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Request for Reconsideration after Final Action

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MARK SECTION (no change)	
ARGUMENT(S)	
<p>The Examining Attorney has maintained the refusal to register Applicant's mark, DANAHER, under Section 2(e)(4) of the Trademark Act, stating that the mark is primarily merely a surname. The Applicant respectfully reiterates its disagreement with the Examining Attorney, and requests reconsideration of the refusal to register based on the arguments submitted previously, incorporated by reference herein, and supplemented by those set forth <i>infra</i>.</p> <p>As a preliminary matter, Applicant respectfully urges the Examining Attorney to act consistently with past decisions of the United States Patent and Trademark Office in registering marks featuring DANAHER on the Principal Register. In particular, Applicant points to the registration for DANAHER MOTION, U.S. Trademark Registration No. 3131960, which is owned by Danaher Motion Technology LLC, a wholly owned subsidiary of Applicant; therefore the two entities constitute a "single source." Exhibit A. TMEP §1201.07. The surname issue was never raised in the prosecution of the DANAHER MOTION application, which was registered August 22, 2006. While Applicant acknowledges that the decisions of past examining attorneys are not controlling, the Trademark Manual of Examining Procedure nonetheless indicates that Examining Attorneys should act consistently with prior acts, unless doing so would be clear error. TMEP 702.03 (a)(ii); TMEP 1216.06. Considering the totality of the factors in the test for whether a mark is primarily merely a surname and that doubts about whether a mark is primarily merely a surname are to be resolved in favor of the applicant, the Examining Attorney is urged to act consistently with the USPTO's decision to register the mark DANAHER MOTION on the Principal Register, and to therefore approve this application for registration.</p> <p>The proper test for surnames is not whether a word is <i>ever</i> used as a surname, but whether the <i>primary</i> significance of the word is as a surname. See 15 U.S.C. 1052(e)(4). (The statute prevents registration of marks that are "<u>primarily merely</u>" a surname, not marks that could be perceived as a surname. <i>Id.</i> Prior to the Lanham Act, registration was refused if a word had ever been used as a surname; however, the Lanham Act "eliminate[d] the practice previously existing of looking up a word in several telephone directories of large cities and refusing registration if the word was found listed anywhere as a surname without regard to any other considerations." <i>Ex parte Wayne Pump Co.</i>, 88</p>	

U.S.P.Q. 436, 437 (Chief Examiner 1951). "The test should be: What is its primary significance to the purchasing public?" *Ex parte Rivera Watch Corp.*, 106 U.S.P.Q. 145, 149 (Comm'r of Patents 1955). Here, given the rarity of "Danaher" as a surname, it cannot be said that the purchasing public will perceive the mark DANAHER as primarily merely a surname.

The burden is on the Patent and Trademark Office to establish a *prima facie* case that a mark is perceived primarily merely as a surname. *In re Etablissements Darty et Fils*, 759 F.2d 15, 22 U.S.P.Q. 652, 653 (Fed. Cir. 1985). Doubts about whether a term is primarily a surname are resolved in favor of the applicant. *In re United Distillers PLC*, 56 U.S.P.Q.2d 1220 (T.T.A.B. 2000); *In re S. Oliver Bernd Freier GmbH & Co. Kg*, 20 U.S.P.Q.2d 1878 (T.T.A.B. 1991). The Trademark Trial and Appeal Board has identified five factors to be considered in the determination of whether the primary significance of a mark is as a surname. TMEP 1211.01; *In re Benthin Management GmbH*, 37 U.S.P.Q.2d 1332, 1333-1334, (T.T.A.B. 1995). The factors considered include: (1) whether the surname is rare; (2) whether the term is the surname of anyone connected with the applicant; (3) whether the term has any recognized meaning other than as a surname; (4) whether it has the "look and feel" of a surname; and (5) whether the stylization of lettering is distinctive enough to create a separate commercial impression. TMEP 1211.01; *In re Benthin Management GmbH*, 37 U.S.P.Q.2d 1332, 1333-1334, (T.T.A.B. 1995). Here, the surname is rare, the mark is not the surname of anyone connected with Applicant, the mark has a recognized meaning other than as a surname, and the mark does not have the look and feel of a surname. Accordingly factors, one, two, three, and four weigh in favor of the Applicant. While the application is for a standard character mark, given the rarity of the surname and that the mark has other recognized meanings, the fifth factor is, at most, neutral.

A fundamental consideration in the determination of whether a mark is perceived as primarily merely a surname is the rarity of the surname, as well as whether the mark conveys a surnomial impression. *See In re Sava Research Corp.* 32 USPQ2d 1380 (TTAB 1994), cited in TMEP 1211.01 (a)(v); *In re Benthin Management GmbH*, 37 U.S.P.Q.2d at 1333, cited in TMEP 1211.01 (a)(v). *In re Kahan & Weisz Jewelry Mfg. Corp.*, 508 F.2d 831, 184 U.S.P.Q. 421 (C.C.P.A. 1975) (DUCHARME for watches held not primarily merely a surname: listed six times in three different forms in Manhattan phone directory); *In re Garan, Inc.*, 3 U.S.P.Q.2d 1537 (T.T.A.B. 1987) ("[T]he degree of a surname's rareness should have a material impact on the weight given the directory evidence").

As evidence that the mark is primarily merely a surname, the Examining Attorney submitted an excerpt of 100 entries out of a total of 740 listings revealed by a search of the LEXIS/NEXIS database P-FIND. (March 19, 2007 Office Action). This evidence is deficient in two respects. First, the Examining Attorney has not provided copies of all the listings revealed by the database search. Since Applicant has not been provided the opportunity to review the entirety of the search results, there is no way to determine the number of duplicate entries, which impacts the rarity of the surname, especially since inaccuracies in the database exist. Exhibit B. Nonetheless, as previously noted in Applicant's March 24, 2008 response, of the 100 listings provided by the Examining Attorney, seven were duplicates, so that the excerpt provided by the Examining Attorney actually revealed only 93 unique entries. Accordingly, Applicant may assume 7% duplications overall; out of 740 listings, the P-FIND data therefore lists approximately only 688 unique entries. Second, the Examining Attorney has not provided the number of total entries appearing in the database at the time the search was conducted. Such an omission renders the evidence provided of limited value, if not altogether irrelevant, since the frequency of DANAHER as a surname cannot be determined.[1] Nonetheless, in the interest of expediting prosecution of this application, Applicant has independently researched the source information and learned that the database contains over 146 million individuals. Exhibit B. Applicant will proceed with its argument on this basis. Given the paltry number of listings containing the

surname DANAHER in a search of all individuals in the United States, DANAHER is an extremely rare surname. Thus DANAHER will not have *primary* significance as a surname. See TMEP 1211.01(a)(v) and cases cited.

The Trademark Trial and Appeal Board (“TTAB”) recently overturned a refusal to register the mark BAIK under Section 2(e)(4) of the Trademark Act, finding that the surname “Baik” was “extremely rare” with only 456 individuals in the United States having the name. *In re Joint-Stock Company “Baik”*, 80 U.S.P.Q.2d 1305 (TTAB 2007) (Precedential) (concluding that the examining attorney failed to meet the burden of establishing that BAIK was primarily merely a surname). Applicant notes that the occurrence of DANAHER as a surname is similar to the frequency of BAIK as a surname, but BAIK was allowed for registration on the Principal Register. In fact, the Court in *Joint-Stock Company* noted that even the surnames PAIK, NAIK, and BAK, were “obscure names” even where evidence revealed “approximately 800,” “less than 900,” and 1100 occurrences of each name respectively. 80 U.S.P.Q.2d 1305. Here, the occurrence of DANAHER as a surname is less than BAK, NAIK, and even PAIK; therefore accordingly to the Court in *Joint-Stock Company*, DANAHER is considered an “obscure” or rare surname. Given the diminutive number of occurrences of DANAHER as a surname in the United States, Applicant urges the Examining Attorney to act consistently with recent TTAB precedent.

The minimal occurrence of DANAHER as a surname revealed in this instance is insufficient to support a refusal under Trademark Act Section 2(e)(4). While it is possible for the Patent and Trademark Office to meet its burden based on telephone listings alone, a greater number of individual telephone listings must be present. In *In re Kahan & Weisz Jewelry Mfg. Corp.*, six listings in a Manhattan telephone directory of the mark at issue did not meet the Patent and Trademark Office’s burden of showing that “Ducharme” was primarily merely a surname. See *In re Kahan & Weisz Jewelry Mfg. Corp.*, 184 U.S.P.Q. 421, 422 (C.C.P.A. 1975). To understand the statistical significance with respect to the instant case, a 1970 census of Manhattan showed there were approximately 1,500,000 inhabitants. See Exhibit C, Campbell Gibson, *Population of the 100 Largest Cities and Other Urban Places in the United States: 1790 to 1990*, at 14 (1998) attached hereto. Assuming that all inhabitants were listed in the telephone book the surname “Ducharme” occurred in approximately 4 ten thousandths of one percent (0.0004%) of the population. This was held insufficient evidence for the Patent and Trademark Office to have met its burden. *In re Kahan* 184 U.S.P.Q. at 422. Similarly the occurrence of DANAHER is also approximately 4 ten thousandths of one percent (0.0004%) of the representative sample population, representing 688 unique entries out of the Lexis/Nexis PFIND database, which includes more than 146 million people in its database (Exhibit B), the same frequency as “Ducharme” in *In re Kahan & Weisz Jewelry Mfg. Corp.*

The rarity of a surname alone is a significant factor in the determination of whether a mark is primarily merely a surname. The intent of Trademark Act §2(e)(4) is to keep surnames available for use by those with that surname. 15 U.S.C. §1052(e)(4); see *Kimberly-Clark Corp. v. Marball, Comr. Pats.*, 94 F.Supp 254, 88 U.S.P.Q. 277, 279 (D.D.C. 1950) (“The spirit and the intent of the entire Act indicates that Congress intended to codify the law of unfair competition in regard to the use of personal names as it has been developed by the courts. ... At common law it was held that every man had an absolute right to use his own name.”). When, as in the instant case, a surname is so extremely rare, it is counter to the intent of the statute to refuse registration based on its significance as a surname. The extreme rarity of the name “DANAHER” alone provides a sufficient basis on which to conclude that it is not primarily merely a surname. See *In re Curlin Medical Inc.*, Serial No. 78560314 (T.T.A.B. February 2008) (See Herman, J., concurring) (“if the Examining Attorney cannot show that a reasonable number of people have a particular surname, in my view the Office cannot meet its burden of prima facie showing that a mark is primarily merely a surname”). Here the number of people with the surname DANAHER is presumably “so small that the purpose of the statute prohibiting the registration of marks

which are primarily merely surnames would not be served by refusing registration in this case.” *Id.*

The mark, DANAHER, has other recognized meanings other than as surname, thereby mitigating any possibility that the consuming public will perceive the mark as primarily merely a surname. TMEP §1211. Since the mark has multiple recognized meanings, other than as a surname, it is not primarily merely a surname. *In re Monotype Corp. PLC*, 14 U.S.P.Q.2d 1070 (T.T.A.B. 1989) (the word “Callisto” has significant nonsurname meaning from Greek mythology); *In re Isabella Fiore, LLC*, 75 U.S.P.Q.2d 1564, 2005 WL 1787224 (T.T.A.B. 2005) (holding that FIORE for carrying bags was not primarily merely a surname). The Examining Attorney dismisses Applicant’s geographical evidence that the mark DANAHER has a meaning other than as a surname, stating that it is “insignificant in relation to the ‘primary’ perception of the mark.” However, given the insignificant frequency of occurrences of DANAHER as a surname, it cannot be assumed that consumers will have a “primary” perception of the mark as a surname. Following the Examining Attorney’s logic, if consumers will not perceive the geographical significance of the mark DANAHER, then they also will not perceive the sumomial significance given its rarity.

Notwithstanding the foregoing, Applicant reiterates that the word “Danaher” conveys impressions other than as a surname; “Danaher” is the name of a river, which is a tributary to the South Fork of the Flathead River in western Montana, also referred to as “Danaher Creek” or “Danaher Basin” (Exhibit D); “Danaher” is also the name of a settlement in Michigan (Exhibit E); “Mount Danaher” is the name of a mountain summit in El Dorado County in the state of California (Exhibit F); and “Danaher” is the name of a mountain summit in Montana (Exhibit G). The Court in *Joint-Stock*, agreed with the applicant there, noting that “the mark evokes or sounds similar to the word “Baikal,” which has a recognized geographic significance, denoting a lake and mountain range in the Siberian region of Russia. 80 U.S.P.Q.2d 1305. Here, the mark itself has geographic significance of not one but four places in the United States. If the evocation of a geographic place in a different country was considered evidence that the mark had a recognized meaning other than as a surname, Applicant submits that the evidence in this case is sufficient to establish that consumers viewing the mark will perceive it as something other than a surname.

The Examining Attorney summarily dismisses the evidence that the mark DANAHER has a recognized meaning other than as a surname, stating that “no evidence has been presented that the features are in any way related to the use of mark or the production of the goods, i.e. Danaher Creek, Montana or Danaher, Michigan, the areas are predominantly recreational (fly fishing), not manufacturing.” The analysis of whether a mark is primarily merely a surname has no requirement that the meaning of a mark must have some connection to the use of the mark or production of the goods. In fact, the incongruity between a mark and the goods on which it is used generally results in stronger trademark protection. And in any event, the evidence demonstrates that the Applicant’s mark was inspired by the geographic reference to the river as well as the suggestive qualities of the Celtic derivation of Applicant’s mark meaning “swift flowing”.

In dismissing the other recognized meanings of DANAHER, the Examining Attorney sets forth certain scenarios to identify his interpretation of how consumers will perceive the mark; such speculation without actual evidence is of minimal value in the surname analysis. Equally as plausible as the Examining Attorney’s scenarios is that consumers will perceive the mark to be a derivative of the Celtic word “Dana” meaning “swift flowing.” Exhibit H. In addition to the connection with a river, “swift flowing” has suggestive qualities as an attribute of the Applicant’s business (“a manufacturing company dedicated to continuous improvement and customer satisfaction”). Applicant submits that the most plausible scenario, based on the rarity of the surname, is that consumers viewing the mark will perceive DANAHER as arbitrary or as a coined term and not as a surname. Given the multitude of meanings and possible consumer perceptions, and that doubts about whether a term is

primarily a surname are resolved in favor of the applicant, it is improper to maintain the surname refusal in this instance. See *In re United Distillers*, 56 U.S.P.Q.2d at 1222 (doubts to be resolved in favor of the application; primary significance to the purchase public not “solely that of a surname”); *In re S. Oliver Bernd Freier*, 20 U.S.P.Q.2d at 1879 (where there is “a certain ambiguity present in this mark so that it cannot be predicted whether the perception of the consuming public would be as a surname or a given name” doubts are to be resolved in favor of the applicant).

Finally, the mark does not have the structure and pronunciation or look and sound of a surname. TMEP 1211.01; *In re Benthin Mgmt*, 37 U.S.P.Q.2d 1332. Since the mark has recognized meanings other than as a surname, is similar in look and sound to words with recognized meaning other than as a surname, and considering the rarity of it as a surname, consumers will not perceive the mark primarily as a surname. DANAHER therefore appears arbitrary or as a coined term when used in connection with the goods identified in the application. Further, the surname, DANAHER, is so rare that it is contradictory to assert that it has the look and feel of a surname. TMEP 1211.01 (a) (vi). In cases where a surname is so rare, the application of the “primary significance to the purchasing public” standard may result in a finding that the surname, “when used as a mark, would be perceived as arbitrary or fanciful,” even in the absence of non-surname significance. *In re United Distillers plc*, 56 USPQ2d 1220 (TTAB 2000) (HACKLER does not have the look and feel of a surname); See e.g. *In re Joint-Stock Company*, 80 U.S.P.Q.2d 1305 (BAIK “extremely rare surname, despite 456 listings and appearance in newspapers and other media; surname refusal reversed).

