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Subject: U.S. TRADEMARK APPLICATION NO. 76716800 - NORTH TEXAS COMMUNITY HEALTHCARE - 67393-3087 - Request for Reconsideration Denied - Return to TTAB - Message 1 of 7

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

U.S. APPLICATION SERIAL NO. 76716800

MARK: NORTH TEXAS COMMUNITY HEALTHCARE



CORRESPONDENT ADDRESS:

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GENERAL TRADEMARK INFORMATION:

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

APPLICANT: Texas Health Resources

CORRESPONDENT'S REFERENCE/DOCKET NO:

67393-3087

CORRESPONDENT E-MAIL ADDRESS:

REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE:

The trademark examining attorney has carefully reviewed applicant's request for reconsideration and is denying the request for the reasons stated below. See 37 C.F.R. §2.63(b)(3); TMEP §§715.03(a)(ii)(B), 715.04(a). The following requirement(s) and/or refusal(s) made final in the Office action dated June 25, 2015, are maintained and continue to be final: the Section 2(e)(2) primarily geographically descriptive refusal. See TMEP §§715.03(a)(ii)(B), 715.04(a).

In the present case, applicant's request has not resolved all the outstanding issue(s), nor does it raise a new issue or provide any new or compelling evidence with regard to the outstanding issue(s) in the final Office action. In addition, applicant's analysis and arguments are not persuasive nor do they shed new light on the issues. Accordingly, the request is denied.

As shown by the attached evidence, the wording NORTH TEXAS has a standard, recognized meaning and includes the Dallas and Arlington areas.

Moreover, the attached evidence indicates that applicant is providing its services in North Texas. Accordingly, a services-place association is presumed. When there is no genuine issue that the geographical significance of a term is its primary significance, and the geographical place is neither obscure nor remote, a public association of the goods and/or services with the place is presumed if an applicant's goods and/or services originate in the place named in the mark. TMEP §1210.04; *see, e.g., In re Cal. Pizza Kitchen Inc.*, 10 USPQ2d 1704, 1706 (TTAB 1988) (holding CALIFORNIA PIZZA KITCHEN primarily geographically descriptive of restaurant services rendered in California); *In re Handler Fenton Ws., Inc.*, 214 USPQ 848, 849-50 (TTAB 1982) (holding DENVER WESTERNS primarily geographically descriptive of western-style shirts originating in Denver).

If applicant has already filed a timely notice of appeal with the Trademark Trial and Appeal Board, the Board will be notified to resume the appeal. *See* TMEP §715.04(a).

If no appeal has been filed and time remains in the six-month response period to the final Office action, applicant has the remainder of the response period to (1) comply with and/or overcome any outstanding final requirement(s) and/or refusal(s), and/or (2) file a notice of appeal to the Board. TMEP §715.03(a)(ii)(B); *see* 37 C.F.R. §2.63(b)(1)-(3). The filing of a request for reconsideration does not stay or extend the time for filing an appeal. 37 C.F.R. §2.63(b)(3); *see* TMEP §§715.03, 715.03(a)(ii)(B), (c).

/Robert J. Struck/

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571-272-1513

North Texas Muslims upset over release of murder suspect

Word & Image by FOX4News.com

By: FOX4News.com Staff

Published on the FOX4News.com website on 02/18/2016 at 10:34:34 AM

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PLEASANT GROVE, TX - 2017 3 PM update - (1) Muslim is arrested Anthony Torres on Wednesday morning

The North Texas Muslim community is raising questions after a murder suspect being investigated for a hate crime was released from jail twice.

Dallas police said on Christmas Eve, Anthony Torres opened fire at Omar's Wheels and Tires on South Buckner Boulevard in Pleasant Grove. A non-Muslim man sitting in his car was killed, a Middle Eastern shop employee was shot and others were grazed by bullets.



Torres had been to the shop before, saying Muslims were "making problems" and he was going to come back and kill them, police said.

Local Muslim leaders point out that the man who died in the shooting spree was not Muslim, but an Hispanic tattoo artist who was in the wrong place at the wrong time.

"Quite frankly this endangers anyone that could possibly be mistaken for Middle Eastern," said Omar Suleiman.

Torres was charged with a hate crime, one count of murder and two counts of aggravated assault. But he was released from jail last month after posting the \$150,000 bond.

Torres was arrested again this past Thursday in Rockwall for knocking over vases at an office building and telling police "he was tired of the rich oppressing the poor."

Police said he lied about his name and ended up with being charged with just criminal mischief and fail to identify. Rockwall police requested a high bond, but said a jailer missed the request and Torres was allowed to bond out.

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The Council on American Islamic Relations renewed its call for federal agents to investigate the shooting as an act of domestic terrorism after learning that Torres had not only been released from Dallas County, but arrested and released again.

"We are horrified that such a dangerous criminal had bail set to begin with but the fact that it was set so low is absolutely inexcusable," Alia Salem said.

U.S. Marshals took Torres into custody again Wednesday morning for outstanding bond forfeiture warrants.



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INDUSTRY NEWS COMMERCIAL REAL ESTATE

Pabst Brewing to open Irving office as new North Texas hub

Feb 17, 2016, 2:19pm CST Updated Feb 17, 2016, 5:51pm CST



Candace Carlisle Staff Writer Dallas Business Journal





Pabst is no longer brewed at the Milwaukee complex that bears the name near downtown... [more](#)

LEE NATZ

The Pabst Brewing Company LLC plans to open an office at Las Colinas Urban Towers in Irving, which will serve as a hub for the Los Angeles-based company's brewing operations, sales operations and certain management teams.

