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BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Trademark Applications of  
World Trade Centers Association, Inc.

Serial	85/473,613 (WTC, Cl. 18)	)	Evin L. Kozak, Esq.
Nos.:	85/473,617 (WTC, Cl. 16)	)	Trademark Examining Attorney
	85/474,746 (WORLD TRADE CENTER, Cl. 16)	)	
	85/474,748 (WORLD TRADE CENTER, Cl. 18)	)	Trademark Law Office 116
	85/527,008 (WORLD TRADE CENTER, Cl. 9)	)	
	85/527,029 (WTC, Cl. 9)	)	
	85/527,100 (WORLD TRADE CENTER, Cl. 14)	)	
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Applicant World Trade Centers Association, Inc. (“WTCA”) submits this Supplemental Brief on its consolidated appeal of a final refusal to register the WORLD TRADE CENTER and WTC marks for 104 different products in Classes 9, 14, 16 and 18 (collectively, the “Merchandise”) that are the subject of eight intent-to-use applications (the “Applications”). This Supplemental Brief is in further support of the arguments for registrability set forth in Applicant’s initial Brief on Appeal (the “Initial Brief”), filed on July 1, 2013. On September 10, 2013, before submitting a responsive brief on appeal, the Examining Attorney was granted a Request for Remand (“Req. Rem.”) to submit additional evidence. Applicant was subsequently granted Requests for Remand on March 26, 2014 and June 16, 2014 to submit further responsive evidence, including the results of a consumer research survey on the WORLD TRADE CENTER mark conducted by George Mantis (the “Mantis Survey”) and the report of branding expert Dr. Erich Joachimsthaler (the “Joachimsthaler Report”).

#### **INTRODUCTION TO ARGUMENT**

The issues presented on this appeal are unusual. Were it not for the tragic events of September 11, 2001, the WORLD TRADE CENTER and WTC marks that are the subject of the Applications would likely have been considered inherently distinctive or at least capable of acquiring distinctiveness for the Merchandise, like the marks of many other organizations, institutions and owners of iconic buildings whose trademark registration coverage extends beyond their core area of services to include a wide variety of branded merchandise. Prominent examples of such registered marks include YMCA, BOY SCOUTS OF AMERICA, UNITED WAY, ROCKEFELLER CENTER and CHRYSLER BUILDING.

The applications to register the WORLD TRADE CENTER and WTC marks for the Merchandise have been treated differently. Even though Applicant is the owner of incontestable registrations for the identical marks for association services to promote international trade and business relationships, the Applications to register the marks for the Merchandise have been refused, primarily on the ground that WORLD TRADE CENTER and WTC “only” connote the terrorist

attacks of 9/11, and thus fail to function as trademarks for the Merchandise under Sections 1, 2 and 45 of the Lanham Act. (2/10/12 Office Action (“OA”). In support of the determination that WORLD TRADE CENTER and WTC will *never* be capable of identifying WTCA as the single source of the Merchandise, the Examining Attorney has relied on inapposite cases involving informational phrases and common slogans, while ignoring more relevant Board precedents holding that registration is appropriate where, as here, the WORLD TRADE CENTER and WTC marks serve as secondary source identifiers for the Merchandise.

The totality of the evidence submitted by Applicant, including the Mantis Survey and the Joachimsthaler Report, demonstrates that the marks are indeed capable of functioning as source-identifying trademarks for the Merchandise. The Mantis Survey shows that a significant percentage of potential customers identified the WORLD TRADE CENTER mark for representative products in Class 18 as emanating from a single source, and that the source is Applicant. Dr. Joachimsthaler supplies valuable marketplace context about the use of trademarks on merchandising items, which serve as an indicia of source, affiliation and sponsorship by well-known service organizations and institutions, such as New York University and the Fire and Police Departments of New York City. Dr. Joachimsthaler also provides an expert opinion as to why the trademark significance of the WORLD TRADE CENTER and WTC marks has survived and will continue to thrive notwithstanding the terrorist attacks of September 11, 2001.

As a further basis of refusal, the Examining Attorney has incorrectly rejected Applicant’s evidence showing that the WORLD TRADE CENTER and WTC marks have acquired distinctiveness based on the relationship between the Merchandise identified in the Applications and the association services offered by WTCA under identical registered marks. The Examining Attorney has relied on an improper interpretation of the concept of relatedness, ignoring many examples of marks registered by the USPTO for both association services and merchandising items. The Joachimsthaler Report further confirms that the intended sale of the Merchandise is closely

related to the well-known association services provided by WTCA for many decades.

Finally, to the extent the Examining Attorney has refused registration of the WORLD TRADE CENTER and WTC marks because of a belief that registration will impair the ability of individuals to sell products memorializing the terrorist attacks, restrict public discourse about the events of 9/11, and unjustifiably enable Applicant to earn revenue from selling products bearing its own trademarks, such concerns are legally unfounded, factually speculative and do not provide a proper statutory basis for barring registration of the marks for the Merchandise.

**I. The WORLD TRADE CENTER and WTC Marks Have Secondary Significance**

In refusing registration of WORLD TRADE CENTER and WTC for the Merchandise on the ground they fail to function as trademarks, the Examining Attorney cited examples of generic marks and relied on cases involving informational phrases and common slogans such as *In re Eagle Crest*, 96 USPQ2d 1227 (TTAB 2010) (Once a Marine Always a Marine); *In re Remington Products, Inc.*, 3 USPQ2d 1714 (TTAB 1987) (Proudly Made in the USA); and *In re Manco*, 24 USPQ2d 1938 (TTAB 1992) (Think Green and Design). As set forth in Applicant's Initial Brief, these arguments for refusal are inapposite because the WORLD TRADE CENTER and WTC marks are not generic for the Merchandise, nor do they convey informational matter or consist of common slogans. (Initial Brief at 3-4).

