirky names. Eaton said he likes that Houston's Minute Maid Park is nicknamed “The Juice Box.” Saladino always thought the Oakland Coliseum was a cool name and thought the short-lived variation of O.co Coliseum was interesting too.

But neither had a suggestion yet about a Guaranteed Rate Field nickname.

“I'm sure they'll come up with some unique names for the park,” Eaton said. “It's not really a renowned company, which is kind of different.”

Chicago Tribune's Colleen Kane, Robert Channick and Mary Ellen Podmolik contributed.

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Twitter @ChrisKuc

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This article is related to: [Chicago White Sox](#)

Exhibit U

WIKIPEDIA

List of current Major League Baseball stadiums

The following is a **list of Major League Baseball stadiums**, their locations, their first year of usage and home teams.

The newest Major League Baseball (MLB) ballpark is SunTrust Park in Cumberland, Georgia, home of the Atlanta Braves, which opened for the 2017 season. Fenway Park in Boston, home of the Boston Red Sox, is the oldest, having opened in 1912.

Ten MLB stadiums do not have corporate naming rights deals. They are: Angel Stadium, Dodger Stadium, Fenway Park, Kauffman Stadium, Marlins Park, Nationals Park, Oakland–Alameda County Coliseum, Oriole Park at Camden Yards, Wrigley Field, and Yankee Stadium. Wrigley Field is named for former Chicago Cubs owner William Wrigley Jr. and not the Wrigley Company; Kauffman Stadium is named for original Kansas City Royals owner Ewing Kauffman, who brought baseball back to Kansas City; and Fenway Park is named for the Fenway–Kenmore neighborhood of Boston it is located in.



SunTrust Park, the newest stadium in Major League Baseball, opened in 2017. It is the home of the Atlanta Braves.

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‡Denotes stadium with a retractable roof.

†Denotes stadium with a fixed roof.

Stadiums

Current stadiums




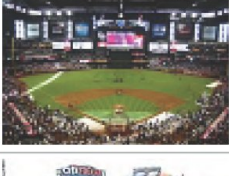



Image	Name	Seating capacity	Location	Playing surface	Team	Opened	Distance to center field	Ballpark typology	Roof type
	<u>Angel Stadium</u>	45,477 ^[1]	<u>Anaheim, California</u>	Grass	<u>Los Angeles Angels</u>	1966	396 feet (121 m)	<u>Modern Retro Modern</u>	Open
	<u>AT&T Park</u>	41,915 ^[2]	<u>San Francisco, California</u>	Grass	<u>San Francisco Giants</u>	2000	399 feet (122 m)	<u>Retro Classic</u>	Open
	<u>Busch Stadium</u>	45,529 ^[3]	<u>St. Louis, Missouri</u>	Grass	<u>St. Louis Cardinals</u>	2006	400 feet (122 m)	<u>Retro Classic</u>	Open
	<u>Chase Field</u> [†]	48,686 ^[4]	<u>Phoenix, Arizona</u>	Grass	<u>Arizona Diamondbacks</u>	1998	407 feet (124 m)	<u>Retro Modern</u>	Retractable
	<u>Citi Field</u>	41,922 ^[5]	<u>Queens, New York</u>	Grass	<u>New York Mets</u>	2009	408 feet (124 m)	<u>Retro Classic</u>	Open
	<u>Citizens Bank Park</u>	43,651	<u>Philadelphia, Pennsylvania</u>	Grass	<u>Philadelphia Phillies</u>	2004	401 feet (122 m)	<u>Retro Classic</u>	Open
	<u>Comerica Park</u>	41,299 ^[6]	<u>Detroit, Michigan</u>	Grass	<u>Detroit Tigers</u>	2000	420 feet (128 m)	<u>Retro Classic</u>	Open
	<u>Coors Field</u>	50,398 ^[7]	<u>Denver, Colorado</u>	Grass	<u>Colorado Rockies</u>	1995	415 feet (126 m)	<u>Retro Classic</u>	Open
	<u>Dodger Stadium</u>	56,000 ^[8]	<u>Los Angeles, California</u>	Grass	<u>Los Angeles Dodgers</u> ^{[8] [T]}	1962	400 feet (122 m)	<u>Modern</u>	Open





