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Filing date: **08/15/2014**

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

Proceeding	91217235
Party	Defendant Voice Proctor, Inc.
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Signature	/Matthew L. Bycer/
Date	08/15/2014
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application Serial No. 85/924,667
Filed May 6, 2013
For the Trademark VOICE PROCTOR
Published in the Official Gazette on January 7, 2014

FINANCIAL INDUSTRY REGULATORY)	
AUTHORITY, INC.)	
)	
Opposer,)	Opposition No. 91217235
)	
v.)	
)	
VOICE PROCTOR, INC.,)	
)	
Applicant.)	
_____)	

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

Applicant Voice Proctor, Inc. (“VOICE PROCTOR” or “Applicant”) hereby answers the Notice of Opposition filed by Opposer, Financial Industry Regulatory Authority, Inc. (“FINRA” or “Opposer”), and denies that registration of Application Serial No. 85/924,667 (the “Mark”) would cause damage of, dilution of, or confusion with, Opposer’s registered marks. With respect to the grounds for opposition, Voice Proctor responds as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to FINRA’s status and therefore it is denied. Applicant is without knowledge or information sufficient to form a belief as to FINRA’s actions and therefore it is denied. Applicant is without knowledge or information sufficient to form a believe as to FINRA’s constitution and therefore it is denied. Applicant is without knowledge or information sufficient to form a belief as to FINRA’s operation and therefore it is denied.

2. Applicant is without knowledge or information sufficient to form a belief as to FINRA's use of any mark and therefore it is denied.

3. Applicant admits that according to the United States Patent and Trademark Office TARR database, FINRA is listed as the owner of federal trademark registration Reg. No. 1768263 for the PROCTOR mark, covering "training, educational testing and certification of professional and employment skills and abilities" in Class 42. Applicant admits that according to the TARR database of the United States Patent and Trademark Office the registration was issued April 27, 1993. Applicant admits that according to the United States Patent and Trademark Office TARR database, that the registration was renewed on December 21, 2003. Applicant admits that according to the United States Patent and Trademark Office TARR database, FINRA asserted that it has used its PROCTOR mark with the specified services since at least as early as October, 1992.

4. Applicant admits that according to the United States Patent and Trademark Office TARR database, FINRA is listed as the owner of Federal Trademark Registration No. 1766565 for the PROCTOR mark, covering "computer programs for training, testing, and certification of professional and employment skills and abilities" in Class 9. Applicant admits that according to the United States Patent and Trademark Office TARR database, the registration was issued on April 20, 1993. Applicant admits that according to the United States Patent and Trademark Office TARR database, the registration was renewed on December 31, 2003. Applicant admits that according to the United States Patent and Trademark Office TARR database, FINRA stated in its registration that it has used the PROCTOR mark in connection with computer programs since at least as early as July, 1992.

5. Applicant admits that according to the United States Patent and Trademark

Office TARR database FINRA is listed as the owner of Federal Trademark Registration No. 1920891 for the mark PROCTOR covering "booklets, pamphlets and brochures for training, testing and certification of professional and employment skills and abilities" in Class 16. Applicant admits that according to the United States Patent and Trademark Office TARR database, the PROCTOR mark has been registered since September 19, 1995. Applicant admits that according to the United States Patent and Trademark Office TARR database, the registration was renewed on July 12, 2005. Applicant admits that according to the United States Patent and Trademark Office TARR database, FINRA stated that it has used the PROCTOR mark in connection with these publications since at least as early as July 1, 1992.

6. Applicant admits that according to the United States Patent and Trademark Office TARR database, FINRA is listed as the owner of Federal Trademark Registration 1797000 for the mark PROCTOR covering "computer facilities manuals for training, testing and certification of professionals and employment skills and abilities" in Class 16. Applicant admits that according to the United States Patent and Trademark Office TARR database, FINRA's PROCTOR mark has been registered since October 5, 1993. Applicant admits that according to the United States Patent and Trademark Office TARR database, the registration was renewed on September 8, 2013. Applicant admits that according to the United States Patent and Trademark Office TARR database, FINRA stated in its registration that it has used the PROCTOR mark in connection these publications since at least as early as July, 1992.

7. Applicant is without knowledge or information sufficient to form a belief as to FINRA's use of any mark and therefore denies the same.