In arguing that DANAHER has the “look and feel” of a surname the Examining Attorney compares the presence of the ending “-er” in Applicant’s mark with other surnames with the same ending, e.g. Miller, Bauer, Lauer, and Stiller. The Examining Attorney argues that the “-er” or “-her” in Applicant’s mark may signify the cultural origin of the surname “Danaher” in the same way that “Miller” is of English origin, meaning “one who farms” and “Bauer” is of German origin, also meaning “one who farms”. Yet the Examining Attorney provides no evidence that the “-er” or “-her” is the Celtic equivalent of “-er” in surnames of English or German origin.[2] Instead, the Examining Attorney asserts that Applicant’s own description of DANAHER as being of Celtic origin somehow supports that the “look and feel” of the mark is as a surname. However, Applicant explicitly describes the word “Dana” as being of Celtic origin with a recognized meaning, namely “swift flowing.” In this regard the mark DANAHER is akin to the mark BAIK in *Joint-Stock Company* where the court found that while not a recognized word in Russian, the mark BAIK sounded like a word in the Russian language. 80 U.S.P.Q.2d 1305. Here, while DANAHER may not have a recognized Celtic meaning, it is derived from a Celtic root (“DANA”) with an independent meaning and evokes or sounds like a Celtic word.

Applicant submits that the ending “-er” in no way creates the “look and feel” of a surname. Instead “-er” is a recognized and commonly used suffix. The suffix “-er” is typically used in the structure of a comparative in the English language, that is “a positive form of the adjective or adverb, plus the suffix -er” (e.g. taller, smarter, lesser). Exhibit I. Consumers are just as likely, if not more likely to understand the ending “-er” as a suffix rather than as having the “look and feel” of a surname. The surnames used to support the Examining Attorney’s argument, namely Miller, Bauer, Lauer, and Stiller, bear no other similarities to the mark aside from the shared “-er” component; though the cited surnames share other similarities with one another, Miller and Stiller each contain the “-iller” component while Bauer and Lauer the “-auer” component. If Applicant’s mark ended in “-iller” or “-auer” the “look and feel” argument here may carry more weight, but the use of the “-er” component is not sufficient to suggest that a term has the look and feel of a surname. The surnames cited as comparisons to support that DANAHER has the “look and feel” of a surname are not only more frequent or popular surnames (Miller is the 7th most popular surname in the U.S., Bauer is the 700th

most popular surname in the U.S., Lauer is the 4360th most popular surname in the U.S.; and Stiller is the 11784th most popular surname in the U.S.) (see Exhibit J generally), but each of the cited surnames is easily recognizable as a surname as a result of the notoriety of an individual with that surname, whether a real or fictional individual (Matt Lauer of NBC, Ben Stiller a comedian, actor, producer, and director, and Jack Bauer of the television series 24). In view of the foregoing considerations, Applicant submits that the cited surnames are commonly recognized surnames, not because they end in “-er” but because of the frequency of occurrence as a surname, the famous individuals who have the surname, and the other shared components that create the “look and feel.” The cited surnames bear no other similarities to the mark and do not serve to suggest that consumers will primarily perceive DANAHER as a surname.

Since four of the five factors enunciated by the Trademark Trial and Appeal Board weigh in favor of the Applicant, with the fifth factor (the stylization of the mark) being at most neutral, the mark will not be viewed by consumers as primarily merely a surname. The Applicant submits that where there are doubts as to whether the mark is primarily merely a surname, as in this case, the mark should be passed to publication for the opportunity for opposition. “[O]n the question of whether a mark would be perceived as primarily merely a surname, we are inclined to resolve doubts in favor of the Applicant and pass the mark to publication with the knowledge that others who have the same surname and use it or wish to use it for the same or similar goods or services can file a notice of opposition.” *In re Benthin Management GmbH*, 37 U.S.P.Q.2d 1332, 1334 (T.T.A.B. 1995) (emphasis added). Applicant respectfully requests that the Examining Attorney withdraw the surname refusal and approve this application for public.

[1] Since for example, 740 entries out of 100,000 would suggest that the surname was more common than for example 740 entries out of 146 million, which would suggest that the surname was in fact rare.

[2] The Examining Attorney has provided the hit list for a Google search of “danaher celtic” which only shows that the term “danaher” appears on the same website or article as “celtic” but does not suggest that that “Danaher” is a surname of Celtic origin.

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DESCRIPTION OF EVIDENCE FILE	Copy of U.S. Trademark Registration No. 3131960; Source information for Lexis/Nexis P-FIND Database; Article from U.S. Census Bureau; website excerpts; online encyclopedia article
CORRESPONDENCE SECTION	
NAME	Curtis Krechevsky
FIRM NAME	Cantor Colburn LLP
INTERNAL ADDRESS	22nd Floor
STREET	20 Church Street
CITY	Hartford
STATE	Connecticut
ZIP/POSTAL CODE	06013-3207
COUNTRY	United States
PHONE	860-286-2929
FAX	860-286-0115
EMAIL	TM-CT@cantorcolburn.com
AUTHORIZED EMAIL COMMUNICATION	Yes
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Michelle P. Ciotola/
SIGNATORY'S NAME	Michelle P. Ciotola
SIGNATORY'S POSITION	Attorney of record, CT and NY bar member
DATE SIGNED	10/14/2008
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	

SUBMIT DATE	Tue Oct 14 11:48:52 EDT 2008
TEAS STAMP	USPTO/RFR-12.157.59.83-20 081014114852484543-770372 28-430a95bb26d91642897b58 5a1cab6386cb-N/A-N/A-2008 1014114348309795

PTO Form 1930 (Rev 9/2007)

OMB No. 0651-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **77037228** has been amended as follows:

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

The Examining Attorney has maintained the refusal to register Applicant's mark, DANAHER, under Section 2(e)(4) of the Trademark Act, stating that the mark is primarily merely a surname. The Applicant respectfully reiterates its disagreement with the Examining Attorney, and requests reconsideration of the refusal to register based on the arguments submitted previously, incorporated by reference herein, and supplemented by those set forth *infra*.

As a preliminary matter, Applicant respectfully urges the Examining Attorney to act consistently with past decisions of the United States Patent and Trademark Office in registering marks featuring DANAHER on the Principal Register. In particular, Applicant points to the registration for DANAHER MOTION, U.S. Trademark Registration No. 3131960, which is owned by Danaher Motion Technology LLC, a wholly owned subsidiary of Applicant; therefore the two entities constitute a "single source." Exhibit A. TMEP §1201.07. The surname issue was never raised in the prosecution of the DANAHER MOTION application, which was registered August 22, 2006. While Applicant acknowledges that the decisions of past examining attorneys are not controlling, the Trademark Manual of Examining Procedure nonetheless indicates that Examining Attorneys should act consistently with prior acts, unless doing so would be clear error. TMEP 702.03 (a)(ii); TMEP 1216.06. Considering the totality of the factors in the test for whether a mark is primarily merely a surname and that doubts about whether a mark is primarily merely a surname are to be resolved in favor of the applicant, the Examining Attorney is urged to act consistently with the USPTO's decision to register the mark DANAHER MOTION on the Principal Register, and to therefore approve this application for registration.

The proper test for surnames is not whether a word is *ever* used as a surname, but whether the *primary* significance of the word is as a surname. See 15 U.S.C. 1052(e)(4). (The statute prevents registration of marks that are "primarily merely" a surname, not marks that could be perceived as a surname. *Id.* Prior to the Lanham Act, registration was refused if a word had ever been used as a

surname; however, the Lanham Act “eliminate[d] the practice previously existing of looking up a word in several telephone directories of large cities and refusing registration if the word was found listed anywhere as a surname without regard to any other considerations.” *Ex parte Wayne Pump Co.*, 88 U.S.P.Q. 436, 437 (Chief Examiner 1951). “The test should be: What is its primary significance to the purchasing public?” *Ex parte Rivera Watch Corp.*, 106 U.S.P.Q. 145, 149 (Comm’r of Patents 1955). Here, given the rarity of “Danaher” as a surname, it cannot be said that the purchasing public will perceive the mark DANAHER as primarily merely a surname.

The burden is on the Patent and Trademark Office to establish a *prima facie* case that a mark is perceived primarily merely as a surname. *In re Etablissements Darty et Fils*, 759 F.2d 15, 22 U.S.P.Q. 652, 653 (Fed. Cir. 1985). Doubts about whether a term is primarily a surname are resolved in favor of the applicant. *In re United Distillers PLC*, 56 U.S.P.Q.2d 1220 (T.T.A.B. 2000); *In re S. Oliver Bernd Freier GmbH & Co. Kg*, 20 U.S.P.Q.2d 1878 (T.T.A.B. 1991). The Trademark Trial and Appeal Board has identified five factors to be considered in the determination of whether the primary significance of a mark is as a surname. TMEP 1211.01; *In re Benthin Management GmbH*, 37 U.S.P.Q.2d 1332, 1333–1334, (T.T.A.B. 1995). The factors considered include: (1) whether the surname is rare; (2) whether the term is the surname of anyone connected with the applicant; (3) whether the term has any recognized meaning other than as a surname; (4) whether it has the “look and feel” of a surname; and (5) whether the stylization of lettering is distinctive enough to create a separate commercial impression. TMEP 1211.01; *In re Benthin Management GmbH*, 37 U.S.P.Q.2d 1332, 1333–1334, (T.T.A.B. 1995). Here, the surname is rare, the mark is not the surname of anyone connected with Applicant, the mark has a recognized meaning other than as a surname, and the mark does not have the look and feel of a surname. Accordingly factors, one, two, three, and four weigh in favor of the Applicant. While the application is for a standard character mark, given the rarity of the surname and that the mark has other recognized meanings, the fifth factor is, at most, neutral.

A fundamental consideration in the determination of whether a mark is perceived as primarily merely a surname is the rarity of the surname, as well as whether the mark conveys a surnomial impression. *See In re Sava Research Corp.* 32 USPQ2d 1380 (TTAB 1994), cited in TMEP 1211.01 (a) (v); *In re Benthin Management GmbH*, 37 U.S.P.Q.2d at 1333, cited in TMEP 1211.01 (a)(v). *In re Kahan & Weisz Jewelry Mfg. Corp.*, 508 F.2d 831, 184 U.S.P.Q. 421 (C.C.P.A. 1975) (DUCHARME for watches held not primarily merely a surname: listed six times in three different forms in Manhattan phone directory); *In re Garan, Inc.*, 3 U.S.P.Q.2d 1537 (T.T.A.B. 1987) (“[T]he degree of a surname's rareness should have a material impact on the weight given the directory evidence”).

As evidence that the mark is primarily merely a surname, the Examining Attorney submitted an excerpt of 100 entries out of a total of 740 listings revealed by a search of the LEXIS/NEXIS database P-FIND. (March 19, 2007 Office Action). This evidence is deficient in two respects. First, the Examining Attorney has not provided copies of all the listings revealed by the database search. Since Applicant has not been provided the opportunity to review the entirety of the search results, there is no way to determine the number of duplicate entries, which impacts the rarity of the surname, especially since inaccuracies in the database exist. Exhibit B. Nonetheless, as previously noted in Applicant’s March 24, 2008 response, of the 100 listings provided by the Examining Attorney, seven were duplicates, so that the excerpt provided by the Examining Attorney actually revealed only 93 unique entries. Accordingly, Applicant may assume 7% duplications overall; out of 740 listings, the P-FIND data therefore lists approximately only 688 unique entries. Second, the Examining Attorney has not provided the number of total entries appearing in the database at the time the search was conducted. Such an omission renders the evidence provided of limited value, if not altogether irrelevant, since the frequency of DANAHER as a surname cannot be determined.[1] Nonetheless, in the interest of expediting prosecution of this application, Applicant has independently researched the source information and learned that the database

contains over 146 million individuals. Exhibit B. Applicant will proceed with its argument on this basis. Given the paltry number of listings containing the surname DANAHER in a search of all individuals in the United States, DANAHER is an extremely rare surname. Thus DANAHER will not have *primary* significance as a surname. See TMEP 1211.01(a)(v) and cases cited.

The Trademark Trial and Appeal Board (“TTAB”) recently overturned a refusal to register the mark BAIK under Section 2(e)(4) of the Trademark Act, finding that the surname “Baik” was “extremely rare” with only 456 individuals in the United States having the name. *In re Joint-Stock Company “Baik”*, 80 U.S.P.Q.2d 1305 (TTAB 2007) (Precedential) (concluding that the examining attorney failed to meet the burden of establishing that BAIK was primarily merely a surname). Applicant notes that the occurrence of DANAHER as a surname is similar to the frequency of BAIK as a surname, but BAIK was allowed for registration on the Principal Register. In fact, the Court in *Joint-Stock Company* noted that even the surnames PAIK, NAIK, and BAK, were “obscure names” even where evidence revealed “approximately 800,” “less than 900,” and 1100 occurrences of each name respectively. 80 U.S.P.Q.2d 1305. Here, the occurrence of DANAHER as a surname is less than BAK, NAIK, and even PAIK; therefore accordingly to the Court in *Joint-Stock Company*, DANAHER is considered an “obscure” or rare surname. Given the diminutive number of occurrences of DANAHER as a surname in the United States, Applicant urges the Examining Attorney to act consistently with recent TTAB precedent.

The minimal occurrence of DANAHER as a surname revealed in this instance is insufficient to support a refusal under Trademark Act Section 2(e)(4). While it is possible for the Patent and Trademark Office to meet its burden based on telephone listings alone, a greater number of individual telephone listings must be present. In *In re Kahan & Weisz Jewelry Mfg. Corp.*, six listings in a Manhattan telephone directory of the mark at issue did not meet the Patent and Trademark Office’s burden of showing that “Ducharme” was primarily merely a surname. See *In re Kahan & Weisz Jewelry Mfg. Corp.*, 184 U.S.P.Q. 421, 422 (C.C.P.A. 1975). To understand the statistical significance with respect to the instant case, a 1970 census of Manhattan showed there were approximately 1,500,000 inhabitants. See Exhibit C, Campbell Gibson, *Population of the 100 Largest Cities and Other Urban Places in the United States: 1790 to 1990*, at 14 (1998) attached hereto. Assuming that all inhabitants were listed in the telephone book the surname “Ducharme” occurred in approximately 4 ten thousandths of one percent (0.0004%) of the population. This was held insufficient evidence for the Patent and Trademark Office to have met its burden. *In re Kahan* 184 U.S.P.Q. at 422. Similarly the occurrence of DANAHER is also approximately 4 ten thousandths of one percent (0.0004%) of the representative sample population, representing 688 unique entries out of the Lexis/Nexis PFIND database, which includes more than 146 million people in its database (Exhibit B), the same frequency as “Ducharme” in *In re Kahan & Weisz Jewelry Mfg. Corp.*

The rarity of a surname alone is a significant factor in the determination of whether a mark is primarily merely a surname. The intent of Trademark Act §2(e)(4) is to keep surnames available for use by those with that surname. 15 U.S.C. §1052(e)(4); see *Kimberly-Clark Corp. v. Marball, Comr. Pats.*, 94 F.Supp 254, 88 U.S.P.Q. 277, 279 (D.D.C. 1950) (“The spirit and the intent of the entire Act indicates that Congress intended to codify the law of unfair competition in regard to the use of personal names as it has been developed by the courts. . . . At common law it was held that every man had an absolute right to use his own name.”). When, as in the instant case, a surname is so extremely rare, it is counter to the intent of the statute to refuse registration based on its significance as a surname. The extreme rarity of the name “DANAHER” alone provides a sufficient basis on which to conclude that it is not primarily merely a surname. See *In re Curlin Medical Inc.*, Serial No. 78560314 (T.T.A.B. February 2008) (See Herman, J., concurring) (“if the Examining Attorney cannot show that a reasonable number of people have a particular surname, in my view the Office cannot meet its burden of prima facie showing that a mark is primarily merely a surname”). Here the number of people with the surname DANAHER is presumably “so small that the purpose of the statute prohibiting the registration of marks which are primarily merely

surnames would not be served by refusing registration in this case.” *Id.*

The mark, DANAHER, has other recognized meanings other than as surname, thereby mitigating any possibility that the consuming public will perceive the mark as primarily merely a surname. TMEP §1211. Since the mark has multiple recognized meanings, other than as a surname, it is not primarily merely a surname. *In re Monotype Corp. PLC*, 14 U.S.P.Q.2d 1070 (T.T.A.B. 1989) (the word “Callisto” has significant nonsurname meaning from Greek mythology); *In re Isabella Fiore, LLC*, 75 U.S.P.Q.2d 1564, 2005 WL 1787224 (T.T.A.B. 2005) (holding that FIORE for carrying bags was not primarily merely a surname). The Examining Attorney dismisses Applicant’s geographical evidence that the mark DANAHER has a meaning other than as a surname, stating that it is “insignificant in relation to the ‘primary’ perception of the mark.” However, given the insignificant frequency of occurrences of DANAHER as a surname, it cannot be assumed that consumers will have a “primary” perception of the mark as a surname. Following the Examining Attorney’s logic, if consumers will not perceive the geographical significance of the mark DANAHER, then they also will not perceive the surnomial significance given its rarity.