The decision in *In re Paramount Pictures Corp.*, 213 USPQ 1111 (TTAB 1982), in which the Board reversed a failure-to-function refusal to register MORK & MINDY and Design for decals, is more directly relevant. The Board in *Paramount* started its analysis with the general proposition that "our trademark law is very liberal – perhaps the most liberal in the world – as to what is registrable subject matter." *Id.* at 1113. As to the registrability of the MORK & MINDY mark, the Board concluded that while the "primary significance" of the words, when used on decals, was to indicate a popular television series and the names of the principal characters of that series (*i.e.*, a non-trademark

function), the words also had a secondary source indicating function. *Id.* The Board held it was relevant that the mark was already registered for other goods. Further, it was deemed “significant” that “it is a common merchandising technique in this country to license the use of character names and images as *trademarks* for a variety of products collateral to the product or services in respect of which the name or images are primarily known.” *Id.* at 1114. This practice conditions purchasers to view the names and images as indicating a source of origin. *Id.*

The *Paramount* decision relied on *In re Expo '74*, 189 USPQ 48 (TTAB 1975), in which the Board reversed a failure-to-function refusal regarding the EXPO '74 mark for handkerchiefs and t-shirts. Again, it was relevant that the EXPO '74 mark was already registered as a service mark for international exposition services and other goods. The Board concluded that EXPO '74 served the trademark function of identifying the source of the handkerchiefs and t-shirts, irrespective of whether the applicant was the actual manufacturer of the products. This determination was not undermined by the fact that the products were sold to generate income for the applicant and for advertising purposes. *Id.* at 49-50.

Both *Paramount* and *Expo '74* built on the analysis of the Board in *In re Olin Corp.*, 181 USPQ 182 (TTAB 1973), which also reversed a failure-to-function refusal in the context of an ornamental “O” design. In support of its conclusion that the O design functioned as a mark, the Board drew an analogy to institutional names such as New York University and Columbia University, holding that these names function as trademarks when used on t-shirts because the use of the universities’ names on shirts will “indicate the sponsorship and authorization by the university.” *Id.* at 182; *see also* TMEP § 1202.03(c).

Here, the words WORLD TRADE CENTER and the acronym WTC are associated with Applicant’s international trade association services and dozens of licensed facilities throughout the United States including, but certainly not limited to, the World Trade Center buildings in lower Manhattan that were destroyed by the terrorist attack on 9/11. Even though WTC and WORLD

TRADE CENTER may “call to mind” or are “linked” with the events of 9/11 (10/15/13 OA), this non-trademark significance does not precludes their secondary significance as source-identifying trademarks for the Merchandise. The fact that the WORLD TRADE CENTER and WTC marks are already registered for association services constitutes further support for the finding that these designations are capable of functioning as secondary source-identifying trademarks for the Merchandise. Consistent with the “liberal” standard of registrability articulated in *Paramount*, and the evidentiary record discussed below, the “failure to function” refusal for the WORLD TRADE CENTER and WTC marks should be reversed.

**II. Applicant’s Evidence Demonstrates That WORLD TRADE CENTER and WTC Are Capable of Functioning as Trademarks for the Merchandise**

In determining whether the subject matter of an application is used as a trademark, the Examining Attorney should review “all evidence” of record in an application. TMEP § 1202. The “critical inquiry” “is how the proposed mark would be perceived by the relevant public.” TMEP § 1202.4. Trade practices applicable to a particular mark are also relevant. *See* TMEP § 1202.03. For intent-to-use applications such as the ones at issue on this appeal, “[t]he issue of whether a designation functions as a mark is usually tied to the use of the mark, as evidenced by the specimen. Therefore, unless the drawing and description of the mark are dispositive of the failure to function without the need to consider a specimen, generally, no refusal on this basis will be issued in an intent-to-use application under §1(b) of the Trademark Act” until the applicant has submitted a specimen with an allegation of use. TMEP §1202.

The intent-to-use Applications for the WORLD TRADE CENTER and WTC marks for 104 different products have been unusually denied registration in their entirety based on their purported failure to function as trademarks before any specimens of use have been submitted, based solely on a broad-brush conclusion that the marks for all of the Merchandise have been “preemptively taken over” by the 9/11 terrorist attacks. (9/6/12 OA). As set forth below, the Examining Attorney has

failed to sustain her burden of showing that the marks are not registrable.

**A. Evidence of Consumer Perception**

The Examining Attorney cites “market reality” for the conclusion that WORLD TRADE CENTER and WTC cannot function as trademarks (4/24/14 OA), but fails to credit the market research survey conducted by a highly experienced expert, George Mantis, who has more than 40 years’ experience in the field of survey research and whose work has previously been relied on by the Board and various federal courts. (3/14/14 Req. Rem., Mantis Report at 2-3). The results of the Mantis Survey provide persuasive circumstantial evidence of consumer perceptions of the WORLD TRADE CENTER mark for representative goods in Class 18, and should be given significant weight by the Board. *See* TMEP § 1212.06(d) (consumer surveys are useful for proving that the consuming public views a proposed term as an indication of source). Furthermore, in *ex parte* cases such as this one, the Board has adopted a liberal standard for admissibility of survey evidence. *See In re Pillsbury Co.*, 174 USPQ 318, 320 (TTAB 1972) (in *ex parte* proceedings, survey evidence must simply be probative to be considered, whereas the standard is much higher in *inter partes* proceedings).

The Mantis Survey evaluated the extent to which potential consumers perceive the mark WORLD TRADE CENTER, when used on backpacks, fanny packs and tote bags, as originating with or authorized by a single source.<sup>1</sup> A screener was administered to ensure that all respondents were part of the relevant universe of potential purchasers of the Class 18 goods, defined as the general public of the United States, because the Applications are not restricted to any class of purchaser or channel of trade.<sup>2</sup> (3/14/14 Req. Rem., Mantis Report at 4).

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<sup>1</sup> These three products are included in the description of goods in Applicant’s Class 18 applications for registration. *See* App. Serial Nos. 85/473,613 and 85/474,748 and were selected by Mantis as representative of the Class (3/14/14 Req. Rem., Mantis Report at 3).

<sup>2</sup> The Examining Attorney cites no support for the proposition that the survey should have been limited to native-born Americans, based on pure speculation that non-native born individuals, who are also part of the relevant universe, could have different impressions of the WORLD TRADE CENTER trademark. (4/24/14 OA).

There is no generally accepted survey design to test whether a name or designation is capable of functioning as a trademark. Accordingly, Mantis adapted a *Teflon*-style of survey that has been accepted to test for both genericness and secondary meaning, determining that it would provide relevant data as to whether WORLD TRADE CENTER is capable of identifying a single source of the Class 18 goods. (3/14/14 Req. Rem., Mantis Report at 4-5). As in the original *Teflon* survey, in which a list of names was read to respondents in order to reveal relative levels of trademark significance, respondents in the Mantis Survey were asked about their perceptions of the WORLD TRADE CENTER mark in comparison to four control names for the same goods: the trademarks BOSTON MARATHON and LOUISIANA STATE UNIVERSITY (both of which have been registered in Class 18), and two common generic terms: “cross country race” and “student union,” all listed randomly to avoid order bias. (3/14/14 Req. Rem., Mantis Report at 5).