8. Applicant is without knowledge or information sufficient to form a belief as to FINRA's use of any mark and therefore it is denied.

9. Applicant admits that it seeks to register a Stylized Form Mark (Serial No. 85/924,667) for "Analyzing educational tests scores and data for others; Educational examination services; Educational testing services; Preparing, administering, and scoring standardized tests" in international Class 41. Applicant admits that the application was filed after FINRA's registrations for its marks.

10. Applicant denies that the Mark designation incorporates FINRA's mark(s) entirely. Applicant denies that the Mark and FINRA's mark(s) are nearly identical in sight, sound and meaning.

11. Applicant is without knowledge or information sufficient to form a belief as to FINRA's explicit or implicit consent of Applicant's use of the Mark and therefore denies the same.

12. Applicant is without knowledge or information sufficient to form a belief as to whether the services identified in the Mark are or would be competitive, closely related to and/or complementary with the products and services that FINRA allegedly promotes and sells and therefore denies the same.

13. Applicant denies that the applied for designation incorporates entirely FINRA's mark(s). Applicant is without information or knowledge sufficient to form a belief as to the remaining allegations of Paragraph 13 and therefore denies the same.

14. Applicant reiterates the admissions and denials above and therefore disagrees with the conclusory statement set forth in Paragraph 14.

15. Applicant reiterates the admissions and denials above and therefore disagrees with the conclusory statement set forth in Paragraph 15.

AFFIRMATIVE DEFENSES

A. Relevant Facts

16. Merriam-Webster dictionary defines “proctor” as “one appointed to supervise students (as at an examination).” (See Exhibit 1)

17. Numerous proctoring services use the word “proctor” to describe their services.

18. Numerous proctoring products use the word “proctor” to describe their products.

19. Software Secure uses the word “proctor” in promotion of Remote Proctor Pro and Remote Proctor Now (see Exhibit 2).

20. ProctorU uses the word “proctor” to describe its proctoring service (see Exhibit 3).

21. Kryterion Global Testing Solutions uses the word “proctor” to describe online observation of test-takers (see Exhibit 4).

22. Respondous Monitor uses the word “proctor” to describe the supervision of examinations (see Exhibit 5).

23. Examity Online Proctoring Services uses the words “online proctoring” to denote the mechanism for preserving exam integrity (see Exhibit 6).

24. ProctorFree uses the words “online proctoring”, “proctored exams”, “exam proctoring”, and “proctor” to denote the monitoring of students taking examinations to avoid cheating (see Exhibit 7).

25. B Virtual uses the words “live online proctoring” and “proctor” to describe “a seamless remote proctoring experience for students to take exams online” (see Exhibit 8).

26. Pearson Vue uses the words “proctor” and “test proctoring” to describe exam administration (see Exhibit 9).

27. Tegrity uses the words “proctor” and “remotely proctor exams” to ensure “the integrity of exams taken remotely” (see Exhibit 10).

28. Proctortrack uses the words “proctor” and “proctoring” to describe the verification of the identity of online test takers (see Exhibit 11).

29. Numerous educational institutions use the word “proctor” as a noun to describe a person who supervises an exam.

30. Oregon State University’s “Ecampus” contains a website titled “Exams and Proctoring” that defines a “proctor” as “a person that will supervise you while taking an exam.” The university also contains a website entitled “Finding a Proctor” containing a list of “acceptable proctors” and “unacceptable proctors” (see Exhibits 12 and 13).

31. Central Texas College Distance Education’s website uses the word “proctor” to denote an individual who oversees proper exam procedures (see Exhibit 14).

32. A June 25, 2014 article (attached as Exhibit 15) by eCampusNews uses the word “proctor” generically in describing “online proctoring companies” and their roles in “ensur[ing] that test-takers have integrity and authenticity.”

33. The word “PROCTOR” is a generic term that the relevant purchasing public understands primarily as the common or class name for a good or service.

34. “Proctor” is incapable of functioning as registrable trademark denoting source, and is no longer registrable.

35. FINRA is therefore not entitled to continued registration of its mark(s).

36. None of the above mentioned sources in Paragraphs 16-35 make any reference to FINRA as the source of these services or FINRA’s products or services.

