

From: Kozak, Evin

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Subject: U.S. TRADEMARK APPLICATION NO. 85527029 - WTC - N/A - Request for Reconsideration Denied - Return to TTAB - Message 1 of 5

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

**U.S. APPLICATION SERIAL NO.** 85527029

**MARK:** WTC



**CORRESPONDENT ADDRESS:**

SANDRA EDELMAN

DORSEY & WHITNEY LLP

51 WEST 52ND STREET

NEW YORK, NY 10019-6119

**GENERAL TRADEMARK INFORMATION:**

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

**APPLICANT:** World Trade Centers Association, Inc.

**CORRESPONDENT'S REFERENCE/DOCKET NO:**

N/A

**CORRESPONDENT E-MAIL ADDRESS:**

ny.trademark@dorsey.com

**REQUEST FOR RECONSIDERATION DENIED**

**ISSUE/MAILING DATE:** 4/24/2014

The trademark examining attorney has carefully reviewed applicant's request for reconsideration and is denying the request for the reasons stated below. See 37 C.F.R. §2.64(b); TMEP §§715.03(a)(2)(B), (a)(2)(E), 715.04(a). The refusal made final in the Office action dated 10/15/2013 is maintained and continues to be final. See TMEP §§715.03(a)(2)(B), (a)(2)(E), 715.04(a).

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

Specifically, applicant provided additional evidence consisting of (1) the report of George Mantis on the results of a consumer perception survey; and (2) the report of Dr. Erich Joachimsthaler on the creation and growth of applicant's brand identity.

Regarding the report of George Mantis, the probative value of the submitted results and related assessment remains unclear. As an initial matter, only use of the applied-for wording WORLD TRADE CENTER in connection with select goods in Class 18 is included.<sup>1</sup> Accordingly, it is unclear how the results generalize to the applied-for WTC mark, to the remainder of the Class 18 goods and/or to the applied-for goods in Classes 9, 14 and 16.

Furthermore, the sample size is problematic. As an initial matter, only 204 people participated. The attached website evidence from *Central Intelligence Agency* establishes that recent estimates place the U.S. population level at approximately 318,892,103. Accordingly, and at best, approximately .0000064% of the U.S. population participated in Mr. Mantis' study. Following this line, the fact that 37.7% of participants supposedly identify a single source as the originator for the applied-for goods, a high estimate of recognition would be approximately 77 people out of the entire U.S. population.<sup>2</sup> This number is extremely small and, therefore, not compelling. Furthermore, that 25% of these respondents purportedly identify the source of the subject goods as WTCA or the entity that owns the WORLD TRADE CENTER mark for trade center buildings (which USPTO records reveal no federal registration for) and related association services,<sup>3</sup> corresponds to 19 people. Out of 318,892,103 totaling the U.S. population, this number seems entirely insignificant.

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<sup>1</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section I

<sup>2</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section V

<sup>3</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section II

In addition to lack of statistical significance, it is unclear how participants were “recruited”<sup>4</sup> and/or what the “introduction” consisted of,<sup>5</sup> whether participants self-selected and whether the survey needed to be completed online, what the demographics of participants are (aside from gender and age range),<sup>6</sup> what account credit “points” correspond to and/or can be redeemed for,<sup>7</sup> whether any participant has a connection with applicant, and whether the participants are American consumers.<sup>8</sup>

Moreover, the survey utilized is described as a “Teflon” style survey.<sup>9</sup> The attached excerpt from *McCarthy on Trademarks and Unfair Competition* indicates that “[t]wo preferred models of surveys to test for genericness have been approved by the courts: the Thermos Model and the Teflon model.”<sup>10</sup> Accordingly, while this survey style has been deemed informative in connection with genericness and/or as proof of secondary meaning, it is unclear why the survey style is relevant here. Specifically, while all generic wording is incapable of functioning as a trademark,<sup>11</sup> not all matter that fails to function is generic.<sup>12</sup>

In this case, the wording WORLD TRADE CENTER is compared to two other registered marks – BOSTON MARATHON and LOUISIANA STATE UNIVERSITY – as well as two common generic names – CROSS-COUNTRY RACE and STUDENT UNION.<sup>13</sup> In addition, Mr. Mantis writes that the adjusted total based on responses “demonstrates a threshold ability to distinguish between a trademark and a common generic name and confirms the overall validity of the survey results.”<sup>14</sup> However, the issue here is not whether the applied-for wording is generic and, therefore, the submitted survey misconstrues the refusal.