The 132-year-old company, which brews Pabst Blue Ribbon, has [signed a two-year lease](#) for 8,300 square feet of office space within the tower at 222 W. Las Colinas Blvd., with plans to move into its new regional office in April.





Pabst is no longer brewed at the Milwaukee complex that bears the name near downtown. ... more

LEE MATZ

In all, the new Irving office will give Pabst enough space to fit up to 50 employees and will give the brewer its third such hub in the United States, according to the Greater Irving-Las Colinas Chamber of Commerce's website.

The brewer could be looking to grow into the craft-beer segment of the industry after being bought by a partnership formed by the former chairman of Russia-based Oasis Beverages, Eugene Kashper.

Kashper, who is described as a "American beer entrepreneur," left Oasis Beverages to form a partnership with San Francisco-based TSG Consumer Partners LLC, called Blue Ribbon Intermediate Holdings LLC, which acquired Pabst in November 2014.

At the time of the deal, Kashper, now-chairman and CEO of Pabst, said in a statement that Pabst Blue Ribbon is the quintessential American brand that represents "individualism, egalitarianism and freedom of expression."

The company's executive team, marketing, human resources and legal departments will continue to operate out of operational headquarters in Fox Grove. Pabst's accounting and

The company's executive team, marketing, human resources and legal departments will continue to operate out of operational headquarters in Los Angeles. Pabst's accounting and information technology departments will continue to operate from San Antonio.

Pabst wanted to put an office in North Texas because of the region's central location in the United States with easy access to the rest of the country. Officials say it will also serve as a meeting location for executives and key team members.

The brewer recently announced plans to open a new operation in Milwaukee, where it plans to brew its ales and lagers in a former church that served as an office for Pabst for years.

Pabst did not immediately respond to interview requests for this story.

Candace covers commercial and residential real estate and sports business.



The Las Colinas Urban Towers... [more](#)

LAS COLINAS URBAN TOWERS



Eugene Kochper announces... [more](#)

PHOTO BY TOM HELO

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Big Oil, Bad Air

Health worries pervade North Texas fracking zone

By [Jamie Smith Hopkins](#) [email](#) 5:00 am, December 11, 2014 Updated: 11:41 am, January 7, 2015





Taylor Ishee with mother Anita Ishee at the Baylor T. Boone Pickens Cancer Hospital in Dallas in October as he recovered from an infection. His cancer is in remission, but its ripple effects continue to haunt him. Jamie Smith Hopkins/Center for Public Integrity

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DALLAS—Propped up on a hospital bed, Taylor Ishee listened as his mother shared a conviction that choked her up. His rare cancer had a cause, she believes, and it wasn't genetics.

Others in Texas have drawn the same conclusions about their confounding illnesses. Jana DeGrand, who suffered a heart attack and needed both her gallbladder and her appendix removed. Rebecca Williams, fighting

Sick in the Barnett Shale

By Eleanor Bell December 11, 2014

Registered nurse Rebecca Williams talks about the health issues she has witnessed in those living alongside gas wells and compressor stations in Azle, Texas.



...
off unexplained rashes,
sharp headaches and
repeated bouts of pneumonia. Maile Bush, who needed surgery for a sinus
infection four rounds of antibiotics couldn't heal. Annette Wilkes, whose own
severe sinus infections were followed by two autoimmune diseases.

They all lived for years atop the gas-rich Barnett Shale in North Texas,
birthplace of modern hydraulic fracturing. And they all believe exposure to
natural gas development triggered their health problems.

"I've been trying to sell my house," said Williams, a registered nurse,
"because I've got to get out of here or I'm going to die."

Texas regulators and politicians have shrugged off such complaints for years.
The leap from suspected environmental exposure to definitive proof of harm
is a difficult one, and they insist they've found no cause for concern. Officials
in other states have said the same thing as hydraulic fracturing — known as
fracking — moved beyond Texas and opened up lucrative oil and gas
deposits across the country.



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But scientific research — coming out now after years of
sparse information — suggests that proximity could pose
risks.

Measurements taken near sites that residents identified
as problematic in five states found spikes in air toxics

Key findings:

The Barnett Shale, birthplace of
modern fracking, lies beneath 5,000
square miles in North Texas and has
16,000 gas-producing wells.

such as benzene, which can cause leukemia. A Colorado study found more babies born with congenital heart defects in gas-well-intensive areas than in places without wells. Yale University researchers surveying Pennsylvania residents — without mentioning gas — determined that those living close to wells were significantly more likely to report having skin and upper-respiratory problems than those farther away. This year a 16-university group recommended substantially more research given the potential problems.

Dr. Anne C. Epstein, an internal medicine specialist who sits on the Lubbock, Texas, Board of Health, reviewed the research herself and saw it as a call to action.

"I think the level of evidence that we currently have is enough to invoke the precautionary principal and take precautions to protect the public who live close to oil and gas development against the potential health effects of toxic exposure," said Epstein, whose city sits at the edge of another Texas shale play, the Permian Basin. "I think it's enough right now."

The Barnett boom kicked off about 15 years ago, the early wave of a new phenomenon: Millions of Americans, rather than a relative handful in remote places, living amid the work of getting oil and gas out of the ground. Fracking — pumping water, sand and chemicals into the ground to shake loose gas and oil — kick-started the shale boom that brought drilling into urban and suburban places.

That makes the Barnett region a laboratory of sorts, the longest-running experiment about what it

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The Barnett is the longest-running experiment about what happens when fracking operations move next door to people. [SHARE THIS: t f](#)

The Barnett region is more than twice the size of Delaware, and its 26 air monitoring stations leave most of it uncovered. [SHARE THIS: t f](#)

Oil and gas emissions vary greatly, making it difficult to assess impacts on health — one Texan uses the phrase "trying to chase air."

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The Barnett Shale