Notwithstanding the foregoing, Applicant reiterates that the word “Danaher” conveys impressions other than as a surname; “Danaher” is the name of a river, which is a tributary to the South Fork of the Flathead River in western Montana, also referred to as “Danaher Creek” or “Danaher Basin” (Exhibit D); “Danaher” is also the name of a settlement in Michigan (Exhibit E); “Mount Danaher” is the name of a mountain summit in El Dorado County in the state of California (Exhibit F); and “Danaher” is the name of a mountain summit in Montana (Exhibit G). The Court in *Joint-Stock*, agreed with the applicant there, noting that “the mark evokes or sounds similar to the word “Baikal,” which has a recognized geographic significance, denoting a lake and mountain range in the Siberian region of Russia. 80 U.S.P.Q.2d 1305. Here, the mark itself has geographic significance of not one but four places in the United States. If the evocation of a geographic place in a different country was considered evidence that the mark had a recognized meaning other than as a surname, Applicant submits that the evidence in this case is sufficient to establish that consumers viewing the mark will perceive it as something other than a surname.

The Examining Attorney summarily dismisses the evidence that the mark DANAHER has a recognized meaning other than as a surname, stating that “no evidence has been presented that the features are in any way related to the use of mark or the production of the goods, i.e. Danaher Creek, Montana or Danaher, Michigan, the areas are predominantly recreational (fly fishing), not manufacturing.” The analysis of whether a mark is primarily merely a surname has no requirement that the meaning of a mark must have some connection to the use of the mark or production of the goods. In fact, the incongruity between a mark and the goods on which it is used generally results in stronger trademark protection. And in any event, the evidence demonstrates that the Applicant’s mark was inspired by the geographic reference to the river as well as the suggestive qualities of the Celtic derivation of Applicant’s mark meaning “swift flowing”.

In dismissing the other recognized meanings of DANAHER, the Examining Attorney sets forth certain scenarios to identify his interpretation of how consumers will perceive the mark; such speculation without actual evidence is of minimal value in the surname analysis. Equally as plausible as the Examining Attorney’s scenarios is that consumers will perceive the mark to be a derivative of the Celtic word “Dana” meaning “swift flowing.” Exhibit H. In addition to the connection with a river, “swift flowing” has suggestive qualities as an attribute of the Applicant’s business (“a manufacturing company dedicated to continuous improvement and customer satisfaction”). Applicant submits that the most plausible scenario, based on the rarity of the surname, is that consumers viewing the mark will perceive DANAHER as arbitrary or as a coined term and not as a surname. Given the multitude of meanings and possible consumer perceptions, and that doubts about whether a term is primarily a surname are resolved in favor of the applicant, it is improper to maintain the surname refusal in this instance. *See In re United Distillers*, 56 U.S.P.Q.2d at 1222 (doubts to be resolved in favor of the application; primary significance

to the purchase public not “solely that of a surname”); *In re S. Oliver Bernd Freier*, 20 U.S.P.Q.2d at 1879 (where there is “a certain ambiguity present in this mark so that it cannot be predicted whether the perception of the consuming public would be as a surname or a given name” doubts are to be resolved in favor of the applicant).

Finally, the mark does not have the structure and pronunciation or look and sound of a surname. TMEP 1211.01; *In re Benthin Mgmt*, 37 U.S.P.Q.2d 1332. Since the mark has recognized meanings other than as a surname, is similar in look and sound to words with recognized meaning other than as a surname, and considering the rarity of it as a surname, consumers will not perceive the mark primarily as a surname. DANAHER therefore appears arbitrary or as a coined term when used in connection with the goods identified in the application. Further, the surname, DANAHER, is so rare that it is contradictory to assert that it has the look and feel of a surname. TMEP 1211.01 (a) (vi). In cases where a surname is so rare, the application of the “primary significance to the purchasing public” standard may result in a finding that the surname, “when used as a mark, would be perceived as arbitrary or fanciful,” even in the absence of non-surname significance. *In re United Distillers plc*, 56 USPQ2d 1220 (TTAB 2000) (HACKLER does not have the look and feel of a surname); *See e.g. In re Joint-Stock Company*, 80 U.S.P.Q.2d 1305 (BAIK “extremely rare surname, despite 456 listings and appearance in newspapers and other media; surname refusal reversed).

In arguing that DANAHER has the “look and feel” of a surname the Examining Attorney compares the presence of the ending “-er” in Applicant’s mark with other surnames with the same ending, e.g. Miller, Bauer, Lauer, and Stiller. The Examining Attorney argues that the “-er” or “-her” in Applicant’s mark may signify the cultural origin of the surname “Danaher” in the same way that “Miller” is of English origin, meaning “one who farms” and “Bauer” is of German origin, also meaning “one who farms”. Yet the Examining Attorney provides no evidence that the “-er” or “-her” is the Celtic equivalent of “-er” in surnames of English or German origin.[2] Instead, the Examining Attorney asserts that Applicant’s own description of DANAHER as being of Celtic origin somehow supports that the “look and feel” of the mark is as a surname. However, Applicant explicitly describes the word “Dana” as being of Celtic origin with a recognized meaning, namely “swift flowing.” In this regard the mark DANAHER is akin to the mark BAIK in *Joint-Stock Company* where the court found that while not a recognized word in Russian, the mark BAIK sounded like a word in the Russian language. 80 U.S.P.Q.2d 1305. Here, while DANAHER may not have a recognized Celtic meaning, it is derived from a Celtic root (“DANA”) with an independent meaning and evokes or sounds like a Celtic word.

Applicant submits that the ending “-er” in no way creates the “look and feel” of a surname. Instead “-er” is a recognized and commonly used suffix. The suffix “-er” is typically used in the structure of a comparative in the English language, that is “a positive form of the adjective or adverb, plus the suffix -er” (e.g. taller, smarter, lesser). Exhibit I. Consumers are just as likely, if not more likely to understand the ending “-er” as a suffix rather than as having the “look and feel” of a surname. The surnames used to support the Examining Attorney’s argument, namely Miller, Bauer, Lauer, and Stiller, bear no other similarities to the mark aside from the shared “-er” component; though the cited surnames share other similarities with one another, Miller and Stiller each contain the “-iller” component while Bauer and Lauer the “-auer” component. If Applicant’s mark ended in “-iller” or “-auer” the “look and feel” argument here may carry more weight, but the use of the “-er” component is not sufficient to suggest that a term has the look and feel of a surname. The surnames cited as comparisons to support that DANAHER has the “look and feel” of a surname are not only more frequent or popular surnames (Miller is the 7th most popular surname in the U.S., Bauer is the 700th most popular surname in the U.S., Lauer is the 4360th most popular surname in the U.S.; and Stiller is the 11784th most popular surname in the U.S.) (see Exhibit J generally), but each of the cited surnames is easily recognizable as a surname as a result of the notoriety of an individual with that surname, whether a real or fictional individual (Matt Lauer of NBC, Ben Stiller a comedian, actor, producer, and director, and Jack Bauer of the television series 24).

In view of the foregoing considerations, Applicant's submits that the cited surnames are commonly recognized surnames, not because they end in "-er" but because of the frequency of occurrence as a surname, the famous individuals who have the surname, and the other shared components that create the "look and feel." The cited surnames bear no other similarities to the mark and do not serve to suggest that consumers will primarily perceive DANAHER as a surname.

Since four of the five factors enunciated by the Trademark Trial and Appeal Board weigh in favor of the Applicant, with the fifth factor (the stylization of the mark) being at most neutral, the mark will not be viewed by consumers as primarily merely a surname. The Applicant submits that where there are doubts as to whether the mark is primarily merely a surname, as in this case, the mark should be passed to publication for the opportunity for opposition. "[O]n the question of whether a mark would be perceived as primarily merely a surname, we are inclined to resolve doubts in favor of the Applicant and pass the mark to publication with the knowledge that others who have the same surname and use it or wish to use it for the same or similar goods or services can file a notice of opposition." *In re Benthin Management GmbH*, 37 U.S.P.Q.2d 1332, 1334 (T.T.A.B. 1995) (emphasis added). Applicant respectfully requests that the Examining Attorney withdraw the surname refusal and approve this application for public.

[1] Since for example, 740 entries out of 100,000 would suggest that the surname was more common than for example 740 entries out of 146 million, which would suggest that the surname was in fact rare.

[2] The Examining Attorney has provided the hit list for a Google search of "danaher celtic" which only shows that the term "danaher" appears on the same website or article as "celtic" but does not suggest that that "Danaher" is a surname of Celtic origin.

EVIDENCE

Evidence in the nature of Copy of U.S. Trademark Registration No. 3131960; Source information for Lexis/Nexis P-FIND Database; Article from U.S. Census Bureau; website excerpts; online encyclopedia article has been attached.

Original PDF file:

http://tgate/PDF/RFR/2008/10/14/20081014114852484543-77037228-003_001/evi_121575983-114348309_.25V5022.PDF

Converted PDF file(s) (22 pages)

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Converted PDF file(s) (29 pages)

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Original PDF file:

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Converted PDF file(s) (31 pages)

Evidence-1

Evidence-2

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CORRESPONDENCE ADDRESS CHANGE

Applicant proposes to amend the following:

Current: CURTIS KRECHEVSKY CANTOR COLBURN LLP 55 GRIFFIN RD S BLOOMFIELD, CT 06002-1353

Proposed: Curtis Krechevsky of Cantor Colburn LLP, having an address of 22nd Floor 20 Church Street Hartford, Connecticut United States 06013-3207, whose e-mail address is TM-CT@cantorcolburn.com, whose phone number is 860-286-2929 and whose fax number is 860-286-0115.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Michelle P. Ciotola/ Date: 10/14/2008

Signatory's Name: Michelle P. Ciotola

Signatory's Position: Attorney of record, CT and NY bar member

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

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Mailing Address: Curtis Krechevsky
Cantor Colburn LLP
22nd Floor

20 Church Street
Hartford, Connecticut 06013-3207

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EXHIBIT A

Int. Cls.: 7 and 9

Prior U.S. Cls.: 13, 19, 21, 23, 26, 31, 34, 35, 36 and 38

United States Patent and Trademark Office

Reg. No. 3,131,960

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C/O DANAHER MOTION
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SIMSBURY, CT 06070

FOR: MECHANICAL DC AND AC MOTORS, NAMELY SERVO MOTORS, SLOTLESS MOTORS, STEPPER MOTORS, DIRECT DRIVE MOTORS, HYBRID MOTORS; BALL SCREWS, NAMELY GROUND BALL SCREWS, ROLLED BALL SCREWS, DRIVEN NUT BALL SCREWS, HEAD SCREWS, TRAPEZOIDAL SCREWS, AND CUSTOMIZED BALL SCREW ASSEMBLIES; LINEAR GUIDES, NAMELY RECIRCULATING BALL LINEAR BEARING, ROUND RAIL LINEAR GUIDES FOR SUPPORTING LOAD IN EQUIPMENT WHERE LINEAR MOTION EXISTS, PLAIN BEARING LINEAR GUIDES, NAMELY, NON RECIRCULATING BALL LINEAR GUIDES THAT SUPPORT LOAD IN APPLICATIONS THAT REQUIRE LINEAR MOTION, RECIRCULATING BALL AND ROLLER, PROFILE RAIL LINEAR GUIDES THAT SUPPORT LOAD IN APPLICATIONS; LINEAR ACTUATORS, LINEAR MOTION ELECTRO-MECHANICAL ACTUATORS; PRECISION STAGES COMPRISED OF A LINEAR BEARING, NAMELY, AIR, ROUNDRAIL LINEAR BEARING, OR PROFILE RAIL BEARING, SUPPORT FRAME, AND A PRIME MOVER, NAMELY, A BELT, LINEAR MOTOR, BALL SCREW, LEAD SCREW; GEARS, NAMELY PLANETARY GEARHEADS, PARALLEL SHAFT GEARBOXES, HELICOIL RIGHT ANGLE GEARBOXES, CUSTOM DESIGNED GEAR ASSEMBLIES, GEARED POSITION FEEDBACK SENSORS, DIFFERENTIAL GEARS, GEARBOX COMPONENTS, NAMELY SPUR, HELICAL, SPIRAL, AND SPIRAL BEVEL GEARS; AIR BEARING STAGES, NAMELY PRECISION STAGE THAT USES AIR BEARINGS AS THE LOAD SUPPORTING BEARING SYSTEM; GANTRY STAGES, NAMELY THREE OR MORE AXIS MA-

CHINES THAT HAVE THE MAIN STRUCTURE IN AN "H" CONFIGURATION WITH TWO SUPPORT LINEAR STAGES PARALLEL TO EACH OTHER WITH ONE OR MORE LINEAR STAGES ATTACHED TO THE PARALLEL STAGES IN A PERPENDICULAR ORIENTATION; SLEEVE BEARINGS, NAMELY RECIRCULATING BALL BEARINGS OR PLAIN BEARINGS ARRANGED IN POSITION THAT ALLOWS THEM TO BE SLID IN TO THE SLEEVES THAT REPRESENT THE OUTER RACE OF A BEARING SYSTEM; BRAKES, NAMELY BRAKES FOR MACHINES; BALL BEARINGS, NAMELY BALL BEARINGS FOR MACHINES; SLIDE ASSEMBLIES COMPRISED OF MOTION BEARINGS, MOTION SYSTEMS OR MOTOR DRIVES, ACTUATORS OR CONTROLS FOR THE PURPOSE OF RELATIVE LINEAR MOTION; BALL NUT AND SCREW ASSEMBLIES COMPRISED OF ONE OR MORE BALL NUTS AND A SCREW WITH OR WITHOUT ANCILLARY ITEMS FOR THE PURPOSE OF PROMOTING RELATIVE LINEAR MOTION; ELECTRONIC DRIVES FOR MOTION CONTROL, NAMELY ELECTRIC MOTORS FOR MACHINES WITH A DIGITAL DRIVE CONTROLLER, SERVO MOTORS, SLOTLESS MOTORS, STEPPER MOTORS, DIRECT DRIVE MOTORS, LINEAR MOTORS, HYBRID MOTORS, ELECTRO-MECHANICAL ACTUATORS, SINGLE OR MULTI-AXIS CONTROLS FOR MOTOR AND DRIVE SYSTEMS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

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FOR: SINGLE AND MULTI AXIS CONTROLLERS FOR MOTION CONTROL, NAMELY ELECTRONIC MOTOR CONTROLLERS; RESOLVERS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

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EXHIBIT B



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Coverage	Current
Frequency of Update	Monthly
Online Availability	Updated regularly - Atypical update schedule
Description	<p>→ This file contains a nationwide listing of over <u>146 million individuals</u>, 103 million households with over 71 million phone numbers. This information is compiled primarily from nationwide white pages and includes information from property records and other available sources. This data is compiled by a third party from multiple sources.</p> <p>→ INACCURACIES DO EXIST.</p> <p>There are no entries in this file for household members under the age of 18. Foresegment descriptions and sample searches see individual state files.</p> <p>This file contains records from the continental U.S. and may contain some records from the following U.S. territories/possessions:</p> <p>American Samoa (AS) Federated States of Micronesia (FM) Guam (GU) Marshall Islands (MH) Northern Mariana Islands (MP) Palau (PW) Puerto Rico (PR) Virgin Islands (VI)</p> <p>The use and redissemination of information obtained from this file is limited to use in the ordinary course and scope of the user's business or profession. The user represents that such use is appropriate.</p>
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EXHIBIT C

U.S. Census Bureau

**POPULATION OF THE 100 LARGEST CITIES
AND OTHER URBAN PLACES IN THE
UNITED STATES: 1790 TO 1990**

Campbell Gibson

Population Division
U.S. Bureau of the Census
Washington, D.C.