In addition, *Teflon*-style studies generally involve a primer explaining the difference between generic and brand names and participants are then asked to classify different terms, including the disputed name, as one of these two types. Specifically, the attached evidence from *McCarthy on Trademarks and*

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<sup>4</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section A

<sup>5</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section IV(A)

<sup>6</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Exhibit B

<sup>7</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Exhibit A

<sup>8</sup> While we are told that the screening questions terminate respondents who live outside the United States, this tells us nothing about whether or not participants are American. See Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Exhibit A, S1. And it is not difficult to imagine that the impression of WORLD TRADE CENTER on, e.g., a native New Yorker who lived in the United States during 9/11/01 but now lives abroad could be significantly different than someone born abroad, who lived abroad during 9/11/01 but now lives in the United States.

<sup>9</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section IV(C); see also E. I. Du Pont de Nemours & Co. v. Yoshida International, Inc., 393 F. Supp. 502 (E.D.N.Y. 1975).

<sup>10</sup> J. Thomas McCarthy, *McCarthy on Trademarks* §12:14 (4<sup>th</sup> ed., vol. 2, 2013).

<sup>11</sup> See TMEP §1209.01(c)

<sup>12</sup> See, e.g., TMEP §1202.17(c)

<sup>13</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section I

<sup>14</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section V

*Unfair Competition* explains that “a ‘Teflon Survey’ is essentially a mini-course in the generic versus trademark distinction, followed by a test.”<sup>15</sup> And in *Schwan’s IP, LLC v. Kraft Pizza Co.*, which also assesses a *Teflon*-style study administered by George Mantis, the Court explains that “respondents are first instructed on the definition of common names and brand names, pre-tested on their understanding of common names and brand names, and then asked to categorize certain test and control phrases or words as brand names or common names.”<sup>16</sup> As indicated above, it is unclear what the “introduction”<sup>17</sup> to the submitted survey consisted of and, if the “introduction” consisted of an explanation of generic versus brand names (which is consistent with proper execution of a *Teflon*-style study and Mr. Mantis’ prior practice), this could certainly impact participants’ bias in answering the subsequent survey questions. Moreover, the submitted survey questions do not ask participants to categorize phrases or words as brand names or common names and, as such, this survey appears to diverge from accepted *Teflon* methodology. Accordingly, the probative value of the submitted survey is considerably marginalized.

In addition to employing a survey designed to elicit whether a particular mark is generic, which is not at issue here, and diverging from common *Teflon* survey questions, the submitted study methodology is highly suspect. For example, although applicant submits Table 1 purportedly showing “the compilation of one company/organization responses to Questions 1 and 4,”<sup>18</sup> Table 2 only provides respondents’ answers to Questions 3, 4, 5 and 6. As such, it is impossible to assess answers to questions 1 and 2, it is unclear what the respondents included in Table 2 answered to questions 1 and 2 and, therefore, impossible to assess Mr. Mantis’ reasonableness in determining whether responses “reasonably confirmed they were thinking of whomever owns the marks for the complex of buildings destroyed on 9/11,” “whether I could reasonably determine which particular entity the respondents had in mind, even though they may have described that entity in different ways” and related conclusions.<sup>19</sup> Furthermore, Question 1 (“Do you associate the name (NAME) when used on backpacks, fanny packs and tote bags with only one company or organization as the source of these products, more than one company or organization, or don’t you know or have an opinion?”) appears to be substantively identical to Question 4 (“Do you associate the name (NAME) when used on backpacks, fanny packs and tote bags as being authorized or sponsored by only one company or organization, more than one company or organization, or don’t you know or have an opinion?”). Question 4 was only asked to respondents who answered “more than one company or organization” or “don’t know/no opinion” to Question 1.<sup>20</sup> It is unclear why participants were asked redundant questioning and whether this duplicative questioning affected participants’ answers, understanding and/or bias in participating.

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<sup>15</sup> J. Thomas McCarthy, *McCarthy on Trademarks* §12:16 (4<sup>th</sup> ed., vol. 2, 2013).