Because Mantis was evaluating whether WORLD TRADE CENTER was capable of functioning as a trademark, not whether it was generic, Mantis did not present the standard *Teflon* introductory “primer” on the difference between generic words and trademarks. Rather, “in order to track the legal standard for determining whether a name has source-identifying significance as a trademark, questioning used to measure secondary meaning was adopted.” (3/14/14 Req. Rem., Mantis Report at 5). Two substantive closed-ended questions were asked to ascertain the level of single source identification for the five names: Question 1 asked respondents if they associated the goods with one or more than one entity as the source of the goods; Question 4 asked whether the goods were authorized or sponsored by one or more than one company. (3/14/14 Req. Rem., Mantis Report at 5-6). These two questions reflect different forms of single source identification, each of which demonstrate trademark significance under the Lanham Act. *See Menzies v. International Playtex, Inc.*, 204 USPQ 297, 303 n.10 (TTAB 1979) (single source identification can inure to a trademark owner/producer or trademark owner/licensor). Consistent with the single, anonymous source rule for trademark significance, all respondents who answered “one company” in response to

either Question 1 or Question 4 were asked follow-up, open-ended Questions 2 and 3 or 5 and 6 to describe who they thought that single company was. (3/14/14 Req. Rem., Mantis Report at 5-6).

Mantis reviewed the verbatim answers to these follow-up questions to determine which single source each respondent was thinking of, whether or not the respondent knew the precise name of the trademark owner.<sup>3</sup>

Mantis concluded that WORLD TRADE CENTER is capable of functioning as a trademark for the Class 18 goods tested, based on the results showing that 37.7% of survey respondents associated Applicant's mark with a single source for the surveyed goods; and 25% of the respondents identified the single source as Applicant, World Trade Centers Association, or the entity that owns the WORLD TRADE CENTER mark for trade center buildings and related services. (3/14/14 Req. Rem., Mantis Report at 8, 11). The specificity of the verbatim answers to Questions 2, 3, 5 and 6 by the respondents who answered in response to Question 1 or 4 that the goods came from a single source, ranged from a precise identification, *e.g.*, Respondent 4, who identified the source as "World Trade Center Association;" and Respondents 5 and 38, who named WTCA's licensee, the Port Authority of New York/New Jersey; to a more general description, *e.g.*, Respondent 115, who said "Whomever is managing the WTC." (3/14/14 Req. Rem., Mantis Report at 14-16).

The Mantis Survey provided an informative relative context for the results for the WORLD TRADE CENTER mark, as they were comparable to the results for the BOSTON MARATHON mark: 40.2% of the survey respondents associated the mark BOSTON MARATHON, which is currently registered in Class 18 for similar goods based on alleged use of the mark in commerce for over 25 years, with a single source for the surveyed goods, and 25% of the respondents identified the

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<sup>3</sup> The Mantis Report includes the verbatim responses for all of the open-ended Questions 2, 3, 5 and 6, as well as a compilation of the responses to closed-ended Questions 1 and 4. (3/14/14 Req. Rem., Mantis Report at 8, 11, 14-37). Accordingly, the Examining Attorney's comment that it was "impossible to assess Mantis' reasonableness" in determining whether a respondent was referring to WTCA as the single source of the goods is not well taken. (4/24/14 OA). Mantis specifically identified which verbatim answers he did or did not categorize as a WTCA response. While the Examining Attorney may quibble about the meaning of certain Respondents' answers, the judgment exercised by Mantis was reasonable, the product of significant expertise in the survey research field and should be accorded due weight.

source as the Boston Athletic Association or the entity that operates the annual marathon. (3/14/14 Req. Rem., Mantis Report at 8, 11). As with the WORLD TRADE CENTER verbatim responses, some respondents did not know the precise name of the single source of the BOSTON MARATHON mark and instead described it generally. (See, e.g., 3/14/14 Req. Rem., Mantis Report at 31, Respondent 68 (“It’s the organization that operated the Boston Marathon.”)).

Despite the clear probative value of the Mantis Survey, the Examining Attorney dismissed the results, citing alleged flaws in the design and analysis. These criticisms should be rejected because they reflect a lack of understanding of survey evidence generally, and the Mantis Survey specifically. For example, the Examining Attorney begins her critique by questioning the 204 person sample size, concluding that the results are “not compelling” because only 77 people out of the total United States population associated WORLD TRADE CENTER with a single source for the surveyed goods. (4/24/14 OA). However, survey sample sizes of this quantity, so long as they are representative of the relevant universe, are commonly accepted in federal court trademark litigation, see *Schieffelin & Co. v. The Jack Co. of Boca Inc.*, 31 USPQ2d 1865, 1874-76 (S.D.N.Y. 1994) (crediting survey of 176 respondents because it was fairly prepared and the results were directed to the relevant issues), where the standards for admissibility are even higher than they are in the *ex parte* context, see *In re Pillsbury Co.*, 174 USPQ at 320. Indeed, the Board has accepted surveys of far fewer participants. See, e.g., *In re Country Music Association, Inc.*, 100 USPQ2d 1824 (TTAB 2011) (crediting survey of 100 respondents as having probative value). The Examining Attorney also failed to understand the difference between Questions 1 and 4 of the survey, believing them to be “substantively identical.” (4/24/14 OA). As explained above, the two different questions measured association with a single entity as either the source of the goods, or as the entity that authorized or sponsored the goods.

The Examining Attorney disagreed with the use of a *Teflon*-style survey by Mantis on the ground that genericness is not at issue, while criticizing Mantis for not including a primer on the distinction between brands and generic names that is generally included in a *Teflon* survey. (4/24/14 OA). However, the Examining Attorney also acknowledged that a *Teflon* survey is informative in connection with proof of secondary meaning (4/24/14 OA), which involves measuring the extent to which a mark identifies the trademark owner as the single source of the relevant goods. As such, it was reasonable for Mantis to use a *Teflon*-style survey to investigate the issue on this appeal – whether WORLD TRADE CENTER has a threshold capability of identifying WTCA as the single source of the Merchandise. Moreover, precisely because genericness was not at issue, Mantis appropriately omitted the introductory primer on the brand/generic distinction, while maintaining the *Teflon* “list of names” approach to measure relative levels of source-identifying significance of the five names in the survey. Notably, the Examining Attorney is unable to point to an alternative design that would have been more appropriate.