June 1998

Population Division Working Paper No. 27

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Disclaimer

This paper reports the results of research and analysis undertaken by Census Bureau staff. It has undergone a more limited review than official Census Bureau publications. This report is released to inform interested parties of research and to encourage discussion.

Abstract

This paper presents decennial census population totals for the 100 largest cities and other urban places in the United States based on the 21 decennial censuses taken from 1790 to 1990. The paper represents the first time that the populations of the largest urban places at each census have been published in a single report and was prepared in response to numerous requests for this type of information.

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Population Division Working Papers

POPULATION OF THE 100 LARGEST CITIES AND OTHER URBAN PLACES IN THE UNITED STATES: 1790 TO 1990

Introduction

This report presents decennial census population totals for the largest urban places in the United States based on the 21 decennial censuses taken from 1790 to 1990. Through 1940, these urban places were all legally incorporated places such as cities, towns, and boroughs. Since 1950, when the urban definition was broadened, a few unincorporated places have also been included. The title of this report uses the term "largest cities and other urban places" to reflect the fact that for most of the 1790-1990 period (since 1870), nearly all the largest urban places have been legally defined as cities. The term "largest urban places" is used frequently in this report for simplicity.

Data on the largest urban places for the 1940-1990 period are based on census reports for each of these censuses. For the 1790-1930 period, the data are based on an historical series developed by the Census Bureau during the 1930s, as discussed later. Based on this research, 1840 was the first census year in which there were as many as 100 urban places. The numbers of urban places included in this report for previous census years are 24 in 1790, 33 in 1800, 46 in 1810, 61 in 1820, and 90 in 1830.

Since 1890, census volumes have regularly included tables showing the largest cities in the United States ranked by total population: 25,000 or more in 1890 and 1900; and 100,000 or more since 1910. In some census reports, tables showing the 50 largest cities at selected preceding censuses have also been included. For example, the 1910 census included these data from 1840 to 1900, and the 1990 census included such data for 1850, 1900, and 1980. The present report represents the first time that the populations of the largest urban places in the United States at each census since 1790 have appeared in a single report.

The next three sections of the text -- Urban and Urban Place, City Populations and Annexations, and Cities and Their Suburbs -- provide general background on definitions and comparability of population totals for urban places. These sections are followed by Explanations of Detailed Tables, Sources and Limitations of the Data, Notes for Individual Places, References, and the 26 detailed tables.

Urban and Urban Place

This section provides an overview of the definitions of urban and urban place in censuses of the United States, with a focus on criteria and changes most pertinent to the lists of the largest urban places presented in this report. For more details, see Truesdell, 1949 (in References) and census

publications since 1950.

It was not until 1874, in the Statistical Atlas of the United States (Walker, 1874) that a systematic attempt to define the urban population of the United States since 1790 appeared in a census publication. The urban definition adopted in that report was the population in places (generally, cities and towns) of 8,000 or more population. The urban threshold was dropped to 4,000 in the 1880 census and to 2,500 in the 1910 census.

The historical series developed by the Census Bureau during the 1930s on the populations of all urban places (2,500 or more population) since 1790 used the 1930 definition of urban. This work, which identified some corrections to urban places and their populations at earlier censuses, underlies tables on the urban population by size of place since 1790 that first appeared in 1940 census reports. These tables have been updated in each subsequent census.

In 1930 and again in 1940, the definition of urban included the following three categories: (1) cities and other incorporated places of 2,500 or more population; (2) towns in Massachusetts, New Hampshire, and Rhode Island in which 2,500 or more inhabitants lived in a village or other thickly settled area and more than one-half of the town's population lived in such areas; and (3) townships and other political subdivisions, not incorporated in whole or in part as municipalities, with a total population of 10,000 or more and an average density of 1,000 or more persons per square mile. The second category reflected the fact that in these three states, towns with less than 10,000 population were not typically incorporated in whole or in part as municipalities. (In the New England states, New York, and Wisconsin, the primary minor civil divisions are termed towns, but correspond generally to townships in many other states.)

In 1950, the urban definition was changed to include the following three categories: (1) incorporated cities, towns (except in the New England states, New York, and Wisconsin, for the reason noted above), boroughs, and villages with 2,500 or more inhabitants; (2) unincorporated territory in the "urban fringe" of cities of 50,000 or more population; and (3) unincorporated places of 2,500 or more inhabitants defined by the Census Bureau. The changes from the 1940 definition were designed to improve the classification of densely settled unincorporated territory and were made in conjunction with the first delineation of urbanized areas. Urbanized areas were defined generally as cities with 50,000 or more inhabitants and their surrounding densely settled urban fringe, whether or not incorporated. (Urbanized areas differ in concept from metropolitan areas, which were also first defined in 1950. In general, metropolitan areas were defined as cities with 50,000 or more inhabitants, their counties, and surrounding counties which had a high degree of social and economic integration with the core. Metropolitan areas thus included urban population not contiguous to the core as well as rural population.)

Changes in the urban definition since 1950 have been relatively minor. Starting in 1960, the Census Bureau defined unincorporated places not only outside urbanized areas, but also in unincorporated territory in the urban fringe of urbanized areas.

Starting in 1970, "extended cities" were identified in cases where city boundaries included large areas that were sparsely populated. In an extended city, a portion of the land area and its population (if any) are defined as rural, even though within official city boundaries. Among the 100 largest cities and other urban places, the number of extended cities was 12 in 1970, 13 in 1980, and 22 in 1990. In this report, these cities are ranked by their total populations, and their urban populations are given in Notes for Individual Places.

Starting in 1980, the term "census designated place" (CDP) replaced "unincorporated place" (U). For simplicity and since the concept has not changed, the current term, CDP, is used throughout this report to designate unincorporated places. The CDPs appearing in this report are Arlington, VA; Honolulu, HI; and Metairie, LA (see Notes for Individual Places).

City Populations and Annexations

The populations and rankings shown in this report are based on the boundaries of cities (and other urban places) at the time of each census (or at a cutoff date shortly before the census to facilitate planning). Historically, growth in city populations has been due partly to annexations of surrounding territory that have added immediately to total population and/or have facilitated future population growth. For a variety of reasons, notably differences in state laws and practices, the frequency and size of annexations have differed greatly among cities. For example, Philadelphia and New York had large annexations in 1854 and 1898, respectively, and no significant annexations since, while many cities have had frequent annexations.

Some cities, especially in the South and West in recent decades, have had large annexations well before urban-type settlement in the annexed areas. A few of these annexations are related to consolidations of city and county governments. The details of these consolidations vary considerably; however, the five consolidated cities included in this report include at least 90 percent and sometimes 100 percent of the populations of their parent counties. These consolidated cities are: Jacksonville, FL (1970-1990); Columbus, GA (1980-1990); Indianapolis, IN (1970-1990); Lexington, KY (1980-1990); and Nashville, TN (1970-1990).

One result of the differences in annexation practices is an increasing range in density (average population per square mile) among cities, including cities similar in population size. The wide range in land area and density is illustrated in Table A with data for the 20 largest cities in the United States in 1990 (rounded data from Table 22).

Table A. Population, Land Area, and Density for the 20 Largest Cities: 1990

Rank	City	Population (thousands)	Land area (sq. miles)	Density (average population per sq. mile)
1	New York, NY	7,323	309	23,700
2	Los Angeles, CA	3,485	469	7,400
3	Chicago, IL	2,784	227	12,300
4	Houston, TX	1,631	540	3,000
5	Philadelphia, PA	1,586	135	11,700
6	San Diego, CA	1,111	324	3,400
7	Detroit, MI	1,028	139	7,400
8	Dallas, TX	1,007	342	2,900
9	Phoenix, AZ	983	420	2,300
10	San Antonio, TX	936	333	2,800
11	San Jose, CA	782	171	4,600
12	Baltimore, MD	736	81	9,100

13	Indianapolis, IN	731	362	2,000
14	San Francisco, CA	724	47	15,500
15	Jacksonville, FL	635	759	800
16	Columbus, OH	633	191	3,300
17	Milwaukee, WI	628	96	6,500
18	Memphis, TN	610	256	2,400
19	Washington, DC	607	61	9,900
20	Boston, MA	574	48	11,900

Among the 20 largest cities in 1990, 5 had a density of 10,000 or more, 5 had a density of 5,000 to 9,999, and 10 had a density under 5,000. Among the 20 largest cities in 1910 and in 1950, 13 had a density of 10,000 or more, 4 had a density of 5,000 to 9,999, and 3 had a density under 5,000 (Tables 14 and 18).

Cities and Their Suburbs

As noted in the previous section, the populations and rankings in this report are based on the boundaries of the cities at the time of each census. Population ranks for large cities alone do not necessarily reflect population ranks of these cities combined with their suburbs. However, data on metropolitan districts (defined 1910-1940) and urbanized areas (defined 1950-1990) suggest that through 1950, there was a high correlation between population ranks for large cities alone and for these cities combined with their suburbs.

In 1950, the 20 largest cities were also the largest cities in the 20 largest urbanized areas. In only one case did the ranks differ by five or more. (Baltimore ranked 6th in population among cities and 12th in population among urbanized areas.) By 1990, the situation had changed dramatically, due partly to differences in annexation practices described previously, as illustrated in Table B. Urbanized areas, which frequently have more than one city name in their titles and/or extend into more than one state, are identified in this table by the names of their single largest cities.

In 1990, the 20 largest cities were the largest cities in only 13 of the 20 largest urbanized areas. In the 27 cases where a city and/or its urbanized area ranked in the 20 largest, there were 20 cases in which the ranks differed by 5 or more and 9 cases in which the ranks differed by 20 or more. (For example, San Antonio ranked 10th in population among cities and 31st in population among urbanized areas whereas Atlanta ranked 36th in population among cities and 12th in population among urbanized areas.)

Table B. Population of the 20 Largest Cities and Urbanized Areas: 1990

Name	City		Urbanized Area	
	Rank	Population (thousands)	Rank	Population (thousands)
New York, NY	1	7,323	1	16,044
Los Angeles, CA	2	3,485	2	11,403
Chicago, IL	3	2,784	3	6,792

Houston, TX	4	1,631	9	2,902
Philadelphia, PA	5	1,586	4	4,222
San Diego, CA	6	1,111	11	2,348
Detroit, MI	7	1,028	5	3,698
Dallas, TX	8	1,007	8	3,198
Phoenix, AZ	9	983	14	2,006
San Antonio, TX	10	936	31	1,129
San Jose, CA	11	782	23	1,435
Baltimore, MD	12	736	17	1,890
Indianapolis, IN	13	731	36	915
San Francisco, CA	14	724	6	3,630
Jacksonville, FL	15	635	44	738
Columbus, OH	16	633	35	945
Milwaukee, WI	17	628	27	1,226
Memphis, TN	18	610	39	825
Washington, DC	19	607	7	3,363
Boston, MA	20	574	10	2,775
Seattle, WA	21	516	18	1,744
St. Louis, MO	34	397	15	1,947
Atlanta, GA	36	394	12	2,158
Pittsburgh, PA	40	370	20	1,679
Minneapolis, MN	42	368	13	2,080
Miami, FL	46	359	16	1,915
Tampa, FL	55	280	19	1,709

Explanations of Detailed Tables

This section provides brief explanations of the data in the detailed tables. These data are consistent with each census as published and thus include some urban places that subsequently were annexed by other urban places. Information on these annexations, changes in names (e.g., West Troy, NY to Watervliet, NY) and state locations (e.g., Wheeling, VA to Wheeling, WV) of urban places, extended cities, and various other items is presented in Notes for Individual Places.

Table 1. Rank by Population of the 100 Largest Urban Places, Listed Alphabetically by State:
1790-1990

This table lists alphabetically by state and ranks by population all urban places which have ever been among the 100 largest urban places at the time of any census in the 1790-1990 period. An asterisk after a place name indicates that there is additional information about the place in Notes for Individual Places. Altogether, there are 257 different places listed. Two places, Alexandria (DC and VA) and Wheeling (VA and WV) are listed twice. The number of places listed for each state is shown in the stub of the table. The states with the largest numbers of places listed are Massachusetts (30), Pennsylvania (22), and New York (21). There are six states which have never had an urban place among the 100 largest in the United States: Vermont, North Dakota, South Dakota, Montana, Idaho, and Wyoming.

For those censuses in which a place was among the 100 largest urban places, the rank is shown, with ties, which are rare, designated by a "T" after the rank. Six places, all in Atlantic seaboard states, have been among the 100 largest urban places at each census in the 1790-1990 period. In 1790 rank order, they are New York, NY; Philadelphia, PA; Boston, MA; Baltimore, MD; Richmond, VA; and Norfolk, VA.

Tables 2-22. Population of the 100 Largest Urban Places: (census year)

These 21 tables list in rank order the largest urban places and their populations at each census starting with 1790 (Table 2) and ending with 1990 (Table 22). As noted earlier, 1840 was the first census year in which there were as many as 100 urban places.

Tables 2-22 indicate the legal designation of each urban place. For incorporated places, these designations include city, town, borough, village, township, and district. Unincorporated places are designated as CDPs (census designated places). The legal designation of district appears only for five places which were annexed to Philadelphia city in 1854 when it annexed the balance of Philadelphia County: Kensington, Moyamensing, Northern Liberties, Southwark, and Spring Garden.

Legal terms for different types of municipalities are governed by state (not Federal) laws and frequently are not comparable among states. In some states, places with less than 1,000 population can be incorporated as cities. In those New England states where portions of towns are not separately incorporated, towns typically are not reincorporated as cities unless they have at least 10,000 population and frequently not until their populations are substantially larger.

The tables include land area and population density as well as total population starting in 1910, the first census year in which data on land area are available on a systematic basis in Census Bureau publications. There are several reasons why the land area of an urban place can change from one census to the next. In addition to annexations, there may be detachments of territory, boundary adjustments, reclamation projects that create new land area, changes in how swampy areas are classified, and changes in measurement techniques. As a result, small changes in land area (in either absolute or proportionate terms) may have little significance.

Table 23. 1990 Population and Maximum Decennial Census Population of Urban Places Ever Among the 100 Largest Urban Places, Listed Alphabetically by State: 1790-1990

This table lists alphabetically by state all urban places which have ever been among the 100 largest urban places at any census in the 1790-1990 period and shows their populations in 1990 and their maximum decennial census populations. Most urban places listed in this table in the Northeast and Midwest peaked in population before 1990, while a much larger proportion of urban places in the South and West had their maximum census population to date in 1990. In part, this difference reflects differences in annexation practices discussed earlier.