<sup>16</sup> *Schwan’s IP, LLC v. Kraft Pizza Co.*, 379 F. Supp. 2d 1016, 1024 (D. Minn. 2005)

<sup>17</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section IV(A)

<sup>18</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section V

<sup>19</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section V

<sup>20</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section IV(C)

Interestingly, in comparing the results deemed representative of participants providing information about BOSTON MARATHON versus WORLD TRADE CENTER,<sup>21</sup> many responses for BOSTON MARATHON include a response that serves a dual function. Specifically, of the responses included, many responses regarding information about BOSTON MARATHON tell of a famous marathon and also a tragic bombing.<sup>22</sup> Conversely, the responses included regarding WORLD TRADE CENTER do not appear to identify a dual function of the wording.<sup>23</sup> Specifically, each included response references the tragic attack of 9/11 while none provides any information regarding applicant's organization independent of this event.<sup>24</sup>

In addition, for example, although Mr. Mantis includes respondent ID numbers 64 and 68 in the tabulation of those who recognize applicant as the source of the goods, both of these respondents indicate that they don't think of the wording as a brand.<sup>25</sup> In fact, of the 51 respondents purportedly identifying a single source as the originator for the questioned goods, a liberal assessment reveals that only 16 (respondent ID numbers 5, 16, 31, 23, 35, 38, 46, 47, 97, 115, 131, 133, 141, 153, 171, 178) arguably provide a response to Question 4 that indicates they believe the identified goods originate with a single source and do not point more generally to the events and aftermath of September 11, 2001. Also interesting is the fact that, although the screening questions seem to elicit participants that have bought and/or will purchase "sunglasses or sunglass cases," "jewelry or key rings" and "address books, calendars or day planners," in addition to "backpacks, fanny packs or tote bags,"<sup>26</sup> only the results of Class 18 goods "backpacks, fanny packs or tote bags" are included here. Accordingly, it appears that Mr. Mantis collected data regarding the remaining applied-for Classes 9, 14 and 16; however that data is not included. In addition, although the screening questions ask participants to provide the main topic of this survey "for quality-control purposes," that too is not included here.<sup>27</sup>

Moreover, the assertion that the submitted study establishes that "WORLD TRADE CENTER...will be perceived by consumers as originating with, or authorized by, a single source, and thus is capable a

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<sup>21</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section V, Summary

<sup>22</sup> See Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section V, Summary: "When asked 'what if anything, can you tell me about BOSTON MARATHON,'" many of these respondents call to mind the tragic event of April 15, 2013. For example, respondents gave reasons for identifying BOSTON MARATHON such as: 'It is a famous marathon. Also, tragedy struck there this year with the bombing.'; 'Boston Marathon bomb race.'; 'The bombing, so sad.'; 'Pipe bomb.'; 'A really big marathon and now, unfortunately, the Boston Marathon bombing.'; 'The Boston Marathon became a popular name just recently when a bomb was planted and some runners got injured.'; 'It is an annual event held in Boston, MA. Last year they had a bombing during the race and two young men were found to be the terrorists.'"

<sup>23</sup> *Id.* "Similar responses were provided with respect to WORLD TRADE CENTER: '911 tragedy. One previous attempt to bomb WTC. Now a memorial.'; 'NYC and the attack.'; 'The buildings that were destroyed in New York.'; 'Knocked down on 9/11/01 by terrorists.'"

<sup>24</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section V

<sup>25</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section V, Table 2

<sup>26</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Exhibit A

<sup>27</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Exhibit A

functioning as a trademark” is inaccurate and unsubstantiated.<sup>28</sup> As an initial matter, while survey evidence may be relevant in establishing acquired distinctiveness and secondary meaning, “proof of distinctiveness requires more than proof of the existence of a relatively small number of people’ who associate the proposed mark with the applicant.” See *Roselux Chem. Co. v. Parsons Ammonia Co.*, 299 F.2d 855, 862, 132 USPQ 627, 633 (C.C.P.A. 1962); TMEP §1212.06(d). Generally, survey results showing less than 10% consumer recognition are insufficient to establish secondary meaning, and results over 50% are sufficient to establish secondary meaning. See *id.* Moreover, matter that fails to function as a mark is unregistrable and a claim that the matter has acquired distinctiveness under §2(f) as applied to the applicant’s goods does not overcome the refusal.” See, e.g., *TraFFix Devices, Inc. v. Mktg. Displays, Inc.*, 532 U.S. 23, 33, 58 USPQ2d 1001, 1007 (2001); TMEP § 1212.02(i).