B. No Likelihood of Confusion (Mark)

37. There is no likelihood of confusion, mistake or deception of the purchasing public between VOICE PROCTOR's Mark and Opposer's mark(s). When the marks are compared in their entireties, the marks are distinctly different in overall sound, appearance and commercial impression, such that there is no reasonable likelihood of confusion.

C. No Likelihood of Confusion (Market)

38. There is no likelihood of confusion, mistake or deception of the purchasing public between VOICE PROCTOR's Mark and Opposer's mark(s). VOICE PROCTOR provides different services to a different customer base leading to no likelihood of confusion.

D. Opposer's Mark Not Famous

39. Opposer cannot demonstrate that its mark(s) is famous, and therefore is not entitled to dilution protection.

E. Opposer's Mark is Generic

40. Opposer's claims are barred because Opposer's mark is generic for the services set forth in Opposer's registration No. 1768263.

41. Opposer's claims are barred because Opposer's mark is generic for the services set forth in Opposer's registration No. 1766565.

42. Opposer's claims are barred because Opposer's mark is generic for the services set forth in Opposer's registration No. 1920891.

43. Opposer's claims are barred because Opposer's mark is generic for the services set forth in Opposer's registration No. 1797000.

44. WHEREFORE, Applicant prays that this Opposition proceeding be dismissed in its entirety, and that its Notice of Allowance issue forthwith.

Respectfully Submitted,

Voice Proctor, Inc.

/s/Matthew L. Bycer/_____

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Attorneys for Applicant

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing ANSWER TO NOTICE OF OPPOSITION has been served on the following by electronic copy on August 15th. 2014, via electronic service of email to attorney of record for Financial Industry Regulatory Authority, Inc.:

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Attorneys for Applicant

CERTIFICATE OF ELECTRONIC MAILING

I hereby certify that the foregoing APPLICANT'S ANSWER TO NOTICE OF OPPOSITION is being submitted electronically through the Trademark Trial and Appeal Board's ESTTA System on this August 15, 2014.

_____/s/Matthew L. Bycer/_____
Matthew L. Bycer

EXHIBIT 1

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proc·tor *noun* \ˈprāk-tər\

Definition of PROCTOR

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: SUPERVISOR, MONITOR; specifically : one appointed to supervise students (as at an examination)

- proctor *verb*
- proc-to-ri-al *adjective*
- proc-tor-ship *noun*

See proctor defined for kids

Origin of PROCTOR

Middle English *procurator* procurator, proctor, alteration of *procurator*

First Known Use: 14th century

Other Education Terms

baccalaureate, colloquium, corequisite, dissertation, monograph, pedant, practicum, survey course, thesis

Rhymes with PROCTOR

doctor

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Renee Dorey Thomas · Substitute Teacher at Vista Unified School District

oops, just saw that it is a verb, but I spelled it wrong, haha



Renee Dorey Thomas · Substitute Teacher at Vista Unified School District

I wanted to see if it was proper to use it as a verb... "I proctored the test"... guess not!



Rechie C. Caloring · Works at Sa Imung Heart. ♥ thank you..



Rhonda Swenson Fisk Saw it on a t shirt that said, "Keep calm I'm a proctor.

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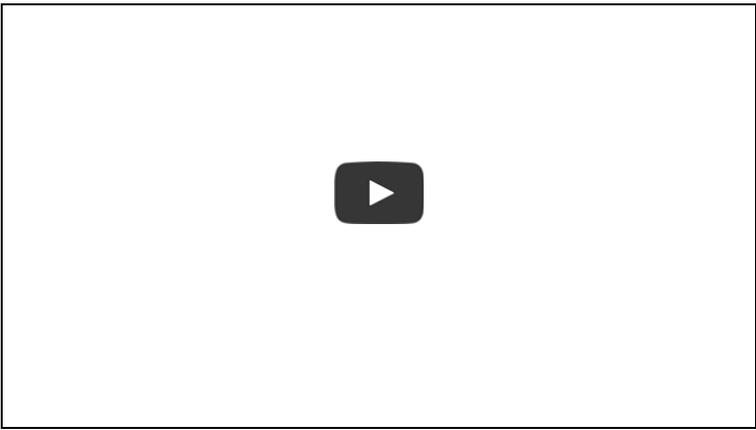