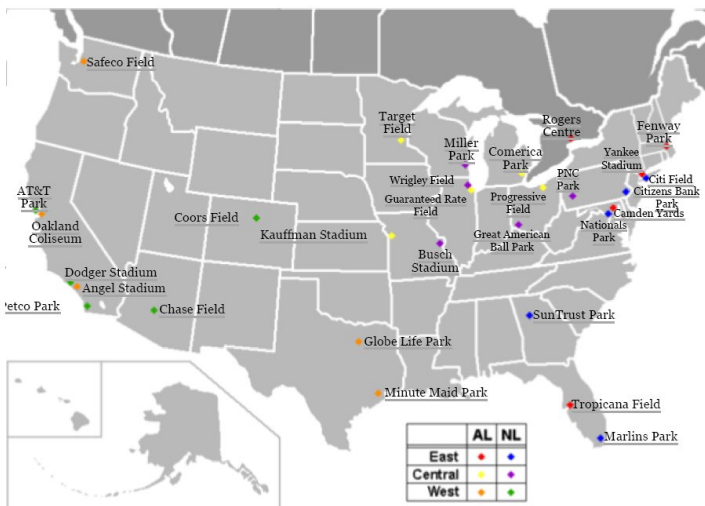
Image	Name	Seating capacity	Location	Playing surface	Team	Opened	Distance to center field	Ballpark typology	Roof type
									
	<u>Fenway Park</u>	37,731 ^[9]	<u>Boston, Massachusetts</u>	Grass	<u>Boston Red Sox</u> ^[nb 2]	1912	420 feet (128 m)	<u>Jewel Box</u>	Open
	<u>Globe Life Park in Arlington</u>	48,114 ^[10]	<u>Arlington, Texas</u>	Grass	<u>Texas Rangers</u>	1994	400 feet (122 m)	<u>Retro Classic</u>	Open
	<u>Great American Ball Park</u>	42,319	<u>Cincinnati, Ohio</u>	Grass	<u>Cincinnati Reds</u>	2003	404 feet (123 m)	<u>Retro Modern</u>	Open
	<u>Guaranteed Rate Field</u>	40,615	<u>Chicago, Illinois</u>	Grass	<u>Chicago White Sox</u>	1991	400 feet (122 m)	<u>Modern Retro Classic</u>	Open
	<u>Kauffman Stadium</u>	37,903 ^[11]	<u>Kansas City, Missouri</u>	Grass	<u>Kansas City Royals</u>	1973	410 feet (125 m)	<u>Modern Retro Modern</u>	Open
	<u>Marlins Park</u> †	36,742	<u>Miami, Florida</u>	Grass	<u>Miami Marlins</u>	2012	407 feet (124 m)	<u>Contemporary</u> ^[12]	Retractable
	<u>Miller Park</u> †	41,900 ^[13]	<u>Milwaukee, Wisconsin</u>	Grass	<u>Milwaukee Brewers</u>	2001	400 feet (122 m)	<u>Retro Modern</u>	Retractable
	<u>Minute Maid Park</u> †	41,168 ^[14]	<u>Houston, Texas</u>	Grass	<u>Houston Astros</u>	2000	409 feet (125 m) ^[15]	<u>Retro Modern</u>	Retractable

Image	Name	Seating capacity	Location	Playing surface	Team	Opened	Distance to center field	Ballpark typology	Roof type
									
	<u>Nationals Park</u>	41,339 ^[16]	<u>Washington, D.C.</u>	Grass	<u>Washington Nationals</u>	2008	402 feet (123 m)	<u>Retro Modern</u>	Open
	<u>Oakland–Alameda County Coliseum</u> ^[17]	47,170 ^[16]	<u>Oakland, California</u>	Grass	<u>Oakland Athletics</u>	1966 ^[nb 3]	400 feet (122 m)	<u>Multipurpose</u>	Open
	<u>Oriole Park at Camden Yards</u>	45,971 ^[19]	<u>Baltimore, Maryland</u>	Grass	<u>Baltimore Orioles</u>	1992	410 feet (125 m)	<u>Retro Classic</u>	Open
	<u>Petco Park</u>	40,209 ^[20]	<u>San Diego, California</u>	Grass	<u>San Diego Padres</u>	2004	396 feet (121 m)	<u>Retro Modern</u>	Open
	<u>PNC Park</u>	38,362	<u>Pittsburgh, Pennsylvania</u>	Grass	<u>Pittsburgh Pirates</u>	2001	399 feet (122 m)	<u>Retro Classic</u>	Open
	<u>Progressive Field</u>	35,051 ^[21]	<u>Cleveland, Ohio</u>	Grass	<u>Cleveland Indians</u>	1994	410 feet (125 m)	<u>Retro Modern</u>	Open
	<u>Rogers Centre</u> †	49,282	<u>Toronto, Ontario</u>	<u>AstroTurf GameDay Grass 3D</u>	<u>Toronto Blue Jays</u>	1989	400 feet (122 m)	<u>Multipurpose</u>	Retractable
	<u>Safeco Field</u> †	47,943 ^[22]	<u>Seattle, Washington</u>	Grass	<u>Seattle Mariners</u>	1999	401 feet (122 m)	<u>Retro Modern</u>	Retractable