In addition, the report of Dr. Erich Joachimsthaler is speculative at best. Specifically, the applied-for goods are not yet in use and the opinion assesses “how the future sale of the Merchandise is part of a well-established method for expanding the reach and value of the brand.”<sup>29</sup> While affidavits and/or declarations that assert recognition of an applied-for mark as a source indicator are relevant in establishing acquired distinctiveness, the value of the affidavits or declarations depends on the statements made and the identity of the affiant or declarant. See *In re Chem. Dynamics Inc.*, 839 F.2d 1569, 1571, 5 USPQ2d 1828, 1830 (Fed. Cir. 1988); TMEP § 1212.06(c). In this case, Dr. Joachimsthaler is not identified as an end-user of the proposed goods, and his analysis is highly biased because he was retained for the purposes of this assessment and bases much of his analysis on material provided by applicant, including the above-referenced and questionable survey (although Dr. Joachimsthaler indicates that the survey is based on a “representative sample”).<sup>30</sup> Furthermore, as indicated above, secondary meaning evidence of acquired distinctiveness will not alter the determination that matter is unregistrable. See TMEP § 1212.02(i).

Moreover, for example, the notions that applicant is “like other unfortunate brand owners before it who have suffered crises affecting their brands,”<sup>31</sup> “in the field of branding and marketing, it is not uncommon for an unfortunate or tragic event to occur”<sup>32</sup> and/or that “the 9/11 event merely added on new association to the pre-existing WORLD TRADE CENTER and WTC brand identity”<sup>33</sup> belittles the gravity of 9/11. Specifically, as the evidence from *Britannica Kids* attached to the outgoing Final Office action dated 10/15/2013 explains, WORLD TRADE CENTER refers to “...the site of the deadliest terrorist attack on American soil in American history.” Because the events of 9/11 are unprecedented and the

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<sup>28</sup> Applicant Request for Remand dated 03/14/2014, Exhibit C, Report of George Mantis, Section IV(C)

<sup>29</sup> Applicant Request for Remand dated 03/14/2014, Exhibit D, Report of Dr. Erich Joachimsthaler, Paragraph 10

<sup>30</sup> Applicant Request for Remand dated 03/14/2014, Exhibit D, Report of Dr. Erich Joachimsthaler, Paragraph 11 and Applicant Request for Remand dated 03/14/2014, Exhibit D, Report of Dr. Erich Joachimsthaler, Paragraph 58

<sup>31</sup> Applicant Request for Remand dated 03/14/2014, Section III(B)

<sup>32</sup> Applicant Request for Remand dated 03/14/2014, Exhibit D, Report of Dr. Erich Joachimsthaler, Paragraph 65

<sup>33</sup> Applicant Request for Remand dated 03/14/2014, Exhibit D, Report of Dr. Erich Joachimsthaler, heading preceding Paragraph 69

magnitude unparalleled, it is impossible to analogize the enduring brand identity of WORLD TRADE CENTER and/or its abbreviation WTC to marks like BOSTON MARATHON, EXXON, TYLENOL and/or AMERICAN RED CROSS. Similarly, assessing applicant's licensing prospects based on other buildings that have licensed their names<sup>34</sup> ignores the intervening event of 9/11 and associated building destruction. Furthermore, although Dr. Joachimsthaler attempts to analogize the applied-for wording to FDNY and NYPD,<sup>35</sup> the facts are readily distinguishable. Specifically, although arguably associated with the events of 9/11/01, applicant provides no evidence to support that FDNY and/or NYPD have become synonymous with the event like the evidence of record establishes WORLD TRADE CENTER and its abbreviation WTC are currently used.

Furthermore, Dr. Joachimsthaler writes that "the WTCA wishes to leverage the WORLD TRADE CENTER and WTC brand by using branded merchandise."<sup>36</sup> However, the attached website evidence from *NorthJersey.com* calls into question both applicant's ownership of rights to the "World Trade Center" name and related licensing consistency and profits gained "each year for the privilege of using the words 'World Trade Center.'" Similarly, the attached website evidence from *NY Daily News* details the ongoing ramifications of how "former executive Guy Tozzoli earned millions by licensing the name through the nonprofit World Trade Centers Association." Similarly, Dr. Joachimsthaler writes that "the WTCA has been able to raise membership fees over the years, totaling more than \$67 million in membership fees since 1968."<sup>37</sup> While Dr. Joachimsthaler concludes that "the existence of such membership fees and the ability to increase these fees over time demonstrates the benefit that the WORLD TRADE CENTER and WTC brand provides to its target audiences,"<sup>38</sup> this statement is unsubstantiated. Furthermore, this evidence together is significant because, while applicant stands to continue to profit handsomely from licensing rights to the applied-for wording, the public stands to simultaneously suffer significantly in their ability to speak about and remember the events and lives of loved ones lost on September 11<sup>th</sup> because, if the instant applications were to mature to registration, each of the 195 pieces of evidence attached to the final Office action may be deemed unauthorized use of a registered mark.