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05 August 2014 by Alisha Rashidi, in News

Press Release- ProctorFree Hires New Director of Partner Relations (<http://proctorfree.com/blog/press-release-proctorfree-hires-new-director-partner-relations>)

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(<https://verify.authorize.net/anetseal?pid=0b1d3635-2ab3-4768-a682-1a3adab01193&rurl=http%3A%2F%2Fproctorfree.com%2Fnews%2Fpress-release-proctorfree-hires-new-director-partner-relations>)
Accept Credit Cards
(<http://www.authorize.net/>)

Website Translator

Select Language ▼

Powered by [Google Translate \(https://translate.google.com\)](https://translate.google.com)

Follow @ProctorFree

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EXHIBIT 8

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Live Online Proctoring Redefined



- [Online Proctoring](#)
- [How It Works](#)
- [Technical Requirements](#)
- [FAQ](#)
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LIVE ONLINE PROCTORING

We believe students around the globe should have access to online education from the comfort of their homes.

Their education experience should be seamless from online learning to online exam writing.

How we make this happen:

- [24 Hour Scheduling](#)
- [Global Access](#)
- [Live Support](#)
- Students can schedule their exam at any hour of the day, any day of the week. Complete freedom to write their exam whenever they want.
- Students around the world can now write their online exams in a safe and trusted environment.
- Live certified proctors available 24 hours a day, 7 days a week. Students feel supported and secure knowing that a live proctor is overseeing their exam.

B Virtual provides a seamless remote proctoring experience for students to take exams online. Our combination of people, process and technology provide a level of integrity to the examination process that raises the bar for Proctored exams.

Benefits of our Turn-Key Live Online Proctoring Solution:

- Advanced technology to monitor students online during exams
- White label options to maintain the look and feel of your brand throughout the exam process
- Recording of all exam session data including video, audio and keystroke information
- We provide pre-exam system testing for students to lessen test-day stress of technology connections
- We provide online room monitoring to our customers who want to view real time proctored sessions and

[view students](#)

Testimonial:

We use BVirtual to administer the ACCUPLACER - WritePlacer exam only. We require our students to register and pay their administrative fee prior to issuing a testing voucher to them. Through that process we require them to provide their name (of course), student ID, and birthdate. We then verify that this information matches what is in our Student Information System and we issue a voucher. We provide a very detailed email with instructions and FAQ's that was provided to us by the College Board when we were a pilot site. I think the more information you can provide the candidates about the technical specs and how the process works, the better.

We had to highlight (BOLD) the statement about the vouchers only being valid for 30 days from their generation date, as we had many people who tried to test after that time and were turned away and we had to generate another voucher for the candidate. We also make them pay again if they let the voucher expire.

B-Virtual keeps an open line of communication about any technical problems or other problems that may occur. We have had over 200 candidates test through this process with minimal problems. B-Virtual, Inc. is always willing to work with the students to assure that they have the best testing experience possible. Our online students have been very pleased with the convenience of the testing service.

Eva M. Jones

Testing Manager

Arizona State University

University Testing & Scanning Services in the University Office of Evaluation & Educational Effectiveness

Contact Us Today

Experience The B Virtual Live Online Proctoring service for yourself!

Contact Us

- LIVE CHAT



- GET THE STUDENT EXPERIENCE



- SEE US IN ACTION

"We attend a lot of webinars, and there were several who commented that this one was one of the best we have had, so thank you very much."

Linda Banks, Ph.D.
Executive Director
Center for Professional
and Distance Education

- [Twitter](#)
- [Facebook](#)
- [Linkedin](#)



CONTACT US

- 888.418.4230

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EXHIBIT 9

Frequently Asked Questions (FAQs)

Questions about Becoming a Test Center

[**How can I become a Pearson VUE® Authorized Test Center?**](#)

Simply identify a testing area within your facility and sign an agreement with Pearson VUE. Staff will be trained to serve as Pearson VUE test administrators and act as proctors. For more information on joining the Pearson VUE® Authorized Test Center network, view the [Become a Test Center](#) portion of our website.