The Examining Attorney’s analysis of the survey results is also flawed. Contrary to the contention that each verbatim response for the WORLD TRADE CENTER mark “references the tragic attack of 9/11 while none provides any information regarding applicant’s organization independent of this event,” the responses show that many of the respondents perceived WORLD TRADE CENTER for the Class 18 goods as having a source-identifying function to indicate Applicant’s organization, *e.g.*, Respondent 47 “This is a group of buildings and businesses in lower Manhattan, New York . . . .;” and Respondent 141 “They do international trades” or they expressly viewed WORLD TRADE CENTER as indicating the source of goods bearing the mark, *e.g.*, Respondent 131 “They make backpacks and other products” and Respondent 32 “The World Trade Center is an iconic building in downtown New York City so products with its name and logo would only represent the particular building.” (3/14/14 Req. Rem., Mantis Report at 14-16). Some of the

perceptions of source identification were accompanied by a connection to the 9/11 terrorist attacks, but that additional association was made by respondents who had already indicated that the goods emanated from, or were authorized by, Applicant as the single source of the goods. Respondent 153 manifested such a multi-layered understanding of the WORLD TRADE CENTER mark: “Not much about the organization behind it. But I know they have built a monument in its place. I would assume that they outsource products from multiple sources, but have a single entity that oversees the purchase of marketing products.” (3/14/14 Req. Rem., Mantis Report at 16). The Examining Attorney incorrectly attempts to differentiate between the survey results for WORLD TRADE CENTER and those for BOSTON MARATHON. Many of the responses for the BOSTON MARATHON mark likewise reflected a belief that the goods came from a single source, while also associating the mark with the terrorist bombing of April 2013, *e.g.*, Respondent 4, who answered “It is a famous marathon. Also, tragedy struck there this year with the bombing.”

The Mantis Survey results are directly relevant to and undermine the refusal of registration based on the alleged inability of the WORLD TRADE CENTER mark to serve a single source-identifying function. Moreover, because the survey measured the threshold capacity for the mark to identify a single source for goods that have not yet been sold, the cases cited by the Examining Attorney involving surveys with higher percentage levels of secondary meaning for goods already sold in commerce are inapposite. (4/24/14 OA). If anything, the fact that the WORLD TRADE CENTER mark, which has not yet been used on the Class 18 goods, had approximately the same level of single source identification as the BOSTON MARATHON mark, which has been used and registered for decades in connection with the Class 18 goods, demonstrates that Applicant’s mark is certainly capable of serving a trademark function.

Finally, while the Examining Attorney is “unclear” as to how the Mantis Survey results generalize to the WTC mark, the remaining Class 18 goods or the goods in Classes 9, 14 and 16, it is important to bear in mind that the Examining Attorney issued a failure-to-function refusal for all 104

products in the Applications for both marks, without differentiation. The Mantis Survey demonstrates why that conclusion is wrong for representative products in Class 18 for the WORLD TRADE CENTER mark. Further, Dr. Joachimsthaler has opined that the results of the specifically-tested goods in the Mantis Survey “can be used as a good proxy for comparable categories of merchandising items” in WTCA’s other classes of goods and the remaining items in Class 18. (3/14/14 Req. Rem., Joachimsthaler Report at ¶63). Dr. Joachimsthaler’s conclusion is supported by the fact that consumers are accustomed to seeing a wide variety of merchandising items in Classes 9, 14, 16 and 18 emanate from a single source, particularly institutions and service organizations. *See, e.g.*, Reg. Nos. 2,757,826 (CORNELL UNIVERSITY) and 3,816,051 (BARCLAYS CENTER) (both registered for a wide variety of merchandise in Classes 9, 14, 16 and 18). Since the Examining Attorney bears the burden of supporting a refusal of registration by clear and convincing evidence, with any doubts resolved in Applicant’s favor (*see* Initial Brief at 2), the results of the Mantis Survey should be deemed sufficient to support the determination that the Examining Attorney has not met her burden of showing that the WORLD TRADE CENTER and WTC designations are incapable of functioning as trademarks for all of the Merchandise identified in the Applications.

**B. Evidence of Relevant Trade Practices**

Consistent with TMEP § 1202.03, Applicant submitted significant evidence regarding trade practices relevant to the WORLD TRADE CENTER and WTC marks in the report of Dr. Erich Joachimsthaler, an expert with over 20 years’ experience in the fields of branding and marketing. According to Dr. Joachimsthaler, many trademark owners expand and enhance their brand identities by selling merchandise bearing their trademarks. Companies often license their brands to third parties for use on different types of merchandise, including the Merchandise covered by the Applications, to accomplish this type of brand exposure. (3/14/14 Req. Rem., Joachimsthaler Report at ¶21); *see also In re Paramount Pictures Corp.*, 213 USPQ at 1114 (recognizing the common

practice of selling licensed merchandise).

Dr. Joachimsthaler cites well-known examples of organizations that have sold merchandise bearing their marks to build up brand recognition, such as the Smithsonian Institution and the American Red Cross, as well as owners of iconic buildings such as Rockefeller Center, the Empire State Building, and Radio City Music Hall (3/14/14 Req. Rem., Joachimsthaler Report at ¶¶22-23). According to Dr. Joachimsthaler, the benefits of licensing trademarks for use on merchandising items are numerous. In addition to raising brand awareness, “purchasers and users of the branded merchandise also get to display their affiliation with or loyalty to the brand, or to show their support for the brand by buying merchandise that has been authorized or approved by the brand owner.” (3/14/14 Req. Rem., Joachimsthaler Report at ¶24). Merchandise sold by the New York Police and Fire Departments under the NYPD and FDNY trademarks, implemented through the centralized Citywide Merchandise Licensing Program, accomplishes this result for buyers who wish to show affiliation, loyalty and support for the police and fire services of these institutions. (3/14/14 Req. Rem., Joachimsthaler Report at ¶28). Dr. Joachimsthaler concludes that WTCA’s plans to sell Merchandise bearing the WORLD TRADE CENTER and WTC marks “is a well-established course of action and strategy followed by owners of successful brands” (3/14/14 Req. Rem., Joachimsthaler Report at ¶56). As with the FDNY and NYPD examples, WORLD TRADE CENTER and WTC-branded merchandise will be associated with WTCA as the trademark owner, and will enable “purchasers and users of the branded products to take pride in manifesting their affiliation and loyalty towards those brands by buying officially authorized goods.” (3/14/14 Req. Rem., Joachimsthaler Report at ¶¶53-56).