The substantial evidence attached to the final Office action also establishes the current market reality of the wording WORLD TRADE CENTER and WTC in connection with the applied-for goods, namely that a variety of sources use the wording to call to mind the events of 9/11 and associated tragic loss of life rather than indicating a single source of those goods. Even Dr. Joachimsthaler appears to recognize that each of the 195 pieces of evidence attached to the final Office action is "not used on the products themselves as a brand, but rather identify the context of the items being sold" and "again, these items

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<sup>34</sup> Applicant Request for Remand dated 03/14/2014, Exhibit D, Report of Dr. Erich Joachimsthaler, Paragraph 23

<sup>35</sup> Applicant Request for Remand dated 03/14/2014, Exhibit D, Report of Dr. Erich Joachimsthaler, Paragraph 28

<sup>36</sup> Applicant Request for Remand dated 03/14/2014, Exhibit D, Report of Dr. Erich Joachimsthaler, Paragraph 55

<sup>37</sup> Applicant Request for Remand dated 03/14/2014, Exhibit D, Report of Dr. Erich Joachimsthaler, Paragraph 43

<sup>38</sup> Applicant Request for Remand dated 03/14/2014, Exhibit D, Report of Dr. Erich Joachimsthaler, Paragraph 43

are not using the WORLD TRADE CENTER and WTC brand on products to identify the source of the goods as the official owner of these trademarks.”<sup>39</sup>

Moreover, while background regarding brand development and related licensing is perhaps educational, it is not relevant to trademark registrability at issue here. Similarly, discussion of various “World Trade Centers” worldwide<sup>40</sup> has no bearing on the instant goods. Specifically, trademark and service mark registrations are for particular goods and services, not for “brands” generally. See TMEP § 1402.01. And, despite applicant’s supposed “substantial marketing efforts and investment...poured into this branding effort by WTCA”<sup>41</sup> and “the role that the Merchandise will play in furthering the strength of the WORLD TRADE CENTER and WTC,”<sup>42</sup> it is well-established that “the ultimate test in determining whether a designation has acquired distinctiveness is applicant’s success, rather than its efforts, in educating the public to associate the proposed mark with a single source.” See TMEP § 1212.06(b). And, as indicated elsewhere, secondary meaning evidence of acquired distinctiveness will not alter the determination that matter is unregistrable. See TMEP § 1212.02(i).

Reconsideration of the application having been denied, this application will be immediately returned to the Trademark Trial and Appeal Board for the resumption of applicant’s appeal.

/Evin L. Kozak/

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<sup>39</sup> Applicant Request for Remand dated 03/14/2014, Exhibit D, Report of Dr. Erich Joachimsthaler, Paragraph 71

<sup>40</sup> See, e.g Applicant Request for Remand dated 03/14/2014, Exhibit D, Report of Dr. Erich Joachimsthaler, Paragraph 39-40

<sup>41</sup> Applicant Request for Remand dated 03/14/2014, Exhibit D, Report of Dr. Erich Joachimsthaler, Paragraph 12(b)

<sup>42</sup> Applicant Request for Remand dated 03/14/2014, Exhibit D, Report of Dr. Erich Joachimsthaler, Paragraph 17