Table 24. Population at Selected Ranks from 1st to 100th of the Largest Urban Places: 1790-1990

This table shows the population at selected ranks from 1st to 100th of the largest urban places from 1790 to 1990. The data in the table thus indicate the change in population needed to maintain a specific rank over time. From 1790 to 1930, the population at each selected rank increased in each decade. Since 1930, there have been some decreases. In 1990, the population was below the peak

census population at several ranks shown in the table: 1st through 5th, 15th, 20th, 25th, and 30th.

Table 25. Distribution of the 10, 25, 50, and 100 Largest Urban Places, by Section and Subsection of the United States: 1790-1990

This table shows the distribution of the 10 largest, 25 largest, 50 largest, and 100 largest urban places for specified areas of the United States at each census from 1790 to 1990. These specified areas differ somewhat from the four regions and nine divisions currently used by the Census Bureau and include, to use different terminology, three sections and four subsections.

The four regions -- Northeast, North Central (subsequently renamed Midwest), South, and West -- were introduced in the 1940s and replaced the three sections introduced in the 1910 census: North, South, and West. (For the history of census regions and divisions and their predecessor areas from 1790 to 1990, see Dahmann, 1992.) For the presentation of historical data on the number of urban places, the three sections are preferable because they permit direct comparisons of North and South. The North and South are each divided in this table into two subsections which recognize the westward expansion of settlement from the Atlantic seaboard and facilitate comparisons of the eastern and central portions of the United States.

The states in each section and subsection can be determined by using the following diagram together with the listing of states in Table 26.

<u>Sections and subsections shown in Table 25</u>	<u>Corresponding Census Bureau regions and divisions</u>
North section	(no counterpart)
Northeast subsection.	Northeast region New England division Middle Atlantic division
North Central subsection.	Midwest region East North Central division West North Central division
South section	South region
Southeast subsection.	South Atlantic division
South Central subsection.	East South Central division West South Central division
West section.	West region Mountain division Pacific division

The data in Table 25 show that well over half of the largest urban places were located in the North through the nineteenth century. During the twentieth century, there has been a decline in the number of the largest urban places located in the North and increases in the numbers located in the South and West. As a result, the numbers of the largest urban places in the three sections of the United States have converged.

Table 26. Distribution of the 100 Largest Urban Places, by Region, Division, and State: 1790-1990

The changing distribution of the 100 largest urban places in the United States by section (North, South, and West) is mirrored in trends for individual states. From their peak numbers in the nineteenth century, the numbers declined from 24 to 1 in Massachusetts, from 14 to 4 in New York, and from 15 to 2 in Pennsylvania, by 1990. From 1900 to 1990, the number of the 100 largest urban places increased from zero to 5 in Florida, from 3 to 10 in Texas, and from 3 to 16 in California.

Sources and Limitations of the Data

In general, the population data in this report are those published in the decennial censuses of population from 1790 to 1990. As described in the section on Urban and Urban Place, the compilation in the 1930s of an historical series of population totals for all urban places (places of 2,500 or more population) since 1790 identified some corrections to urban places and their populations at earlier censuses. That work included population estimates for some incorporated places, which were not always reported separately from their minor civil divisions in census reports from 1790 to 1860. These estimates are identified in Notes for Individual Places.

Reports from the 1960 census include historical tables showing the total population of each incorporated place with 10,000 or more population in 1960 from the earliest census through 1960. These tables, which include corrections and estimates from the work described above, represent the last time that so much historical detail on populations of individual urban places was published in decennial census reports.

Apart from the corrections made as part of the historical series developed in the 1930s on the population of urban places, corrections made after census counts were published are not reflected in this report. Corrections for the 1940-1990 period generally are very small both numerically and proportionately for places as large as the 100 largest urban places.

General information on the census of population, including area classifications, definitions of topics, accuracy of the data, and collection and processing procedures, is provided in decennial census publications. In general, the United States census has been taken on a *de jure* (usual place of residence) basis rather than on a *de facto* (location at the time of the census) basis. For information on historical census geographic coverage and on underenumeration in the South in the 1870 census, see Forstall, 1996. For evaluations of census coverage since 1940, see Fay et al., 1988, and Robinson et al., 1993. For a general history of the census of population, see Anderson, 1988.

For a bibliography of all United States census publications through 1945, see Dubester, 1950. This was reprinted in the Bureau of the Census Catalog of Publications: 1790-1972, which included publications of the 1950, 1960, and 1970 censuses. Publications of the 1980 and 1990 censuses are included in the 1984 issue of the Bureau of the Census Catalog and the 1994 issue of the Census Catalog and Guide, respectively.

Data in this report on land area for the 1910-1990 period were published in Census Bureau publications in decennial census reports and in the annual Financial Statistics of Cities prior to 1940 (see Dubester, 1950, citations 1656-1660). For information on the land area of selected cities prior to 1910, see McKenzie, 1933.

Information on the legal designations of places (city, town, etc.) were first published in the census on a systematic basis in 1880. Other sources include Report on the Social Statistics of Cities from the 1880 census (see Dubester, 1950, citations 140-142), Financial Statistics of Cities (noted above), and general reference works, including encyclopedias and gazetteers. In some cases, city libraries were contacted to obtain the information. The various sources do not always agree about legal designations for places and when changes occurred.

NOTES FOR INDIVIDUAL PLACES

Alabama

Birmingham. Classified as partly rural in 1990. 1990 urban figures are 264,551; 105.4; and 2,510 (see Table 22).

Montgomery. Classified as partly rural in 1980. 1980 figures are 176,387; 99.3; and 1,776 (see Table 21).

Alaska

Anchorage. Classified as partly rural, 1980-1990. 1980 urban figures are 170,247; 139.4; and 1,221 (see Table 21). 1990 urban figures are 221,883; 161.3 and 1,376 (see Table 22).

Arizona

Phoenix. Classified as partly rural in 1990. 1990 urban figures are 980,995; 283.1; and 3,465 (see Table 22).

Tucson. Classified as partly rural in 1990. 1990 urban figures are 405,291; 123.0; and 3,295 (see Table 22).

California

Bakersfield. Classified as partly rural in 1990. 1990 urban figures are 174,101; 62.0; and 2,808 (see Table 22).

Fremont. Classified as partly rural in 1990. 1990 urban figures are 173,284; 45.9; and 3,775 (see Table 22).

San Diego. Classified as partly rural 1970-1990. 1970 urban figures are 693,931; 212.8; and 3,261 (see Table 20). 1980 urban figures are 847,494; 267.6; and 3,167 (see Table 21). 1990 urban figures are 1,109,962; 282.2; and 3,933 (see Table 22).

San Francisco. 1850 census returns were destroyed by fire. Population according to the 1852 state census was 34,776.

San Jose. Classified as partly rural in 1970. 1970 urban figures are 443,950; 116.3; and 3,817 (see Table 20).

Colorado

Aurora. Classified as partly rural in 1990. 1990 urban figures are 221,654; 49.4; and 4,487 (see Table 22).

Colorado Springs. Classified as partly rural in 1990. 1990 urban figures are 280,995; 127.9; and 2,197 (see Table 22).

Denver. Classified as partly rural in 1990. 1990 urban figures are 467,572; 111.0; and 4,212 (see Table 22).

Connecticut

Bridgeport. 1860 population is estimated.

Hartford. 1790 and 1800 populations are estimated.

Middletown. 1830 population is estimated.

New Haven. 1790 population is estimated.

District of Columbia

Alexandria. Included in territory ceded by Virginia in 1791 to form part of the District of Columbia and retroceded to Virginia in 1846.

Georgetown. See following note for Washington, DC.

Washington. Treated in the historical urban place series as coextensive with the District of Columbia starting in 1890, although legislation was enacted in 1871 abolishing the municipal governments of Washington and Georgetown, and full consolidation did not occur until 1895. For data on the population of the District of Columbia divided into Washington, Georgetown, and the remainder, see

Forstall, 1996.

Florida

Jacksonville. Consolidated city, 1970-1990. Classified as partly rural, 1970-1990. 1970 urban figures are 518,131; 344.3; and 1,505 (see Table 20). 1980 urban figures are 531,402; 394.6; and 1,347 (see Table 21). 1990 urban figures are 627,128; 445.9; and 1,406 (see Table 22).

Georgia

Augusta. 1850 population is estimated.

Columbus. Consolidated city, 1980-1990. Classified as partly rural, 1980-1990. 1980 urban figures are 166,831; 87.6; and 1,904 (see Table 21). 1990 urban figures are 173,196; 95.7; and 1,810 (see Table 22).

Hawaii

Honolulu. Excluded prior to 1960 because census data for Alaska and Hawaii, prior to their statehood in 1959, were shown separately from census data for the United States. The population of Honolulu for those years in which it would have been among the 100 largest urban places is shown in a footnote in Tables 13 and 15-18 (for 1900 and 1920-1950). Although not legally a city, the urban place of Honolulu was usually referred to as a city in censuses through 1970. It is referred to here as a CDP for all years. See discussion of Census Designated Place in text. Legally, the city of Honolulu, which is not recognized for census purposes, is coextensive with the Honolulu County.

Indiana

Indianapolis. Consolidated city, 1970-1990. Classified as partly rural in 1970. 1970 urban figures are 743,155; 351.7; and 2,113 (see Table 20).

Kentucky

Lexington. 1850 population is estimated. Consolidated city, 1980-1990. Classified as partly rural, 1980-1990. 1980 urban figures are 194,093; 76.5; and 2,537 (see Table 21). 1990 urban figures are 218,925; 95.2; and 2,300.

Louisiana

Lafayette (old). Annexed by New Orleans in 1852. The present-day city of Lafayette, LA is in Lafayette Parish.

Metairie. Metairie CDP is in Jefferson Parish. See discussion of Census Designated Place in text.

New Orleans. Annexed Lafayette (old) in 1852. Classified as partly rural, 1970-1990. 1970 urban figures are 591,502; 86.4; and 6,846 (see Table 20). 1980 urban figures are 557,028; 88.8; and 6,273 (see Table 21). 1990 urban figures are 496,691; 87.4; and 5,683 (see Table 22).

Massachusetts

Boston. Annexed Roxbury in 1867, Dorchester in 1869, and Charlestown in 1874.

Charlestown. Annexed by Boston in 1874.

Dorchester. Annexed by Boston in 1869.

Nantucket. Name changed from Sherburne in 1795.

Roxbury. Annexed by Boston in 1867.

Missouri

Kansas City. Classified as partly rural, 1970-1990. 1970 urban figures are 501,859; 238.9; and 2,101 (see Table 20). 1980 urban figures are 446,124; 220.9; and 2,020 (see Table 21). 1990 urban figures are 433,728; 229.4; and 1,891 (see Table 22).

Nevada

Las Vegas. Classified as partly rural in 1990. 1990 urban figures are 258,054; 62.0; and 4,162 (see Table 22).

New York

Brooklyn. 1820 and 1830 populations for Brooklyn village not shown separately from Brooklyn town in census reports. Annexed Williamsburgh in 1855. Annexed by New York in 1898. For population of Brooklyn borough in New York city, 1900-1990, see note for New York, NY.

Buffalo. 1830 population for Buffalo village not shown separately from Buffalo town in census reports.

Lockport. 1860 population is estimated.

Newburgh. 1860 population is estimated.

New York. Annexed Brooklyn in 1898. Because it is of interest to provide population counts for the five boroughs of New York city, information is provided also on their formation. In 1874 and 1895, New York city (coextensive with New York County from colonial times to 1874) annexed parts of Westchester county. In 1898, "Greater New York" was formed consisting of five boroughs: Manhattan borough (New York County excluding area annexed in 1874 and 1895); Bronx borough (area annexed by New York County in 1874 and 1895); Brooklyn borough (Kings County, including Brooklyn city); Queens borough (Queens County excluding portion taken to form Nassau County); and Richmond borough (Richmond County). Bronx County, coextensive with Bronx borough, was formed in 1912, making New York County coextensive with Manhattan borough. Richmond borough was renamed Staten Island borough in 1975.

Year	Total	Bronx	Brooklyn	Manhattan	Queens	Staten Island (Richmond)
1900	3,437,202	200,507	1,166,582	1,850,093	152,999	67,021
1910	4,766,883	430,980	1,634,351	2,331,542	284,041	85,969
1920	5,620,048	732,016	2,018,356	2,284,103	469,042	116,531
1930	6,930,446	1,265,258	2,560,401	1,867,312	1,079,129	158,346
1940	7,454,995	1,394,711	2,698,285	1,889,924	1,297,634	174,441
1950	7,891,957	1,451,277	2,738,175	1,960,101	1,550,849	191,555
1960	7,781,984	1,424,815	2,627,319	1,698,281	1,809,578	221,991
1970	7,894,862	1,471,701	2,602,012	1,539,233	1,986,473	295,443
1980	7,071,639	1,168,972	2,230,936	1,428,285	1,891,325	352,121
1990	7,322,564	1,203,789	2,300,664	1,487,536	1,951,598	378,977

Poughkeepsie. 1850 population is estimated.

Rochester. 1830 population for Rochester village not shown separately from Rochester town in census reports.

Utica. 1820 and 1830 populations for Utica village not shown separately from Utica town in census reports.

West Troy. 1850 population for West Troy village not shown separately from population of West Troy town in census reports. West Troy village incorporated as Watervliet city in 1896.

Williamsburgh. 1850 population of Williamsburgh village not shown separately from population of Williamsburgh town in census reports. Annexed by Brooklyn in 1855.

Ohio

Steubenville. 1840 population is estimated.

Oklahoma

Oklahoma City. Classified as partly rural, 1970-1990. 1970 urban figures are 356,661; 215.1; and 1,658 (see Table 20). 1980 urban figures are 388,599; 242.6; and 1,602 (see Table 21). 1990 urban figures are 438,922; 381.7; and 1,150 (see Table 22).

Tulsa. Classified as partly rural in 1970. 1970 urban figures are 330,409; 139.5; and 2,369 (see Table 20).

Pennsylvania

Allegheny. Annexed by Pittsburgh in 1907.

Kensington. Annexed by Philadelphia in 1854.

Moyamensing. Annexed by Philadelphia in 1854.

Northern Liberties. Annexed by Philadelphia in 1854.

Philadelphia. Annexed Kensington, Moyamensing, Northern Liberties, Southwark, and Spring Garden in 1854 when Philadelphia city was made coextensive with Philadelphia County.

Pittsburgh. Annexed Allegheny in 1907.

Southwark. Annexed by Philadelphia in 1854.

Spring Garden. Annexed by Philadelphia in 1854.

Rhode Island

North Providence. Parts annexed to Providence city and Pawtucket town in 1874. 1880 population of North Providence town: 1,467.

Providence. Annexed part of North Providence town in 1874.

Tennessee

Memphis. Classified as partly rural, 1970-1990. 1970 urban figures are 623,497; 177.5; and 3,513 (see Table 20). 1980 urban figures are 646,305; 213.7; and 3,024 (see Table 21). 1990 urban figures are 610,337; 217.6; and 2,805 (see Table 22).

Nashville. Consolidated city, 1970-1990. Classified as partly rural, 1970-1990. 1970 urban figures are 436,170; 334.3; and 1,305 (see Table 20). 1980 urban figures are 446,027; 332.1; and 1,343 (see Table 21). 1990 urban figures are 483,427; 376.4; and 1,284 (see Table 20).

Texas

El Paso. Classified as partly rural, 1980-1990. 1980 urban figures are 424,981; 143.8; and 2,955 (see Table 21). 1990 urban figures are 515,187; 162.7; and 3,166 (see Table 22).

Fort Worth. Classified as partly rural in 1990. 1990 urban figures are 447,212; 243.3; and 1,838 (see Table 22).

Houston. Classified as partly rural in 1970. 1970 urban figures are 1,231,394; 397.0; and 3,102 (see Table 22).