The Examining Attorney discounts Dr. Joachimsthaler’s opinion because he is not a consumer. (4/24/14 OA). This criticism misconceives the import of Dr. Joachimsthaler’s findings, which do not purport to be those of a consumer. Rather, they are based on his years of experience in the branding and marketing fields, thus providing marketplace context of relevant trade practices for

licensed merchandising items. (3/14/14 Req. Rem., Joachimsthaler Report at ¶¶1-7). Further, rejecting Dr. Joachimsthaler's opinions as "highly biased," (4/24/14 OA), just because he was retained and provided information by Applicant, would result in the exclusion of virtually all expert testimony before the Board, which is surely not the governing standard for such evidence, see *In re Sharadha Terry Products Limited*, 2005 WL 2295189 (TTAB 2005) (non-precedential) (relying on survey evidence submitted by a textiles expert to support finding that MICRO COTTON was capable of functioning as a trademark).

**C. Non-Trademark Uses Do Not Undermine Trademark Significance**

In contrast to the evidence of consumer perceptions and relevant trade practices regarding the WORLD TRADE CENTER and WTC marks submitted by Applicant, the Examining Attorney has relied on dictionary definitions, encyclopedia entries and Internet printouts from various websites referring to the World Trade Center buildings in New York City that were the target of the 9/11 attacks. (10/15/13 OA). As set forth in Applicant's Initial Brief, this type of evidence is woefully deficient in establishing that WORLD TRADE CENTER and WTC can "only" signify the terrorist attack, because "a mark may be used for both a trademark purpose and a non-trademark purpose and still be a valid trademark." See *In re Thomas Jefferson Foundation*, Serial No. 77967242 (TTAB June 29, 2010) (non- precedential); (Initial Brief at 5-9).

Following a Request for Remand, the Examining Attorney supplemented the record with 188 exhibits showing that a variety of third parties are marketing products online to commemorate the September 11 attacks that are similar in type to the Merchandise. According to the Examining Attorney, the widespread usage of the terms WORLD TRADE CENTER and WTC in connection with these commemorative goods to refer to the events of 9/11 has rendered the marks incapable of functioning as trademarks for the Merchandise. (10/15/13 OA). However, almost all of the products shown in the website printouts relied on by the Examining Attorney do not show Applicant's marks

on the goods. Rather, “World Trade Center” and/or “WTC” are being used in a non-trademark manner in sales descriptions to explain the purpose of the commemorative items, while the goods themselves bear wording such as “Never forgotten” or “Remember” or merely depict a profile of the Twin Towers. (Representative examples of these exhibits are attached as Exhibit A).<sup>4</sup>

Non-trademark uses of this type may “call to mind” the terrorist attacks, but they do not prevent WORLD TRADE CENTER and WTC from functioning as single source identifiers for the Merchandise. *See* Restatement Third, Unfair Competition, § 25(2), comment i (1995) (“Nontrademark uses . . . do not create an association with a different user’s goods, services, or business”). In the context of dilution, courts have held that non-trademark use does not detract from the distinctiveness of a trademark. *See, e.g., Visa Int’l Servs. Ass’n v. JSL Corp.*, 95 USPQ2d 1571, 1573 (9th Cir. 2010) (prevalent non-trademark use does not undermine the uniqueness of plaintiff’s mark). Applicant has also relied on *Lucasfilm Ltd v. High Frontier*, 227 USPQ 967 (D.D.C. 1985), for the proposition that third-party non-trademark uses do not undermine trademark rights. The Examining Attorney has argued that *Lucasfilm* is inapposite because the plaintiff and defendants in that case were not using the STAR WARS mark “to refer to similar, or even related, events or subject matters.” (10/15/13 OA). However, the principle enunciated in *Lucasfilm* is not so limited and applies to other forms of non-trademark use. *See, e.g., The Munters Corp. v. Matsui America, Inc.*, 14 USPQ2d 1993 (N.D. Ill. 1989) (“non-trademark use of descriptive words” does not detract from the distinctiveness of a mark).

For similar reasons, the Examining Attorney’s reliance on the use of the name “World Trade Center” in news media and other websites to refer to the terrorist attacks in support of the failure-to-function refusal is not well-taken. *See UMG Recordings, Inc. v. Mattel, Inc.*, 100 USPQ2d 1868, 1883 (TTAB 2011) (“uses by the media of Motown to refer to Detroit are non-commercial uses”).

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<sup>4</sup> Notably, most of the printouts could not serve as specimens for proper trademark use of either WORLD TRADE CENTER or WTC under TMEP § 904.04.

From an expert marketing perspective, Dr. Joachimsthaler also concluded that the commemorative goods and media articles referred to by the Examining Attorney “do not destroy the source-identifying significance of the brand when used on the Merchandise.” (3/14/14 Req. Rem., Joachimsthaler Report at ¶¶70-71). The Mantis Survey results further demonstrate that WORLD TRADE CENTER is capable of serving as a single source identifier for representative Class 18 goods notwithstanding the existence of third party products that use the same term informationally in a non-trademark manner.

**D. The 9/11 Terrorist Events Did Not Destroy Applicant’s Trademarks**

Contrary to the Examining Attorney’s determination that the events of 9/11 have destroyed the ability of WORLD TRADE CENTER and WTC to function as trademarks for the Merchandise, Dr. Joachimsthaler provides relevant marketplace context for the conclusion that WTCA, like other unfortunate brand owners who have suffered tragedy and crises affecting their trademarks, can recover and build upon the goodwill in the marks that existed before, and will continue to grow after, difficult events. (3/14/14 Req. Rem., Joachimsthaler Report at ¶¶ 34-75). As an example of this resilience, Dr. Joachimsthaler cites the recent terrorist attack at the Boston Marathon. (3/14/14 Req. Rem., Joachimsthaler Report at ¶67). While the tragic bombing of 2013 will likely be associated with the event for many years to come, the BOSTON MARATHON trademark, which is registered in the USPTO for various merchandising items, Reg. No. 1,832,708, will continue to survive and thrive as a source-identifying registered trademark for the goods. (3/14/14 Req. Rem., Joachimsthaler Report at ¶67). The Mantis Survey results confirm this observation with respect to both the BOSTON MARATHON and WORLD TRADE CENTER marks.

**III. The WORLD TRADE CENTER and WTC Marks Have Acquired Distinctiveness for the Merchandise**

The Examining Attorney has improperly refused registration of the WORLD TRADE CENTER and WTC marks on the further basis that, even if they are capable of functioning as

trademarks, the marks have not acquired distinctiveness for the Merchandise identified in the intent-to-use Applications, notwithstanding their longstanding use, registration and renown for association services. According to the Examining Attorney, “Applicant has not shown sufficient relatedness of the registered services and the goods.” (9/16/12 OA)

An intent-to-use applicant “may file a claim of acquired distinctiveness under § 2(f) before filing an allegation of use, if the applicant can establish that, as a result of the applicant’s use of the mark on other goods or services, the mark has become distinctive of the goods or services in the intent-to-use application, and that this previously created distinctiveness will transfer to the goods and services in the intent to use application when use in commerce begins.” TMEP § 1212.09(a). The applicant’s burden of proof to establish this basis of registration is by a “preponderance of the evidence,” and all rules pertaining to a showing of acquired distinctiveness in a use-based application “are equally applicable in this context.” *In re Rogers*, 53 USPQ2d 1741, 1744 (TTAB 2000).