[**What are the costs of becoming a Pearson VUE test center?**](#)

There are no set-up costs to become a Pearson VUE test center. The software is free and you pay nothing other than test taker fees. You provide the PC's, testing environment and staff; we provide the testing system software.

[**How do I contact a Pearson VUE representative?**](#)

Pearson VUE has representatives in Minneapolis, Minnesota serving the Americas and Salford, United Kingdom serving Europe, the Middle East and Africa. Serving the Asia-Pacific region are offices in Beijing, China; Noida, India; and Tokyo, Japan. For contact information of a representative in your region, view the [Become a Test Center](#) portion of our website.

[**How does a training center benefit from becoming a Pearson VUE test center?**](#)

There are several ways training centers benefit. First, certification is a tremendous way to measure the success of your training. Second, testing is seen as a complete, value-added service; candidates like testing where they were comfortable training. And third, testing candidates are always potential training candidates. Once a candidate has tested in your center, he or she can be marketed to as a training candidate.

[**Do we have to be a public test center?**](#)

No, if your facility cannot accommodate the public, you have the option of being a private test center. If you choose to be a private test center, only your candidates have the ability to test with you.

[**What are the hardware specification requirements for a testing center?**](#)

View our [Technical requirements](#)

[**How does data transfer happen? How do I connect with you?**](#)

The Pearson VUE system utilizes the speed, reliability and cost effectiveness of the Internet to register test takers, upload tests and transmit results. While broadband connection is desirable, it is not essential. We currently service 145 countries, many with dial-up connections.

[**How does Pearson VUE certify a Pearson VUE Administrator for my center?**](#)

A self-paced PowerPoint presentation is available on the [Pearson VUE Support Services website](#). Once training is completed, Pearson VUE requires that the administrator take and pass a no-cost, informal, open-book test on a Pearson VUE Test Delivery workstation at your test center.

[**What if I need technical support?**](#)

Technical phone support is available 24 hours a day, 7 days a week through our global Pearson VUE Support Services team, and you can count on us to follow up with you until your issue is resolved. We also provide a [VUE Support Services website](#) with real-time reporting capabilities.

[**I need to set up a classroom for testing, is this possible?**](#)

Yes, you can turn your classroom into a testing room on the spot, schedule the whole class for tests, and when they have completed their tests, turn off the testing seats again immediately.

Instant expansion and removal of available workstations is available with the tools that allow your center to make these changes online. Since you are linked to Pearson VUE's global database in real-time, your changes take effect immediately at your site, at our registration center and on the web.

[Can I provide off-site testing?](#)

Yes, Pearson VUE allows you to provide on-location, off-site testing. This mobile testing gives you the ability to quickly and easily take testing on the road for special events or corporate training initiatives.

[How do candidates pay for tests?](#)

Your center can purchase volume discounted test vouchers and distribute them to candidates, or they may pay for their tests with a credit card.

[Does Pearson VUE offer vouchers so tests and training can be bundled conveniently?](#)

Yes, with Pearson VUE's local registration application, Pearson VUE is able to offer training centers the convenience and financial benefits of bundling testing with training. To order discount vouchers contact the [Pearson VUE Voucher Store](#) in your region.

Last updated 2008-12-01

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EXHIBIT 10

PRODUCT SHOWCASE CUSTOMERS RESOURCES ABOUT

Remote Proctoring

Tegrity's Remote Proctoring capability taps the power of the Tegrity recording environment to ensure the integrity of exams taken off campus.

Overview

Tegrity's Remote Proctoring feature ensures the integrity of exams taken off campus, without the need to send the student to an expensive, and often distant proctoring facility. Rather, using a webcam and microphone the student can take their exam at their home while Tegrity records video of the student taking the test, along with the associated screen activity. The recordings cannot be paused while the student takes the exam, and when completed, the recording is immediately uploaded for instructors to review at up to 8x speed.