Virginia

Alexandria. Included in territory ceded by Virginia in 1791 to form part of the District of Columbia and retroceded to Virginia in 1846.

Arlington. Arlington CDP is coextensive with Arlington County. See discussion of Census Designated Place in text.

Virginia Beach. Classified as partly rural, 1970-1990. 1970 urban figures are 166,729; 105.6; and 1,579 (see Table 20). 1980 urban figures are 257,269; 145.9; and 1,763 (see Table 21). 1990 urban figures are 389,536; 159.1; and 2,448 (see Table 22).

Wheeling. In territory that was formerly part of Virginia and that was taken to form West Virginia in 1863.

West Virginia

Wheeling. In territory that was formerly part of Virginia and that was taken to form West Virginia in 1863.

REFERENCES

Anderson, Margo J. 1988. *The American Census: a Social History*. New Haven, CT: Yale University Press.

Dahmann, Donald C. 1992. "Accounting for the Geography of Population: 200 Years of Census Bureau Practice with Macro-Scale Sub-National Regions." Paper presented at the Annual Meeting of the Association of American Geographers, San Diego, CA, 18-22 April 1992.

Dubester, Henry J. 1950. *Catalog of United States Census Publications: 1790-1945*. Washington, DC: U.S. Government Printing Office. (Reprinted in U.S. Bureau of the Census, 1974.)

Fay, Robert E. et al. 1988. "The Coverage of Population in the 1980 Census." Bureau of the Census, Evaluation and Research Reports, PHC80-E4. Washington, DC: U.S. Government Printing Office.

Forstall, Richard L. 1996. *Population of States and Counties of the United States: 1790 to 1990*. Bureau of the Census. Washington, DC: U.S. Government Printing Office.

McKenzie, R. D. 1933. *The Metropolitan Community*. New York, NY: McGraw Hill. (Reissued in 1967. New York, NY: Russell and Russell.)

Robinson, J. Gregory et al. 1993. "Estimation of Population Coverage in the 1990 United States Census Based on Demographic Analysis," *Journal of the American Statistical Association*, Vol. 88, No. 423 (September 1993), pp. 1061-1079.

Truesdell, Leon E. 1949. "The Development of the Urban-Rural Classification in the United States: 1874 to 1949." Bureau of the Census, Current Population Reports, Series P-23, No. 1. Washington, DC: U.S. Government Printing Office.

U.S. Bureau of the Census. 1974. *Catalog of Publications: 1790-1972*. Washington, D.C.: U.S. Government Printing Office.

----- 1984. *Bureau of the Census Catalog: 1984*. Washington, DC: U.S. Government Printing Office.

----- 1994. *Census Catalog and Guide: 1994*. Washington, DC: U.S. Government Printing Office.

Walker, Francis A., compiler. 1874. *Statistical Atlas of the United States*. New York, NY: Julius Bien.

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EXHIBIT D

Montana Fishing Guide

South Fork Flathead River



The South Fork Flathead River originates at the confluence of Danaher and Youngs creeks in the Bob Marshall Wilderness Area and flows north, unimpeded for over half its length. Noted for the extreme beauty of its setting and course, the South Fork runs its first 40 miles within the Bob Marshall between the Continental Divide on the east and the Swan Range on the west. From its headwaters to the Spotted Bear River, it is classified a Wild River under the National Wild and Scenic Rivers Act. Access to float the South Fork requires quite a commitment—packing in gear by foot or horseback for 20 miles to begin this wilderness float and the same when the ride is finished. The beauty, fishing, and serenity of the float make it worth the effort. Many backpackers and horse parties enjoy portions of the river as well. An abrupt change in the river results from Hungry Horse Dam, 5 miles above the mouth, which creates the 35-mile-long Hungry Horse Reservoir. Completed in 1952, the dam has served two oppositional purposes for the fisheries of the South Fork—blocking upstream fish migrations from Flathead Lake and effectively isolating the drainage from that fishery, while above the dam maintaining the most intact native fish ecosystem remaining in western Montana.

Total Length: 98 miles

Wild and Scenic: This river is designated Wild and Scenic from Hungry Horse Reservoir to Headwaters

FWP Region: Region 1

Fishing District: Western Fishing District

Species Present

Game Fish Opportunities:

Mountain Whitefish, Westslope Cutthroat Trout

All Species Present:

Arctic Grayling, Bull Trout, Largescale Sucker, Mountain Whitefish, Northern Pike Minnow, Sculpin, Slimy Sculpin, Westslope Cutthroat Trout, Longnose Sucker

NOTE: There may be game fish present (including Species of Concern) that are not listed in the game fish category due to low numbers for that fish or special regulations. Until you identify your catch, please handle all fish carefully. Thank you.

Fishing Regulations

Standard Fishing Regulations for the Western Fishing District

The standard fishing regulations for the fishing district(s) apply. Please check your copy of the regulations, or visit the site(s) linked above for more information.

Exceptions to Standard Regulations

All Waters Upstream From Hungry Horse Dam, Including Hungry Horse Reservoir And Tributaries Except Meadow Creek Section (See Below)

Combined Trout: 3 daily and in possession, no fish over 12 inches in rivers and streams. Includes rainbow trout, cutthroat trout and grayling.

Mainstem Upstream From Hungry Horse Reservoir (From Crossover Boat Ramp South And Upstream To The Confluence Of Youngs And Danaher Creeks)

Bull trout: catch-and-release from the third Saturday in May through August 15. A Hungry Horse/South Fork Flathead Bull Trout Catch Card must be in possession when fishing for bull trout. See Special License requirements for application information. All bull trout must be released immediately. It is unlawful to possess a live bull trout for any reason.

Meadow Creek Bridge To Spotted Bear Foot Bridge And Tributaries

- Catch-and-release only.
- Artificial lures only.
- Hungry Horse Dam Downstream To Devil's Elbow And Tributaries
Closed entire year.
- Devil's Elbow Downstream To Mouth And Tributaries
Catch-and-release for cutthroat trout.
Extended season for whitefish and catch-and-release for trout open December 1 to third Saturday in May with artificial lures and/or maggots only.

Boating Regulations

Standard Boating Regulations for the State of Montana

Exceptions to Standard Boating Regulations for *South Fork Flathead River*

Regulation	Description & Exceptions
Closed to motorboats over 10 HP	
Closed to all motorboats	

Fishing Pressure

Mouth to Headwaters (River Mile: 0 to 98)

Year	Days Fished	Trips	State Rank	Regional Rank
2005	12,417	215	53	8
2003	11,006	228	58	8
2001	10,145	229	59	11
1999	11,488	277	65	9

Gauging Stations

- S F Flathead R ab Twin C nr Hungry Horse MT
[View Data | River Mile: 42](#)
- S F Flathead River nr Columbia Falls MT
[View Data | River Mile: 3](#)

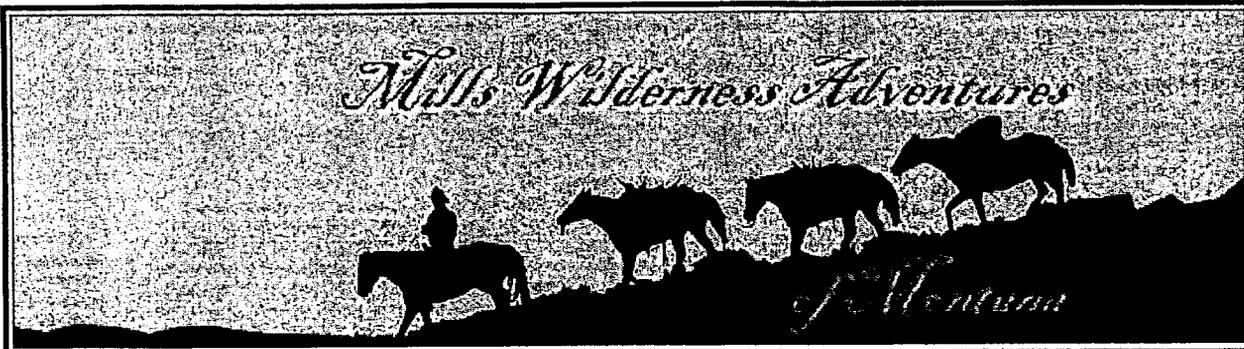
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White River Base Camp 2007 Summer Schedule

The Bob Marshall Wilderness of **Montana** is the benchmark of the American Wilderness system. It is the biggest wilderness complex in Montana, and one of the largest in the U.S.

We headquarter in Augusta, Montana. On a regular basis we have **Montana pack trips** from Benchmark, through the Sun River Game Preserve, over the Continental Divide, and into the White river, Danaher and South Fork of the Flathead River drainages, although we can also start from many other places and use many other routes and destinations if desired.



The heart of our wilderness operation and **pack trips** is a base camp in the White river, just four miles from the continental divide and many well known landmarks, such as the Chinese Wall, Needle Falls, Flathead Alps, Big Salmon Lake and many others. There are also many other areas of interest nearby that not as well known, such as the "Lost World of Peggy Creek," for example.

This area affords good opportunities to see **Montana** wildlife in one of the most natural strongholds in North America, and many opportunities to fish for native cutthroat, both big and small.

White River Base Camp Day by Day Itinerary

Day 1 Arrive at Benchmark just after daylight. The wranglers should just finishing up with the saddling of the stock. After an introduction to horsemanship, you will be introduced to your horse for the trip. Riders



matched as closely as possible to their mounts according to individual skills and abilities. Our stock is good, get stock. You should be on the trail early in the mornin

and riding into the Bob Marshall Wilderness Ar

We cross the South Fork of the Sun River via the packbridge, then across the West Fork packbridge. Quite often we see elk, whitetail deer, and mule deer along this stretch of trail while the dew is still on the grass. We often stop for lunch at the Indian Creek Ranger Station, or thereabouts.

After lunch we saddle up and start up and start the ride up Indian Creek. This is an especially scenic area. On most trips in late July to mid-August, bears can be seen from time to time, feeding on the berry crop across the drainage.

This is also a good area in which to see mountain goats. The scenic ride climaxes on top of the Continental Divide. From here it is five miles down to our camp, and a well deserved rest after the 22-mile horseback ride.

Day 2 After yesterday's hard ride, we turned the horses out to pasture, as plan to spend most of this day in and around our base camp. Our camp is located at the nexus of the White River and South Fork of the White River, almost the exact geographical center of the Bob Marshall Wilderness. The

White River is 150 yards from camp and affords some really good fishing opportunities for both novice and expert fishermen. West slope cutthroat trout are the primary species. If you don't wish to fish, you can go for a scenic hike right out of camp, take a sun shower (we heat and heat the water when necessary), and watch the deer feed in and around camp most anytime.



Day 3 The daily schedule for any day can be arranged to fit both personal and group desires, and weather conditions. This day we are planning a day ride to the South Fork of the Flathead River. It involves a 7 mile (one way) river grade trip, fishing and swimming in the river (which is about 10 degrees warmer than the White River).

On the way we may see wildlife, take pictures in White River Park and Murphy's Meadows, pick out the profile on "Scarface" Mountain, and practice horsemanship. After returning to a delicious meal, campfire talk, songs and good company can be enjoyed any evening.

Day 4 Today we are going up the White River on horseback, to a "secret" place in **Montana** known only as "the lost World". This place is a remote valley, inaccessible from most directions, and then only by an unmarked trail. Many times, mountain goat, elk and mule deer can be seen. This place gives us the feeling that they are on the moon as the terrain seems to be mostly rock. On the way we will pass Needle Falls, where the mainstream of the White River appears to pass through the eye of the "needle", a hole in the rock that in recent times formed a natural bridge. By mid-afternoon we should be back in camp, with time left for a hike or to fish after dinner.

Day 5 This is a good day to go to the "Flathead Alps", up the drainage of the

South Fork of the White river. A relatively easy ride, it can be as easy or as hard as you wish as you can hike in the "Alps" while the others catch a nap the sun or take pictures. Adventure is where you find it, or in some cases where you create it.

Day 6 This is a special day, one that we have been saving until now. This is a must for everyone. Just four miles up the trail from camp, on Haystack Mountain, to the Chinese Wall.

This is an overpowering sight, as the mountain appears to have been cut off with a huge knife, some 1,400 feet from top to bottom. This is the Continental Divide. The general area is also referred to as the "overthrust belt". Often we see bighorn sheep and mountain goats, and sometimes a herd of elk can be spotted in the valley below. If you like mountain scenery, you will love this place set in the midst of a panorama of the wildest places in the continental U.S.

Day 7 If our trip is for more than 7 days, numerous possibilities exist for extended itineraries. We can include a side trip of one or more days in duration to such places as the head of Cliff Creek, Big Salmon Lake, or another way out to Benchmark or different trails. If this is the last day of our trip, we will try to be in the saddle by early morning. We will take the same trail we came in on, but somehow it looks much different going the other direction, but just as beautiful. We should be to Benchmark by mid-afternoon, and you can be to Augusta by 6:00 PM, checking into a motel with a hot tub to pamper your tired body after the trip.

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A

msteudel

10-10-2005, 07:54 PM

This is a pretty late in coming, but thought it might be enjoyed anyways.

For our honeymoon in August, my wife and I spent a week in the Bob Marshall Wilderness on a horse packing trip. We went with the WTR Outfitters, owned by Jack and Karen Hooker. Jack is one of the oldest outfitters in the area, and has more permits to travel in the Bob Marshall Complex (Three wilderness areas: Bob Marshall, Scapegoat, and Great Bear). He was also the first person to run the Alaskan Idldrod from the lower 48 states, and was a Champion Bronc rider. He had so many interesting stories tell. Also along on the trip were two Wranglers, the Cook Assistant, two dogs, and 8 other clients.



We fished three bodies of water, the Danaher Creek, The South Fork of the Flathead, and Youngs Creek. All of the creek and river beds were lined with red and tan colored rocks. The Native Westlop Cutthroat and the Whitefish have a reddish/gold/brown coloring that makes them blend in when they hold in riffly runs. The clarity of the water was amazing. You could see into the depest pools without any problem.

The fishing was the best fishing I've ever experienced. I would guess that Bebeth and I probably caught 200 fish each over 4 full days of fishing. One of the nice things about the trip was that we were able to fish with in conversation distance of each other the whole time. We probably were always somewhere between 10 - 20 feet of each other. If you are a dry fly enthusiast, these are the rivers for you. Before the trip I bought a lot of different flies, in the end if I had just brought Parachute Adams and Black EH Caddis we would've been fine. Bebeth, who doesn't like to change flies so much, would fish maybe three flies all day. I on the other hand liked to see what else worked, changed fairly often. Every fly I tried worked. Though the favorites were: Parachute Adams, Joes Hopper, Black EH Caddis, and any size 16 or smaller emerger.

When we fished Youngs creek we saw the fabled bull trout. These things were massive, I'd estimate that some of them were close to 30" long. Most of the time they'd sit lethargically on the bottom of a pool, almost like logs. As soon as you hooked into a trout or white fish, these fish would come alive and swoop up and chase the fish. They almost looked like sharks, it was quite an experience.

The country was stunning. The landscape varied between forest and burn areas. Burn areas were large areas that had been burned from forest fires. Most of these areas were 10 feet high in fireweed. We saw bald eagles, Sandhill Cranes, Bears, Bull Elk, and heard coyotes. Hopefully we'll get a chance to get back into the Bob Marshall. I'd definetly recommend it.

Here's a link to our photos:

<http://www.steudel.org/pictures/thumbnails.php?album=23>

Mark and Bebeth



www.discountflies.com

Ads by Gooooogle

Diehard 10-11-2005, 02:31 PM

Sounds like an awesome trip. Where is the Bob Marshall Wilderness?

msteudel 10-11-2005, 02:36 PM

Montana in between Glacier and Missoula.