The evidentiary showing necessary to establish relatedness will “vary from case to case and depend on the nature of the goods or services involved.” TMEP § 1212.09(a) (citing *Kellogg Co. v. General Mills*, 82 USPQ2d 1766, 1771 (TTAB 2007)). In some instances, relatedness may be “self-evident,” *see* TMEP 1212.04(c). In other circumstances, an applicant may submit evidence that demonstrates the relationship between goods and services, such as a survey, information provided by an expert or other relevant marketplace background. *See* TMEP 1212.06(d); 1212.04(c) (there may be some goods and services with a high degree of relatedness that “would not be obvious to someone who is not an expert in the field”). However, “there is no absolute rule that applicant must submit extrinsic evidence to support its contention that the goods are related.” *Kellogg Co.*, 82 USPQ2d at 1771.

In its Initial Brief, WTCA thoroughly presented the substantial evidence of record showing the distinctiveness of the WORLD TRADE CENTER and WTC marks for association services for the promotion of international trade and business relationships. This evidence includes: WTCA’s

incontestable registrations for the marks in Class 42 for association services; third party recognition of the marks in news articles; receipt of prestigious awards for its services; WTCA's success in licensing and protecting its marks for use in connection with association services throughout the United States; declarations from licensees who pay WTCA for the privilege of using the WORLD TRADE CENTER and WTC marks (and are hence properly characterized as customers of WTCA); and significant sales, advertising and promotional activities on behalf of the marks for association services over several decades. (Initial Brief at 11-22). The Examining Attorney misunderstood this evidence, finding that it only supported the "recognition of the applied for mark as source-indicating for association services" rather than for the Merchandise, ignoring its relevance under TMEP § 1212.09(a) as to whether the source-indicating recognition for association services relates and will transfer to the Merchandise. (10/15/13 OA).

Applicant's Initial Brief also cited the many instances in which well-known marks analogous to WORLD TRADE CENTER and WTC, such as UNITED WAY, YMCA, ROTARY CLUB, BOY SCOUTS OF AMERICA, ROCKEFELLER CENTER and CHRYSLER BUILDING, have been registered by the USPTO for association or real estate services, as well as for various merchandising items in Classes 9, 14, 16, 18, 25 or 28, such as plastic clips, jewelry, pins and watches, books and stickers, gift cards, tote bags, mugs and clothing. (*See* Initial Brief at 14). The fact that it is common for registrants similar to WTCA to own federal registrations, not only for their core services, but also for merchandising products bearing the service mark, shows that what might seem to be disparate goods and services are indeed related. *See* TMEP § 1207.01 (a)(vi) (for likelihood of confusion purposes, relatedness of goods and services identified in an application and an existing registration is shown by the fact that the same mark is registered for the respective goods and services); *see also Hewlett Packard Co. v. Packard Press, Inc.*, 62 USPQ2d 1001, 1004-5 (Fed. Cir. 2002) (evidence that a single company sells goods and services under the same mark demonstrates their relatedness).

The Examining Attorney rejected Applicant's showing of acquired distinctiveness for all of

the 104 different products identified in the Applications, encompassing even those items of Merchandise that have a “self-evident” relationship to Applicant’s services, such as “commemorative books and coffee table books featuring history of the World Trade Centers Association” in Class 16 or “tote bags” in Class 18 that would be given to participants in trade shows that are related to WTCA’s association services.

While extrinsic evidence is not required to show “relatedness” under TMEP § 1212.09(a), the Joachimsthaler Report describes relevant trade practices and provides consumer context for why the items of Merchandise identified in the Applications are in fact related to WTCA’s services. As Dr. Joachimsthaler explains, WTCA has built up a strong brand identity for its WORLD TRADE CENTER and WTC trademarks for association services over many years, beginning with the formation of the WTCA in 1969 to promote global trade and international business, offering trade support, research and information, educational programs and business club facilities around the United States, growing to 330 members worldwide, including 47 members licensed to use the marks in the United States. (3/14/14 Req. Rem., Joachimsthaler Report at ¶¶34-40). Many of the U.S. locations are in distinctive facilities – not just the Twin Towers that existed in New York City prior to 2001 – but in other landmark or unique buildings in cities throughout the country. (3/14/14 Req. Rem., Joachimsthaler Report at ¶40). WTCA has enhanced the distinctiveness and value of the WORLD TRADE CENTER and WTC marks for association services through the use of cohesive branding guidelines, significant advertising and promotion, and the quality of the trade, conference, publication and other services. All of these activities have contributed to a robust network of facilities across the United States willing to pay membership and license fees to WTCA in order to be able to use the WORLD TRADE CENTER and WTC marks. (3/14/14 Req. Rem., Joachimsthaler Report at ¶¶41-44).

As the owner of distinctive trademarks for association services that are the subject of incontestable registrations in the USPTO, WTCA seeks to expand the reach of the marks through the

intended sale of a wide variety of Merchandise. Dr. Joachimsthaler provides marketplace context for understanding the relationship between the use of the WORLD TRADE CENTER and WTC marks for the Merchandise and WTCA's association services, as is required to be shown under TMEP § 1212.09(a).

Dr. Joachimsthaler specifically notes that merchandise bearing the trademark of an institution or organization can be "entirely different in kind from the goods or services associated with the underlying brand," citing as a specific example the case of New York University ("NYU"). (3/14/14 Req. Rem., Joachimsthaler Report at ¶25). NYU is perhaps most well-known for its educational services, but it also sells NYU-branded merchandise such as mugs, umbrellas, duffel bags and backpacks displaying the NYU, NEW YORK UNIVERSITY or torch logo marks. These items are purchased by members of the public, who may or may not be students or faculty members of the university. Nevertheless, they buy NYU-branded products, not because they think NYU manufactured the products – the goods are typically manufactured by others and sold under license – but rather because products bearing the NYU-related marks enable the buyers to signal an affiliation and identification with NYU's core educational services and mission. (3/14/14 Req. Rem., Joachimsthaler Report at ¶26). Similarly, both the FDNY and NYPD trademarks are registered in the USPTO for a variety of merchandising items that are entirely different in nature from police and fire prevention services, but are inextricably related to those services. (3/14/14 Req. Rem., Joachimsthaler Report at ¶¶27-29).