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<b>Nationality:</b>	<p><b>noun:</b> American(s)</p> <p><b>adjective:</b> American</p>
<b>Ethnic groups:</b>	<p>white 79.96%, black 12.85%, Asian 4.43%, Amerindian and Alaska native 0.97%, native Hawaiian and other Pacific islander 0.18%, two or more races 1.61% (July 2007 estimate)</p> <p><b>note:</b> a separate listing for Hispanic is not included because the US Census Bureau considers Hispanic to mean persons of Spanish/Hispanic/Latino origin including those of Mexican, Cuban, Puerto Rican, Dominican Republic, Spanish, and Central or South American origin living in the US who may be of any race or ethnic group (white, black, Asian, etc.); about 15.1% of the total US population is Hispanic</p>
<b>Languages:</b>	<p>English 82.1%, Spanish 10.7%, other Indo-European 3.8%, Asian and Pacific island 2.7%, other 0.7% (2000 census)</p> <p><b>note:</b> the US has no official national language, but English has acquired official status in 28 of the 50 states; Hawaiian is an official language in the state of Hawaii</p>
<b>Religions:</b>	<p>Protestant 51.3%, Roman Catholic 23.9%, Mormon 1.7%, other Christian 1.6%, Jewish 1.7%, Buddhist 0.7%, Muslim 0.6%, other or unspecified 2.5%, unaffiliated 12.1%, none 4% (2007 est.)</p>
<b>Population:</b>	<p>318,892,103 (July 2014 est.)</p> <p><b>country comparison to the world:</b> 4</p>
<b>Age structure:</b>	<p><b>0-14 years:</b> 19.4% (male 31,580,349/female 30,221,106)</p> <p><b>15-24 years:</b> 13.7% (male 22,436,057/female 21,321,861)</p> <p><b>25-54 years:</b> 39.9% (male 63,452,792/female 63,671,631)</p> <p><b>55-64 years:</b> 14.5% (male 19,309,019/female 20,720,284)</p> <p><b>65 years and over:</b> 13.9% (male 20,304,644/female 25,874,360) (2014 est.)</p>
<b>population pyramid:</b>	
<b>Dependency ratios:</b>	<p><b>total dependency ratio:</b> 50.4 %</p> <p><b>youth dependency ratio:</b> 29.4 %</p> <p><b>elderly dependency ratio:</b> 21 %</p> <p><b>potential support ratio:</b> 4.8 (2013)</p>
<b>Median age:</b>	<p><b>total:</b> 37.6 years</p> <p><b>male:</b> 36.3 years</p> <p><b>female:</b> 39 years (2014 est.)</p>
<b>Population growth rate:</b>	<p>0.77% (2014 est.)</p> <p><b>country comparison to the world:</b> 143</p>
<b>Birth rate:</b>	<p>13.42 births/1,000 population (2014 est.)</p> <p><b>country comparison to the world:</b> 150</p>
<b>Death rate:</b>	<p>8.15 deaths/1,000 population (2014 est.)</p> <p><b>country comparison to the world:</b> 95</p>
<b>Net migration rate:</b>	<p>2.45 migrant(s)/1,000 population (2014 est.)</p> <p><b>country comparison to the world:</b> 40</p>
<b>Urbanization:</b>	<p><b>urban population:</b> 82% of total population (2010)</p> <p><b>rate of urbanization:</b> 1.2% annual rate of change (2010-15 est.)</p>

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HEALTH EAST MEDICAL CENTER

## Port Authority sold rights to World Trade Center name for \$10 in 1986

SEPTEMBER 8, 2013, 1:20 PM LAST UPDATED: MONDAY, SEPTEMBER 9, 2013, 1:31 PM  
BY SHAWN BOBURG  
STAFF WRITER  
THE RECORD

For more than four decades, the World Trade Center — whether standing majestically over lower Manhattan, lying in the ruins of a terrorist attack, or awaiting resurrection in a new form — has been one of the world's greatest public landmarks.

But in a quiet deal nearly 30 years ago, the Port Authority of New York and New Jersey sold off the rights to the iconic buildings' name to a non-profit organization established by one of its powerful executives.

The price was \$10.

Until his death this year, the former executive, Guy Tozzoli, earned millions primarily by licensing the name through the group, the World Trade Centers Association. And the Port Authority is among the hundreds of licensees around the world paying thousands of dollars each year for the privilege of using the words "World Trade Center."

Now, with the Port Authority hoping to sell branded souvenirs and merchandise next year after the new One World Trade Center skyscraper opens, the World Trade Centers Association is requesting free office space worth more than \$500,000 a year in exchange for use of the trademark.

"I am gravely concerned that a secret deal, years ago, sold the name of the World Trade Center for 10 bucks," said the Port Authority's deputy executive director, Bill Baroni, an appointee of Governor Christie. "And I'm going to look into the initial contract and look into where we are today with regard to this organization."

The deal with Tozzoli's group came out of an era when the Port Authority — which runs the region's airports, major bus terminals, PATH train system, seaports — was often criticized for leading an imperial, self-interested existence in which its executives were rewarded with travel and other perks unusual in government.

The sale of the trademark turned out to be perhaps the biggest financial benefit of Tozzoli's long-remembered career. And it was the same construction of the Twin Towers. In

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