Panhandle 10-11-2005, 04:18 PM

Awesome man. I've backpacked about every square mile of the Bob- It's the most amazing place I ever been. Did you get to check out the white river, it flows into danaher creek. If you ever get a chance, check out the chinese wall. Any Grizz?

mike doughty 10-11-2005, 07:03 PM

You have a lot of great photos. sounds and looks like a great trip. congrats. on the marriage

papafsh 10-11-2005, 07:25 PM

Very nice report and the pic's are great! Any marriage started with a honeymoon like that should do well and last a long time. Congratulations!

LB

sjterry 10-11-2005, 09:27 PM

WOW:EEK: I am at a loss for words after viewing your photos. Memories for a lifetime. Here is one, envy:beer1:
:beer1:

msteudel 10-12-2005, 06:31 AM

Awesome man. I've backpacked about every square mile of the Bob- It's the most amazing place I ever been. Did you get to check out the white river, it flows into danaher creek. If you ever get a chance, check out the chinese wall. Any Grizz?

No we didn't get a chance to get that far. It was on the itinerary, but since everyone wanted to fish more than they wanted to ride, we didn't get that far.

Bob Triggs 10-12-2005, 05:34 PM

That was so nice to see. Congratulations!

HMCFisherman

10-17-2005, 04:17 AM

Spent a week in mid-August floating the South Fork of the Flathead in "the Bob" a few years back. Couldn't agree more with all your praise of that area. You brought back some great memories.

Bill Reed

10-22-2005, 06:17 PM

Awesome report and pictures. The fact that you spent your honeymoon in the Bob Marshall says a lot about you and your wife.
Best of luck to you both.

msteudel

10-22-2005, 10:24 PM

Awesome report and pictures. The fact that you spent your honeymoon in the Bob Marshall says a lot about you and your wife.
Best of luck to you both.

Thanks Bill! Yes she's quite a woman. She even builds me fly rods. :)

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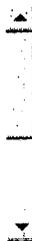
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Achived Story

Maps can take you to new, exhilarating places
By GREG TOLLEFSON for the Missoulian



A couple of evenings ago, from my perch in the snow, loose rocks, and boulders of Observation Point, I enjoyed a commanding view of all of this earth that seemed to matter. For just a moment, I felt omnipotent.



The faint goat trail winding below would take me, if I let gravity do its work, down into the soon-to-be lush meadows of the Danaher Basin. From there, following flowing water, I could, if I wanted to, trace Danaher Creek until it met up with others: Rapid, Foolhen, Basin, Wigwam and Hahn creeks, until they form the South Fork of the Flathead River. And if the spirit moved me, I could follow that flowing water all the way out to Spotted Bear, and from there, with time, I could follow it clear out to where it dumps into the Pacific.

I could hear rocks falling from the heights of Flint Mountain behind me as mountain goats browsed and clambered around the precarious cliffs just a few hundred feet above. Beyond Flint Mountain, I could feel the eerie rocky expanse of the Scapegoat Plateau with Scapegoat Mountain guarding the southeast flank. Below its towering cliffs, I knew that the Dearborn River was gathering melting snow for the long run to the Missouri, while just over the ridge, the North Fork of the Blackfoot was doing the same for the ride downhill to the Columbia.

Back north again, within my field of vision, and not the scope of my imagination, across the divide from the Danaher, the basin that is the headwaters of the South Fork of the Sun River opened up below me. Allowed to run its course, water issuing from the snow melting at my feet would pass New Orleans in a few days or weeks. That, of course, depends on however long it takes molecules of water to get from here to there, if they do at all.

In the distance, the peaks of the Swan Range dominated the Western panorama with a few glimpses of the Missions evident where a pass or low point afforded a

flash of the next valley. And in the dim distance to the north, along the Continental Divide that I stood astride, past the reefs and flying buttresses of the Front Range that sprawl out onto the plains like tentacles (and mixed metaphors), past Sugarloaf Mountain, the shadows were falling along the Chinese Wall. Still farther north, beyond my view, but known and imagined just the same, the mountains of Glacier and the Whitefish Range huddled together against the approaching darkness.

No, I wasn't really on Observation Point, at least not recently, anyway. In fact, I have not stood in that place for almost 10 years. No, I wasn't even out of the house when those pictures washed over me. I was sitting in the same chair I'm in right now, gazing at the 1933 Forest Service map of the Flathead National Forest. Much has changed since that map was created n Hungry Horse Reservoir, for example, and Highways 200 and 83, and billions more people in the world. But from that place high on the Continental Divide, nothing had changed.

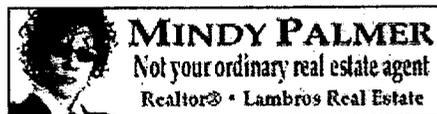
Maps can do that for me. Take me away, I mean. I can sit and study a map of almost anywhere for hours. Maps trigger something that cuts loose my imagination, so that as I run my eyes along a dotted line for a trail or a solid line for a road or a river, I start to imagine the feel of the country passing by on both sides. It just happens.

So I hoard maps. I have stacks of old maps from National Geographic Magazine. I have those highway maps that used to be free in service stations. Miscellaneous street maps, city maps, park maps, river maps, hunting maps, fishing maps, I have them. Of course, there are the USGS quad maps for nearly every square mile of Montana, an absolutely essential tool for finding the way in the backcountry

But to my way of thinking, nothing beats a good Forest Service map at providing food for thought. That's because a Forest Service map covers enough country to take you beyond the next rise, they have lots of color, and they have lots of information.

I can get lost in a Forest Service map without any trouble. Those maps show the ridges you stood on once when you couldn't imagine a more beautiful spot on the planet. They show the peaks you've always intended to climb, but haven't gotten to yet. And some of those places may never feel the imprint of your foot because there just isn't time to explore it all. But with a map and a little imagination, you can at least be there for a little while. It's cheap. It's wholesome. And it's better for you than television.

Greg Tollefson is a freelance Missoula writer whose column appears each week in Outdoors. He can be reached at gtollefson@bresnan.net.



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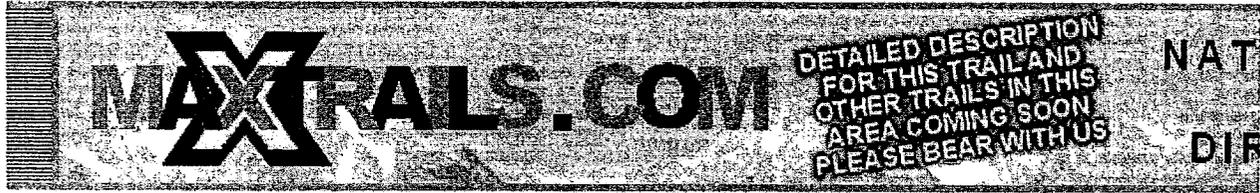
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→ Montana hiking trails - Danaher Hahn Creek Trail, Lewis Range, Powell County

LOCATION

Latitude: 47.35361
Longitude: -113.07833

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Alright, enough of spending all this time inside a building, time to get out, and Danaher Hahn Creek Trail in Powell County, Montana is a really good place to spend some time. Because Danaher Hahn Creek Trail is very far from civilization it is a good trail. All the outdoors amusing stuff in the Lewis Range will keep you coming back persistently. Take a little spree to Little Calf Creek



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at Danaher Hahn Creek Trail frequently tend to be in the 80's. Once the sun is down it descends down to the 40's. All through the winter highs are typically in the 20's while Danaher Hahn Creek Trail overnight low temperatures throughout the wintertime are in the 0's.

Camping at Straight Creek Campground is always a great experience, and whitewater paddling is not for everyone but if it's for you then, we recommend Blackfoot River - North Fork. With so many outdoors activities available in Montana you'll never get bored. Hiking trails are all over the Lewis Range, there's no better way to enjoy these mountains. Some nearby water includes Foolhen Creek; if you came to camp Monture Creek Campground is a great place to do that. It is very arid here at Danaher Hahn Creek Trail typically; most of the snow falls throughout January, and the driest month is July.

Current weather conditions at Danaher Hahn Creek Trail, Powell County, Montana

while you're here at Danaher Hahn Creek Trail, and if you come at the right time of year, Flathead River - South Fork offers some wonderful whitewater. Summertime highs

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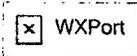
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Complete outdoors info for the Lewis Range.

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Books about Danaher Hahn Creek Trail, Powell County, Montana

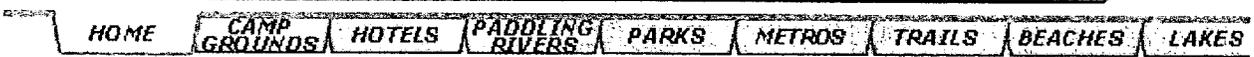
List of books available on Amazon.com about Danaher Hahn Creek Trail.

Outdoors Recreation Near Missoula, Montana

Very comprehensive list of a variety of outdoors recreation in the vicinity of Missoula, Montana, the metro area nearest to Danaher Hahn Creek Trail. Find info on campgrounds, hiking trails, ski resorts, lakes, beaches, parks, whitewater and more.

Montana Outdoors Index

This is a very comprehensive index of outdoors activities in the great state of Montana.



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Stream, River in Powell County, Montana, USA.

Latitude: 47.44556 : Longitude: -113.1825

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The weather forecast links don't work for all
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Montana Fishing Guide

Danaher Creek

Total Length: 21 miles
FWP Region: Region 1
Fishing District: Western Fishing District

Species Present

Game Fish Opportunities:

Mountain Whitefish, Westslope Cutthroat Trout

All Species Present:

Bull Trout, Mountain Whitefish, Westslope Cutthroat Trout, Slimy Sculpin

NOTE: There may be game fish present (including Species of Concern) that are not listed in the game fish category due to low numbers for that fish or special regulations. Until you identify your catch, please handle all fish carefully. Thank you.

Fishing Regulations

Standard Fishing Regulations for the Western Fishing District

The standard fishing regulations for the fishing district(s) apply. Please check your copy of the regulations, or visit the site(s) linked above for more information.

Boating Regulations

Standard Boating Regulations for the State of Montana

Fishing Pressure

Mouth to Headwaters (River Mile: 0 to 20)

Year	Days Fished	Trips	State Rank	Regional Rank
2005	280	4	537	130
2003	203	4	646	147
2001	122	3	852	199
1999	38	1	1,641	352

Gauging Stations

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Danaher Valley

Seeley Lake Montana Hikes

Overall Member Rating: ★★★★★ (0 Member Reviews)

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Preview: The Danaher Valley is known for its expanses of grassy meadows that allow sweeping views of the surrounding mountains. Flathead Indians often passed through this country on their way to hunt the buffalo on the high plains. Later, this valley was the site of the only homesteading activity on the western side of the wilderness, a small ranch established by the Danaher family near Bar Creek. This ear...

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About This Trail Guide



Hiking Montana's Bob Marshall Wilderness
by Erik Mohr (Falcon Publishing)

A guide to over 100 hikes in Montana's northern Rockies, including hikes in the Bob Marshall, Scapegoat...

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Weather Conditions



Tonight
Cloudy with scattered snow showers. Lows in the 20s. Local east winds 15 to 20 mph.



Friday
Cloudy with a chance of snow showers. Highs in the upper 30s to mid 40s. Local east winds 15 to 20 mph with gusts to around 35 mph through the highway 200 corridor.



Friday Night
Mostly cloudy with a slight chance of snow. Lows 17 to 24. North winds 15 to 20 mph with gusts to around 35 mph along the highway 200 corridor...shifting to the east to 15 mph after midnight.



Saturday
Mostly cloudy with a chance of snow. Highs in the upper 30s to mid 40s. Northeast winds to 15 mph.

[Get this weather forecast on your desktop](#) (by WeatherBug)

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- [Danaher Valley Trail Guide](#)
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More About This Trail

The Danaher Valley is known for its expanses of grassy meadows that allow sweeping views of the surrounding mountains. Flathead Indians often passed through this country on their way to hunt the buffalo on the high plains. Later, this valley was the site of the only homesteading activity on the western side of the wilderness, a small ranch established by the Danaher family near Bar Creek. This early attempt at ranching withered because of its long distance from markets. Today, the Danaher Valley is a popular haven for elk hunters, and spike camps spring up like weeds from mid-September through October. But there is always a special magic here heard in the lonely wail of the coyote on the moonlit prairies and in the autumn bugles of elk in the surrounding hills.

EXHIBIT E

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Coordinates of Danaher, I

Longitude: 85° 46' 51" West
Latitude: 46° 20' 36" North

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The List of Webcams near Danaher, Michigan, USA: (Other places in Michigan, USA »)

170 Kilometers (105 Miles): Webcam Gaylord, Michigan, USA



Wilderness Pines Snow Cam - Live view from Wilderness Pines in Gaylord Can you see the snowman?

Operator: [Wilderness Pines Vacation Home](#)

404 Kilometers (251 Miles): Webcam Milwaukee, Wisconsin, USA



View of Milwaukee - A webcam with a nice view of Milwaukee, Wisconsin.

Operator: [WeatherBug](#)

463 Kilometers (287 Miles): Webcam Madison, Wisconsin, USA

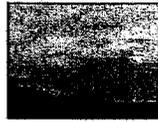


Lake Mendota - A very nice panorama image of Lake Mendota in Madison,

Operator: [Soil Science at UW-Madison](#)

485 Kilometers (301 Miles): Webcam Duluth, Minnesota, USA

Webcam Lake Superior - The webcam shows different images from the se



Operator: [ALLETE](#)

495 Kilometers (307 Miles): Webcam Detroit, Michigan, USA



Skyline Detroit - A very nice view of Detroit's skyline.

Operator: [nbc6.net](#)

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Detroit River Webcam - The 'Detroit River Watch' webcam brings passing sailboats, and even the rowing shells to the home and office desktops of the country.

Operator: [The Detroit Historical Museum](#)

516 Kilometers (320 Miles): Webcam Chicago, Illinois, USA



Current Views

Operator: [WGN-TV](#)

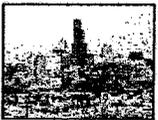
516 Kilometers (320 Miles): Webcam Chicago, Illinois, USA



City Panorama - A panorama view over Chicago from the LaSalle Bank Buil

Operator: [WeatherBug](#)

516 Kilometers (320 Miles): Webcam Chicago, Illinois, USA



Skyline Chicago - View of the skyline of Chicago from the Field Museum of

Operator: [EarthCam](#)

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Operator: [CubWorld.com](#)

530 Kilometers (329 Miles): Webcam Pecatonica, Illinois, USA



Flag Cam - See what flags are flying today

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584 Kilometers (362 Miles): Webcam Toronto, Canada



Skyline of Toronto - A view of the skyline of the city of Toronto.

Operator: [RCTC Corporation](#)

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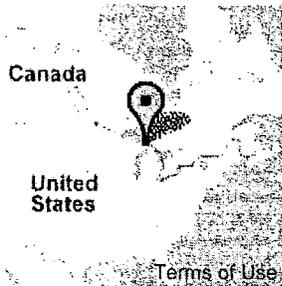
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World index ... North America ... United States ... Michigan ... **Danaher**



Danaher, Michigan, United States



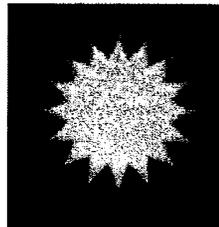
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The **time** in Danaher is
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Sunrise at 06:50 and
Sunset at 18:52. It's light

*latitude. 46.34361°,
longitude. -85.78083°*



Report
from
Newberry,
Luce
County
Airport, MI
29Km away

Weather :
Temperature: -3°C /

26.6°F 
Wind: 11.5Km/h South
Cloud: Sky Clear



Laketon

State)

Geographic features & Photographs around Danaher, in Michigan, United States

lake; a large inland body of standing water.