Institutional and Student Benefits

Institution and Student Benefits Security: An advanced and integrated technology service, Tegrity Remote Proctor helps institutions monitor students and prevent cheating during online test-taking. The software provides a recording of all exam session data including video, audio and keystroke information and prevents pausing or re-taking. The software can also be integrated with market-leading browser lock-down software as an additional level of test-taking integrity. **Authentication:** Integration-ready for any LMS or course registration platform, Tegrity Remote Proctor displays the institution's test policy acceptance procedure and records an image of the student's ID. In concert with the security features, the software's authentication process adheres to most accreditation requirements for distance learning. **Cost and Time Savings:** Tegrity Remote Proctor eliminates the requirement for students to drive to a test-taking center or campus and pay additional fees, significantly reducing the institutional costs and logistics of securing proctored classrooms. Students have the flexibility to take their tests or exams on their own schedule and within an agreeable window of time. Institutions find that they can save time as well as experience a smoother testing process. **Institutional Integration and Branding:** The software provides integration with all LMS platforms. Additionally, it can enable an institution to maintain the consistent look and feel of their program or school throughout the entire test and examination process.

Simple Workflow

When the student is ready to take a proctored exam, they click "Test" on the Tegrity interface. The student is then taken through a simple workflow to record their exam, as follows:

1. Agree to the testing policy
The institutional test policy, controlled by the Tegrity Administrator is presented to the student, and they are asked to accept it in order to proceed. Optionally, the individual instructor for the course also has the option of adding a course-level testing policy for the student to review and accept.
2. Prove identity
The student is asked to hold up their student ID or other form of identification to their webcam in order to prove their identity. They then click a button to take a still image of their ID. If the image isn't clear, they can retake the photo.
3. Take the exam
When the student is ready to begin the online exam, they click start and Tegrity records the screen activity, plus video of the student taking the exam. Remote Proctoring recordings do not allow the student to pause the recording.
4. Complete the exam
When the exam is completed, students click the stop button on the Tegrity toolbar icon, and the exam is uploaded to the appropriate course, automatically.

5. Instructor review

The instructor clicks on the "Tests" tab in Tegrity, then selects the recording to review it at up to 8x speed; although most instructors do not review every minute of each exam. Rather, they will check at random, or skim through them, as the fact that the recording was made is typically all that's needed to prohibit cheating.

Tegrity Remote Proctoring feature has helped our customers meet certification standards for their online programs, extended access to students with disabilities, and saved up to \$40,000 per course in proctoring facility fees. Tegrity Remote Proctoring is included in the Tegrity Campus lecture capture service, or can be purchased separately.

Requirements

- PC or Mac
- Webcam
- Microphone
- Internet connection

The Remote Proctoring feature is often used in conjunction with the LockDown Browser™ from Respondus, which is a custom browser that locks down the testing environment within Blackboard, ANGEL, Desire2Learn, WebCT, or Moodle. When students use Respondus LockDown Browser in conjunction with Tegrity's Remote Proctoring feature, they are unable to print, copy, go to another URL, or access other applications. When an assessment is started, students are locked into it until they submit it for grading.



Tegrity.com

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EXHIBIT 11



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[Proctortrack](#)

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[For Higher Ed Institutions](#) [For LMS](#) [For MOOCs](#)
[For Teachers & Instructors](#) [For Students](#)



Proctortrack is the only automated remote proctoring solution that continuously verifies the identity of online test takers.

[Our Integrations](#)