In the same way, Dr. Joachimsthaler concludes, the intended use of the WORLD TRADE CENTER and WTC marks on the Merchandise is directly related to the distinctiveness of the WORLD TRADE CENTER and WTC trademarks developed over many years for association services and distinctive building facilities, not only in New York City, but throughout the country. (3/14/14 Req. Rem., Joachimsthaler Report at ¶10). Just as with the NYU, NYPD and FDNY trademarks, the intended sale of the Merchandise bearing the WORLD TRADE CENTER and WTC

marks will enable buyers to manifest their affiliation, loyalty and support for WTCA by buying products whose ultimate source of origin is the WTCA. (3/14/14 Req. Rem., Joachimsthaler Report at ¶55).

The Examining Attorney improperly characterizes the evidence of trade practices and marketplace context in the Joachimsthaler Report as “speculative.” (4/24/14 OA). However, a certain amount of hypothesis will necessarily be involved under TMEP § 1212.09(a), as it deals with intent-to-use applications, *i.e.*, products that have not yet been sold. Further, the opinions in the Joachimsthaler Report are an *informed* hypothesis, based on more than 20 years of expertise in the field of branding, bolstered by real-world evidence supporting WTCA’s position. (3/14/14 Req. Rem., Joachimsthaler Report at ¶¶1-7).

The relatedness and transference of the renown of the WORLD TRADE CENTER and WTC marks from association services to the Merchandise is further demonstrated by the results of the Mantis Survey. Notwithstanding the lack of actual use of the mark on the Class 18 goods tested, a significant percentage of the respondents associated the WORLD TRADE CENTER mark with a single source for the goods, and identified that source as the entity that owns the WORLD TRADE CENTER mark for trade center buildings and related association services. (3/14/14 Req. Rem., Mantis Report at 1-2). Thus, contrary to the Examining Attorney’s observation that Applicant has not shown any “success” in its efforts to acquire distinctiveness for the Merchandise (4/24/14 OA), the Mantis Survey results demonstrate that the renown of the WORLD TRADE CENTER mark for association services has in fact transferred over to the Class 18 goods.

The Examining Attorney has applied an overly-restrictive interpretation of relatedness under TMEP § 1212.09(a), ignoring the specific type of marks and goods involved, and the common trade practice of service associations and owners of iconic buildings analogous to WTCA of selling merchandising items bearing the same trademark for both services and products. Under these circumstances, WTCA has more than met its burden, by a preponderance of the evidence, that the

WORLD TRADE CENTER and WTC marks that are the subject of the intent to use Applications have acquired distinctiveness for the Merchandise.

#### **IV. The Examining Attorney Lacks a Proper Statutory Basis for Refusing Registration**

The lack of a factual or legal basis for refusing registration of the WORLD TRADE CENTER and WTC marks for the Merchandise suggests that there may be an underlying, non-statutory objection to registration that is not so much unspoken as it is directly stated. The Examining Attorney has expressed concern that “each family member, friend and member of the public” seeking to sell goods to memorialize the tragic loss of 9/11 “will be prohibited from doing so” and that registration would enable the WTCA “to interfere in the give-and-take of normal political discourse.” (10/15/13 OA, citing *Lucasfilm Ltd v. High Frontier*, 227 USPQ 967 (D.D.C. 1985)). The Examining Attorney has also criticized the potential for Applicant to “profit handsomely from licensing rights” while the “public stands to simultaneously suffer significantly in their ability to speak about and remember” the events of 9/11 (4/24/14 OA). In further support of the refusal of registration, the Examining Attorney cited online media articles that purportedly “call into question” WTCA’s ownership of the marks and suggest that there was impropriety in the compensation paid to Applicant’s now-deceased former President, Guy Tozzoli. *Id.*<sup>5</sup>

Reliance on *Lucasfilm* to address the hypothetical impairment of the public discourse about 9/11 is entirely misplaced. The court in *Lucasfilm* denied the enforcement of the STAR WARS mark against non-trademark uses to characterize a missile defense shield, holding that “this is not the type

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<sup>5</sup> While the TTAB generally takes a “permissive stance with respect to the admissibility and probative value of evidence in an ex parte proceeding” (TMBP § 1208), the Board should disregard entirely two news website articles cited by the Examining Attorney to insinuate that Applicant is not the lawful owner of the WORLD TRADE CENTER and WTC marks and that its licensing activities are somehow improper. The evidence is unreliable hearsay and directly contradicted by the Declaration of Scott Richie, which establishes the lawful basis by which Applicant obtained all ownership and licensing rights in the WORLD TRADE CENTER and WTC marks. (Req. Rem. 5/28/14, Richie Dec. ¶¶3, 5-11). Further, the compensation of Mr. Tozzoli during his lifetime is wholly irrelevant to the registrability of the Applications and should be excluded on that basis. However, for the sake of correcting the record, the Richie Declaration confirms that Mr. Tozzoli’s compensation was appropriately set by Applicant’s Board, and reviewed as well by an independent outside tax attorney, and that all initiation and membership fees paid by WTCA licensees were paid to WTCA as an organization, not to Mr. Tozzoli personally. (Req. Rem. 5/28/14, Richie Dec. ¶¶12-13).

of use that the laws against trademark infringement and unfair competition are designed to restrict.” 227 USPQ at 968; *see also Mattel Inc. v. Walking Mountain Productions*, 69 USPQ2d 1257, 1267 (9<sup>th</sup> Cir. 2003) (where a trademark transcends its identifying purpose and assumes cultural significance, “the trademark owner does not have the right to control public discourse whenever the public imbues his mark with a meaning beyond its source-identifying function”). Accordingly, speculative concerns about enforcement actions Applicant might bring in the future or unfounded fears that people will not be able to discuss the terrorist attacks if Applicant’s marks are registered is not a sufficient legal basis for refusing registration, as established case law already protects such non-trademark uses mentioned by the Examining Attorney. Moreover, as in *Expo ’74*, the fact that WTCA might derive revenue or promotional benefit from the goodwill in the trademarks that it has built up over decades of use on association services does not provide a proper basis for refusal of registration. *See* 189 USPQ at 49.

### CONCLUSION

Based on the entire record, including the significant new marketplace and expert evidence submitted by Applicant on remand, the Examining Attorney has failed to support the refusal of registration by clear and convincing evidence and resolve any doubts in favor of the registrability of the WORLD TRADE CENTER and WTC marks. The refusal of registration should be reversed.