- Wanamaker Lake (1.9Km)
- Crooked Lake (5.3Km)
- North Manistique Lake (8.1Km)
- Spring Creek Trout Pond (10.1Km)
- Turnbull Lake (10.6Km)
- Harcourt Lake (10.7Km)
- Fork Lake (10.8Km)
- Quinlan Lake (10.8Km)
- Mud Lake (10.9Km)
- McCormick Lake (11.1Km)
- East Lake (12.2Km)
- Locke Lake (12.6Km)
- Becks Lake (13.5Km)
- Smith Lake (13.5Km)
- Lost Lake (13.7Km)
- Musgrave Lakes (13.8Km)
- Benny Lake (13.8Km)
- Peter Lake (13.8Km)
- Dude Lake (13.8Km)
- Syphon Lake (13.9Km)
- Peanut Lake (13.9Km)
- Young Lake (14.1Km)
- Manistique Lake (14.1Km)
- Dishpan Lake

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stream; a body of running water moving to a lower level in a channel on land.

- Kings Creek (3Km)
- Bev Creek (3.1Km)
- Deer Creek (3.7Km)
- Syphon Creek (4.8Km)
- Laketon Slough (5.5Km)
- East Creek (7.4Km)
- Red Creek (8Km)
- Cold Creek (9.5Km)
- Spring Creek (10.4Km)
- Locke Creek (10.7Km)
- Fork Creek (10.9Km)
- Helmer Creek (11Km)
- Mud Lake Creek (11.1Km)
- East Branch Fox River (12.5Km)
- Dead Creek (12.8Km)
- Silver Creek

(14.3Km)



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Wikipedia entries close to Danaher Germfask Township, Michigan

From Wikipedia, the free encyclopedia

- Germfask Township, Michigan null education
- Grand Marais, Michigan null city o
- Burt Township, Alger County, Michigan null city o
- Black River (Mackinac County) null river
- Tahquamenon Falls null waterfall
- Torch Lake (Antrim County, Michigan) null lake
- Munising Township, Michigan null city o
- Garden Island (Michigan) null isle

Germfask Township, Michigan

Location

46°14' 49" N 85°56' 22" W (<http://tools.wikimedia.de/~magnus/geo/geohack>)

Country

Airports close to Danaher

Airfields or small airports close to Danaher

Sault ste marie(YAM), Sault
sainte marie, Canada (114.1Km)
Sawyer international(MQT),
Marquette, Usa (159.6Km)
Menominee marinette twin co
(MNM), Macon, Usa (229.3Km)
What is this world index all about?

Sawyer international, Gwinn,
Usa (143.4Km)

Danaher, Michigan

Danaher is a settlement situated in the state of Michigan in United States of America. Danaher is 679 miles from the US capital Washington, DC.

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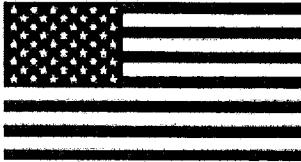
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Local landmarks include Bev Creek, Crooked Lake, Deer Creek, East Creek, Fork Creek, Hardwood Island, Helmer Creek, Kings Creek, Lakefield Church, Laketon Slough, Locke Creek, North Manistique Lake, Syphon Creek, Township of Columbus, Township of Lakefield, Wanamaker Lake, West Lakefield Cemetery,.

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Michigan DNR

Oakland County Mi

Danaher Map



Larger map of Danaher

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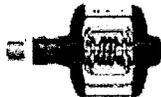
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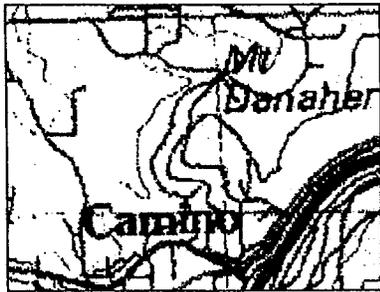
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Mount Danaher Summit - California Mountain Peak Information

Mount Danaher Details



[View Mount Danaher Topo Map \(Enlarged\)](#)

Mount Danaher is a mountain summit in El Dorado County in the state of California (CA). Mount Danaher climbs to 3,366 feet (1,025.96 meters) above sea level. Mount Danaher is located at latitude - longitude coordinates (also called lat - long coordinates or GPS coordinates) of N 38.744348 and W -120.668819.

Anyone attempting to climb Mount Danaher and reach the summit should look for detailed information on the Mount Danaher area in the topographic map (topo map) and the Camino USGS quad. To hike and explore the California outdoors near Mount Danaher, check the list of nearby trails.

[Read Condition Reports](#) | [Add Condition Report](#)
[View Locator Map](#) and [Local Weather](#)

Peak Type: Summit
Latitude: 38.744348
Longitude: -120.668819
Peak Elevation: 3,366 feet (1,025.96 m)
Nearest City: Snowline Camp (3.1 miles away)

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Nearby Trails

Trail Name	Activity Type	Trail Type	Trail Length	Distance Away
Slate Mountain Trail	Off-Highway Drives	Point-to-Point	18.5 mi	4.9 mi
Sly Park - Jenkinson Lake Loop	Mountain Biking	Loop	9 mi	5.6 mi
Sly Park	Birding	Many Options	unknown	6.1 mi
Sly Park Loop	Mountain Biking	Loop	8.8 mi	6.1 mi
Placerville Classic and Cruise Option	Road Biking	Loop	55 mi	6.8 mi

[See more Trail Descriptions on Trails.com](#) | [View All Snowline Camp, California Trails](#)

Condition Report

Trip Date	Route	Condition Comments	Activity	Submitted By
-----------	-------	--------------------	----------	--------------

There are no Condition Reports for this summit. Be the first to enter one by using the form below!

Condition Comments:*

Trip Date: (calendar view)

Route:

Activity:

Submitted By:

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Locator Map

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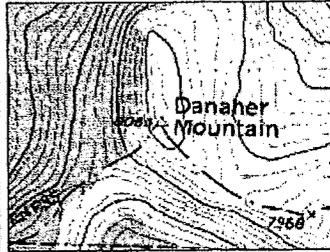
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Danaher Mountain Summit - Montana Mountain Peak Information

Danaher Mountain Details



[View Danaher Mountain Topo Map \(Enlarged\)](#)

Danaher Mountain is a mountain summit in Lewis and Clark County in the state of Montana (MT). Danaher Mountain climbs to 8,041 feet (2,450.90 meters) above sea level. Danaher Mountain is located at latitude - longitude coordinates (also called lat - long coordinates or GPS coordinates) of N 47.267164 and W -113.045608.

Anyone attempting to climb Danaher Mountain and reach the summit should look for detailed information on the Danaher Mountain area in the topographic map (topo map) and the Danaher Mountain USGS quad. To hike and explore the Montana outdoors near Danaher Mountain, check the list of nearby trails.

[Read Condition Reports](#) | [Add Condition Report](#)
[View Locator Map and Local Weather](#)

Peak Type: Summit
Latitude: 47.267164
Longitude: -113.045608
Peak Elevation: 8,041 feet (2,450.90 m)
Nearest City: [Ovando](#) (16.2 miles away)

Sponsored Links

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Nearby Trails

Trail Name	Activity Type	Trail Type	Trail Length	Distance Away
The Dry Fork Divide	Hiking	Out-and-Back	29 mi	1.8 mi
Limestone Pass	Hiking	Point-to-Point	9.7 mi	3.5 mi
Danaher Valley	Hiking	Point-to-Point	16.8 mi	4.7 mi
Triple Divide	Hiking	Out-and-Back	10.8 mi	7.5 mi
The Flint Mountain Palisades	Hiking	Out-and-Back	15.4 mi	8.0 mi

See more [Trail Descriptions](#) on [Trails.com](#) | [View All Ovando, Montana Trails](#)

Condition Report

Trip Date	Route	Condition Comments	Activity	Submitted By
-----------	-------	--------------------	----------	--------------

There are no Condition Reports for this summit. Be the first to enter one by using the form below!

Condition Comments:*

Trip Date: (calendar view)

Route:

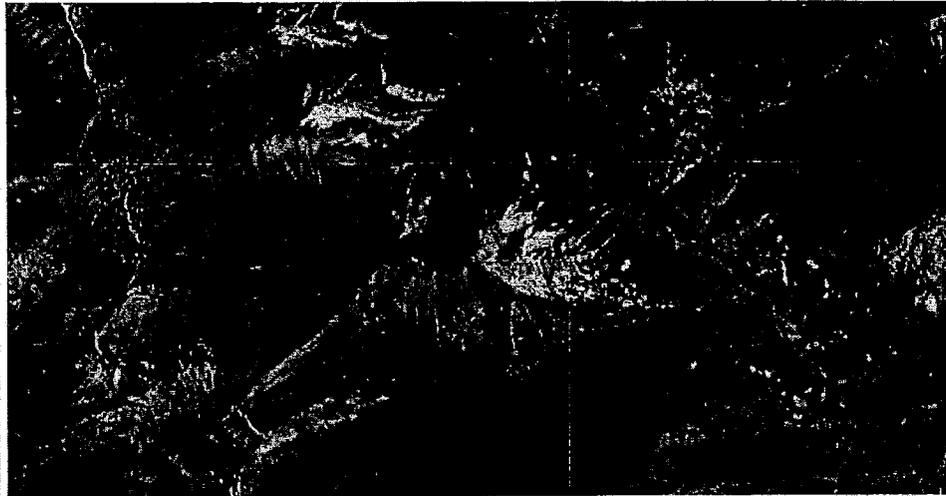
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EXHIBIT H



HISTORY

The origin of "Danaher" goes back to the root "Dana," a Celtic word dating from before 700 BC and meaning "swift flowing".

In the early 1980's, the vision of a manufacturing company, dedicated to continuous improvement and customer satisfaction, was conceived during a fishing trip on the Danaher, a tributary to the south fork of the Flat Head River in western Montana. The founders of the company adopted the name for their new organization.

As Danaher has evolved, the elements of a swift flowing river have been retained. The company has never strayed from the clarity of its initial vision. The flow of the business is ever changing but the guiding principles--continuous improvement and customer satisfaction--remain constant. Over time, the company has grown rapidly in size and success, achieving record levels year after year.

Forging a Strong Foundation

In the early 90's, Danaher consisted of a group of discrete, cyclical businesses. Our corporate vision was to achieve above average growth along with reduced cyclicalities. In the mid 90's, we began moving from fragmented businesses towards the creation of strategic platforms with sustainable competitive advantages and leadership positions in multi-billion dollar, global markets.

A Look Ahead

We fully intend to grow Danaher at an accelerated rate. Acquisitions that strengthen existing businesses and establish new platforms will be the priority. However, size alone is not our objective. We are aggressively pursuing our goal to build an outstanding team, a high quality portfolio and a sustainable DBS -based business model achieving superior and sustainable financial results. That's our vision of the future - the vision we're aggressively pursuing as we work to make Danaher a premier global enterprise.

EXHIBIT I

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Comparative

From Wikipedia, the free encyclopedia

In grammar, the **comparative** is the form of an adjective or adverb which denotes the degree or grade by which a person, thing, or other entity has a property or quality greater or less in extent than that of another, and is used in this context with a subordinating conjunction, such as *than*, *as...as*, etc. ^[1]

Contents

- 1 Structure
- 2 Two-clause sentences
- 3 Adverbs
- 4 Null comparative
- 5 Greater/lesser
- 6 References
- 7 See also

Structure

The structure of a comparative in English consists normally of the positive form of the adjective or adverb, plus the suffix *-er*, or (in the case of polysyllabic words borrowed from foreign languages) the modifier "more" (or "less") before the adjective or adverb. The form is usually completed by "than" and the noun which is being compared, e.g. "he is taller than his father is", or "the village is less picturesque than the town nearby". "Than" is used as a subordinating conjunction to introduce the second element of a comparative sentence while the first element expresses the difference ("our new house is larger *than* the old one").

Two-clause sentences

For sentences with the two clauses other two-part comparative subordinating conjunctions may be used:^{[2][3]}

1. *as...as* ("the house was *as large as* two put together")
2. *not so/not as ...as* ("the coat of paint is *not as [not so] fresh as* it used to be")
3. *the same ... as* ("the market square is just *the same as* I remember it")
4. *less/more ... than* ("It cost me *more than* I had hoped").

Adverbs

The adverb is determined by the *-ly* suffix as usual, and in a comparative phrase changes to *-lier*.

However, adverbs with a greater number of syllables than two, require the use of *more* (or *less*), as in ("this sofa seats three people more comfortably than the other one"). Some irregular adverbs such as fast/often may be added without the suffix, ("my new car starts more quickly than the old one"), or ("my new car starts quicker/faster than the old one"), and ("I go into town more often than I used to").

Null comparative

The **null comparative** is a comparative in which the starting point for comparison is not stated. These comparisons are frequently found in advertising. For example, in typical assertions such as "our burgers have more flavor", "our picture is sharper" or "50% more", there is no mention of what it is they are comparing to. In some cases it is easy to infer what the missing element in a null comparative is. In other cases the speaker or writer may have been deliberately vague in this regard, for example "Glasgow's miles better".

Greater/lesser

Scientific classification, taxonomy and geographical categorization conventionally include the adjectives *greater* and *lesser*, when a *large* or *small* variety of an item is meant, as in greater as opposed to lesser celandine. These adjectives may at first sight appear as a kind of *null comparative*, when as is usual, they are cited without their opposite counterpart. It is clear however, when reference literature is consulted that an entirely different variety of animal, scientific or geographical object is intended. Thus it may be found, for example, that the lesser panda entails a giant panda variety, and a gazetteer would establish that there are the Lesser Antilles as well as the Greater Antilles.

It is in the nature of grammatical conventions evolving over time that it is difficult to establish when they first became widely accepted, but both *greater* and *lesser* in these instances have over time become mere adjectives (or adverbial constructs), so losing their *comparative* connotation.

When referring to metropolitan areas, *Greater* indicates that adjacent areas such as suburbs are being included. Although it implies a comparison with a narrower definition that refers to a central city only, such as Greater London versus City of London, it is not part of the "comparative" in the grammatical sense this article describes. A comparative always compares something directly with something else. It does not look for conceptual differences as "city" versus a concept such as a "named area" and has two clauses with subordinating conjunctions (*than*, etc.).

References

- [^] John Sinclair, (ed. in chief) (1987) "Collins Cobuild English Language Dictionary", Collins ELT. ISBN 0-00-375021-3 for the definition *subordinating conjunction*
- [^] Tom McArthur (1992) "The Oxford Companion to the English Language", Oxford University Press. ISBN 0-19-214183-X
- [^] Marco Sucupira Language Materials (<http://www.geocities.com/CollegePark/Square/6264/index162.htm>) for the forms of comparisons

See also

- Comparative (disambiguation)
- Degree of comparison

Retrieved from "<http://en.wikipedia.org/wiki/Comparative>"

Categories: Grammar • Linguistics

Hidden categories: All articles to be merged • Articles to be merged since August 2007

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Definitions of miller:

- **noun:** machine tool in which metal that is secured to a carriage is fed against rotating cutters that shape it
- **noun:** someone who works in a mill (especially a grain mill)
- **noun:** United States playwright (born 1915)
- **noun:** United States novelist whose novels were originally banned as pornographic (1891-1980)
- **noun:** United States bandleader of a popular big band (1909-1944)
- **noun:** any of various moths that have powdery wings
- **name:** A surname (very common: 1 in 235 families; popularity rank in the U.S.: #7)

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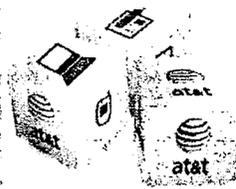
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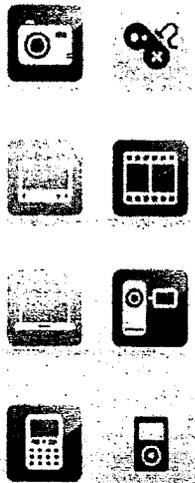
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