Image	Name	Seating capacity	Location	Playing surface	Team	Opened	Distance to center field	Ballpark typology	Roof type
									
	SunTrust Park	41,149 ^[23]	Cumberland, Georgia	Grass	Atlanta Braves	2017	400 feet (122 m)	Retro Modern	Open
	Target Field	38,885 ^[24]	Minneapolis, Minnesota	Grass	Minnesota Twins	2010	404 feet (123 m)	Retro Modern	Open
	Tropicana Field †	31,042 ^[25]	St. Petersburg, Florida	AstroTurf GameDay Grass	Tampa Bay Rays	1990	404 feet (123 m)	Multipurpose	Fixed
	Wrigley Field	41,268 ^[26]	Chicago, Illinois	Grass	Chicago Cubs	1914 ^[nb 4]	400 feet (122 m)	Jewel Box	Open
	Yankee Stadium	47,422 ^[27]	Bronx, New York	Grass	New York Yankees	2009	408 feet (124 m)	Retro Classic	Open



Future ballparks, proposed, and sanctioned by MLB

Stadium	Estimated capacity	Location	Playing surface	Team	Estimated opening date	Roof type	Status
Globe Life Field [‡]	40,000	Arlington, Texas	Grass	Texas Rangers	2020	Retractable	Under Construction ^[28]
Oakland Ballpark	35,000	Oakland, California	Grass	Oakland Athletics	2023	Open	Proposed
Ybor Stadium [†]		Tampa, Florida	Grass	Tampa Bay Rays		Fixed	Proposed ^[29]

Notes

- ¹ **Dodger Stadium** was also home to the **Los Angeles Angels** from 1962–1965.
- ² **Fenway Park** was also home to the **Boston Braves** in part of 1914 and 1915, before they moved into **Braves Field**.
- ³ **Oakland Coliseum** opened for the **American Football League** (AFL) in 1966; the **Oakland Athletics** have been tenants since 1968.
- ⁴ **Wrigley Field** opened for the **Chicago Whales** (FL) in 1914; the **Chicago Cubs** have been tenants since 1916.

See also

- List of former Major League Baseball stadiums
- List of Major League Baseball spring training stadiums
- List of U.S. baseball stadiums by capacity
- List of U.S. stadiums by capacity
- List of baseball parks by capacity
- List of current National Football League stadiums
- List of National Hockey League arenas
- List of Major League Soccer stadiums
- List of Major League Lacrosse stadiums
- List of National Basketball Association arenas

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Exhibit V

IN THE UNITED STATES PATENT AND TRADE MARK OFFICE

Serial No. 87/054820
Applicant: Guaranteed Rate, Inc.
Filed: May 31, 2016
Examining Attorney: Andrea Butler, Law Office 124
Trade Mark: **GUARANTEED RATE**
Class: 36
Our Ref. 132699-403245

Commissioner for Trademarks
Alexandria, VA 22314

SUPPLEMENTAL DECLARATION OF ACQUIRED DISTINCTIVENESS

Sir:

The undersigned declares and states that the Applicant believes that the GUARANTEED RATE mark as shown in this application has become distinctive, as applied to applicant's services, by reason of Applicant's substantially exclusive and continuous use thereof as a mark in commerce in the United States for 18 years preceding the date of filing of this Declaration and for the following reasons:

1. I am the Chief Compliance of the Applicant, Guaranteed Rate, Inc., and I have knowledge of the facts set forth below and if called upon could competently testify thereto.
2. I submit this declaration in support of Applicant's claim of acquired distinctiveness.
3. Applicant has been using the GUARANTEED RATE mark in connection with its services for 18 years.
4. Applicant estimates that it has earned more than \$3,581,871,186 in sales for Applicant's services provided under the GUARANTEED RATE mark in its past 11 fiscal years.
5. In fiscal year 2017, Applicant earned \$569,470,597 in sales for its services under the GUARANTEED RATE mark.
6. Although Applicant is not in a position to know the exact number at this time, based on its past 11 fiscal years, Applicant anticipates that in fiscal year 2018, Applicant will earn at least \$500,000,000 in sales for its services under the GUARANTEED RATE mark.