Respectfully submitted,

DORSEY & WHITNEY LLP

Dated: August 25, 2014

By \_\_\_\_\_ /se/

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Attorneys for Applicant

World Trade Centers Association, Inc.

# EXHIBIT A

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Quantity: 1

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About Sticker (Rectangle)

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- Size: 3" x 5"
- Available in Opaque (white) or Transparent (clear)
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WTC Memorial Lights Rectangle Sticker

Sticker (Rectangle)

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### TWIN TOWERS 911 World Trade Center New York Bucket Bag

by wowgiftmart \$32.99

TWIN TOWERS 911 World Trade Center New York Bucket Bag

#### Product Details

This casual bucket styled handbag is great for everyday use with the interior divided into many separate compartments and pockets. Hand-crafted and assembled, design images are heat transferred onto the polyester fabric to prevent color fading.

- Bag exterior made from leather except designed areas.
- Bag interior made of nylon.
- Twin leather handstraps measuring 12" in length.
- Measures approximately 10.5"(w) x 8"(h) x 4.5"(d).



Quantity:

Change the design, add your own text/images.

#### Reviews for product : TWIN TOWERS 911 World Trade Center New York Bucket Bag

Join or Login to leave your comment.

#### Reviews from customers who purchased: Bucket Bag

5.00 stars, based on 23 reviews

Average Customer Review : (1 Customer Reviews)

100.00 % of customers would recommend this product to Myself (1 out of 1)

2 Star: 1 (100%)



Jayka's Treasure Shop

Favorite Shop



97 items

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Like this item?  
Add it to your favorites to revisit it later.



### World Trade Center 9.11.01 Never Forget 5.5 x 6.3 Car Decal

\$9.99 USD

Ask a Question

Quantity

1

Color

Select a color

#### Overview

- Handmade item
- Materials: Vinyl, Pink
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- Only ships to United States from Fayetteville, NC.

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Twin Towers Wire Model



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Twin Towers Wire Models

A portion of the proceeds will be donated to a 9/11 fund. An elegant metallic model of New York's iconic Twin Towers. Whether for your home or office, this sturdy World Trade Center statue is an elegant commemorative replica of the fallen landmark.

A portion of each sale will be donated to the World Trade Center United Family Group, Inc., a nonprofit community comprised of September 11th families, survivors and rescue workers from all over the United States and the world. For more information on this group, visit www.wtcufg.org.

Measures 15" x 5" x 2.5"

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### Product Information

This beautiful wood-framed wall clock has a birch finish for a modern and stylish look. Find the perfectly customized design and it's sure to look great with your décor. Plus, the oversized wall clock is easy to read and oh so timely.

- Birch wood finish
- 16" diameter

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2011 Gifts > 2011 Bags > The WTC Memorial Flag Tote Bag

[http://www.cafepress.com/~the\\_wtc\\_memorial\\_flag\\_tote\\_bag\\_4031226](http://www.cafepress.com/~the_wtc_memorial_flag_tote_bag_4031226)



**About Tote Bag**

Our 100% cotton canvas tote bags have plenty of room to carry everything you need when you are on the go. They include a bottom gusset and extra long handles for easy carrying.

- 10 oz heavyweight natural canvas fabric
- Full side and bottom gusset
- 22" reinforced self-fabric handles
- Machine washable
- Measures 15" x 18" x 6"

Words can not describe the tragedy that took place on 9/11 - September 11, 2001. But maybe this symbol can inspire and unit us all and help us to never forget.

**Designed by:**



**John Bruno**

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06 April 08, 2003 at 9:45 AM

**The WTC Memorial Flag Tote Bag**

**\$15.99**

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Our 100% cotton canvas tote bags have plenty of room to carry everything you need when you are on the go.

Quantity: 1

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Availability: In Stock

Product ID: 4031226

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## WTC Memorial Tote Bag

\$15.99  
was \$20.00

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DETAILS

Our 100% cotton canvas tote bags have plenty of room to carry everything you need when you are on the go.

Quantity: 1

Add to Cart

Availability: In Stock  
Product ID: 1642956

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### 9/11/01 WTC Cinch Sack

\$23.99  
was \$26.00

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Cinch Sack



Beach Tote



Messenger Bag



DETAILS

Traveling is a cinch with our dyed, custom canvas cinch sack. The small custom sack is the perfect pack for sports and school.

Select Color: Yellow



Quantity: 1



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Gifts > Home Office > World Trade Center Attack Mouse Pad

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### World Trade Center Attack Mouse Pad

\$13.00

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Keep your mouse rolling in style on our durable cloth top mousepad.

Quantity: 1

Add to Cart

Availability: In Stock  
Product ID: 2458462

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Gifts > Living Room > WTC - Tragedy & Determination - Wall Clock

http://www.cafepress.com/  
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### WTC - Tragedy & Determination - Wall Clock

**\$15.99**  
was \$18.00

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DETAILS

Decorate any room in your home or office with our 10 inch wall clock.

Quantity: 1

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Availability: In Stock  
Product ID: 13582963

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05BCLSS755

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http://www.cufflinksdepot.com/p/05BCLSS755/New+York+City+Cufflinks.html

Description

These New York City cuff links will never let you forget what happened on 9-11-01. The picture of the skyline is represented here with the outline of the World Trade Center Towers pictured on these unique cuff links. Show your tribute to the enduring spirit of New York and America when you wear these on your cuff.

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911 Bags - 911 Bags - Never Forget 9-11 - With Buildings Trolley Bag

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### Never Forget 9-11 - With Buildings Trolley Bag

\$48.50

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Also Available in These Styles (3)



Trolley Bag



Shoulder Bag



Clutch Bag

The trolley bag is a great way to carry bathroom accessories like your toothbrush, plus they make for handy shaving bags for your regular razor.

Quantity: 1

Add to Cart

Availability in Stock

Product ID: 68824837

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#### About Trolley Bag

Travel in style with this personalized mens or womens trolley bag. The trolley bag is a great way to carry bathroom accessories like your toothbrush, plus they make for handy shaving bags for your regular razor.

- Made of elegant & durable microfiber
- Water resistant liner
- Top zipper closure
- 10" W x 5.5" H x 4.5" D

This patriotic graphic has the date "9-11-01" and the phrase "Never Forget" beside two blue rectangular outlines representing the WTC buildings. There is an American flag behind the buildings.

#### Designed by:



Thought-Provoking-Shirts US

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### WTC Never Forget Journal

\$12.99  
was \$14.99

Link

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Use our custom journals & notebooks to keep track of your important stuff. Perfect for to-do lists, recipes, addresses, memories and much more.

Paper: Blank

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