7. Since 2007, Applicant has spent more than \$140,972,095 in advertising and promotional activities for its services under the GUARANTEED RATE mark.

8. In fiscal year 2017, Applicant spent \$33,930,234 in advertising and promotional activities for its services under the GUARANTEED RATE mark.

9. Although Applicant is not in a position to know the exact number at this time, based on its past 11 fiscal years, Applicant anticipates that in fiscal year 2018, Applicant will spend at least \$30,000,000 in advertising and promotional activities for its services under the GUARANTEED RATE mark.

10. Applicant has been the subject of over 6,700 consumer reviews online. Selected reviews for GUARANTEED RATE from Zillow.com, lendingtree.com and bankrate.com are attached as Exhibits A-C.

11. U.S. personal finance companies recognize the GUARANTEED RATE mark as indicating the source of the goods and services offered under the mark. Recent reviews of Applicant's services by nerdwallet.com, consumersadvocate.org and valuepenguin.com are attached as Exhibits D-F.

12. Internet search engines associate the GUARANTEED RATE mark with Applicant. Representative Google search results for "GUARANTEED RATE" are attached as Exhibit G.

13. Applicant ranks among the top mortgage lenders in the country. In 2016 Scotsman Guide, a mortgage industry publication, ranked Applicant under its GUARANTEED RATE mark as the fifth largest mortgage lender in overall volume. These rankings are attached as Exhibit H.

14. Applicant has engaged in extensive high-profile advertising campaigns under its GUARANTEED RATE mark. An article from Mediapost Agency Daily regarding Applicant's 2016 Super Bowl commercial is attached as Exhibit I.

15. Publications in the real estate industry recognize Applicant under its GUARANTEED RATE mark for its excellent service. Articles from Chicago Agent Magazine naming GUARANTEED RATE as top lender of the year are attached as Exhibits J and K.

16. The GUARANTEED RATE mark is the subject of a Wikipedia article that refers only to Applicant. The Wikipedia entry for GUARANTEED RATE is attached as Exhibit L.

17. Representative samples of Applicant's social media accounts under the GUARANTEED RATE mark are attached as Exhibits M-P. These samples show that Applicant has substantial followers on social media under the GUARANTEED RATE mark.

18. Applicant enjoyed rapid success under the GUARANTEED RATE mark. Exhibit Q shows Applicant's ranking from 2008-2015 in the Inc. 5000, which ranks the fastest-growing private companies in America.

19. The Chicago Tribune has recognized Applicant under the GUARANTEED RATE mark as a top workplace in 2010, 2012, 2013, 2014, 2015, 2016 and 2017. An article listing these accolades is attached as Exhibit R.

20. As part of its extensive advertising efforts, Applicant in 2016 purchased the naming rights to a Major League Baseball stadium and renamed it Guaranteed Rate Field. A webpage from mlb.com with information about Guaranteed Rate Field is attached as Exhibit S.

21. Applicant's naming of Guaranteed Rate Field has been the subject of numerous instances of third party publicity, including an article in The Chicago Tribune that focused on the GUARANTEED RATE mark. This article is attached as Exhibit T.

22. Guaranteed Rate Field is listed among the other Major League Baseball stadiums in the Wikipedia article listing current Major League Baseball stadiums, which is attached as Exhibit U.

23. Through Applicant's substantially exclusive and continuous use of its GUARANTEED RATE mark, for 18 years, Applicant believes that its customers have come to recognize and associate the GUARANTEED RATE mark with Applicant's goods and services. As such, Applicant's GUARANTEED RATE mark has become distinctive.

The undersigned further declares that all statements made herein of the undersigned's own knowledge are true, and that all statements made on information and belief are believed to be true; and further 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 Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this document or the application referred to therein.

Done this 16th day of April, 2018.

GUARANTEED RATE, INC.

By: 
Name: Rebecca Blabolil
Title: Chief Compliance Officer