Proctortrack is Proctorless

No human supervision required

Fully customizable test
policy configuration

On-demand proctoring

Continuous facial
recognition

Multi-form factor
identification

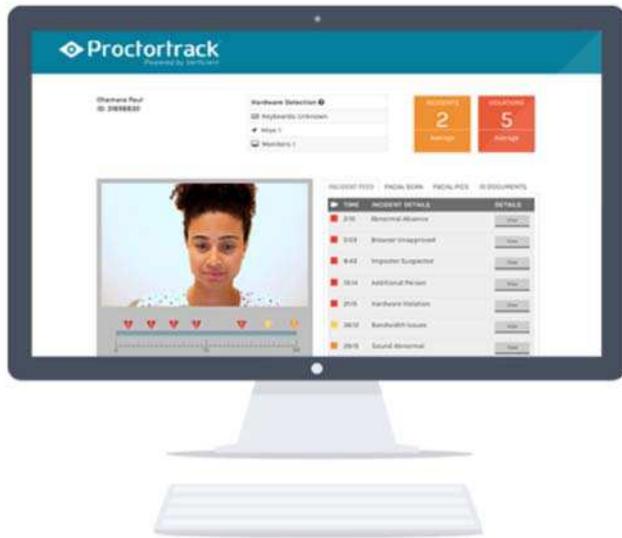
Continuous hardware
scan



Proctortrack's 8pt System Check

Proctortrack Deters Cheating & Misconduct

While detecting when a student



Admin dashboard automatically sorts test breaches with video playback

Leaves a test session

Is replaced by another test taker

Seeks help from another person

Searches online

Looks off-screen

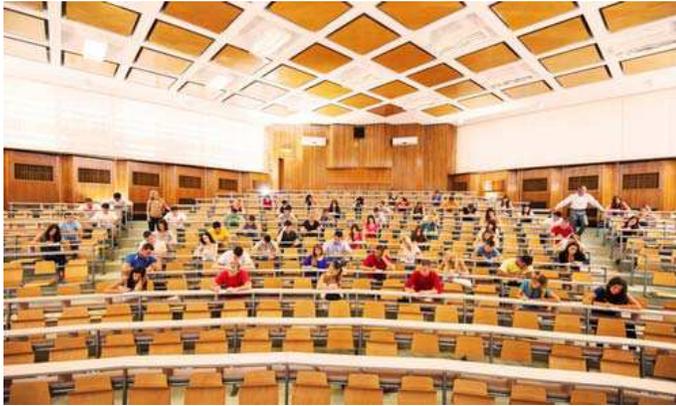
Lifts, shares or prints test questions

And many more infractions

[Request A Full Demo](#)

For Higher Education Institutions :

Proctortrack is already integrated with Canvas, eCollege, Moodle, Sakai, and Blackboard



See a sneak peek

Configurable for any
size institution

Safeguards test content
& IP

Protects the integrity of
your distance learning
program

Automatically issues
verifiable certificates

Fully-hosted testing
platform also available

For Learning Management Systems

See how we can help you

Enables students to share achievements via social networks

Cost effective & secure

Increases brand value

Increases online course integrity

For Teachers & Instructors

Protect Test IP

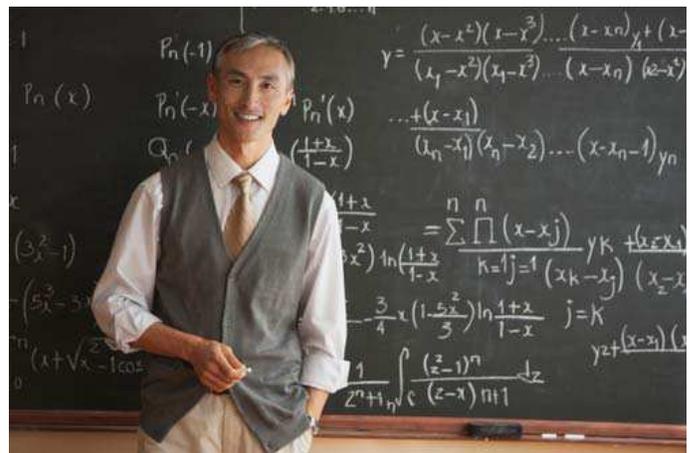
Easy to use

Proctor tests fast and in real time

No installation required

Deters cheating

Privacy-aware



See the instructor experience demo

Fully customized test settings

Simple, practical reporting

For Students

Take your test anytime, anywhere



See the student experience demo

Privacy-aware

No installation required

Easy to use

Share accomplishments

Cost effective

Get the credit you deserve

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Public Radio program Hear & Now interviews Udemy CEO/Dennis Yar
<http://t.co/T1fFOYeW6D>
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EXHIBIT 12

Oregon State University Ecampus • OSU Degrees Online

Finding a Proctor

[Overview](#) | [Finding a Proctor](#) | [Oregon Testing Centers](#) | [Corvallis Campus Schedule](#) | [Academic Integrity](#) | [Proctoring Guidelines](#) | [Blackboard Test Help](#)

Finding A Proctor

Here are some simple ideas and limitations that will help you find a proctor easily and quickly. Following the [Proctoring Guidelines](#) will help you have a smooth exam process. To protect the integrity of examinations personal laptops are not allowed and exams may not be administered in a private residence; only in a professional proctored environment. (Note: [ProctorU](#) is an exception to this rule. Please visit their website for additional guidelines and requirements.) Ecampus reserves the right to reject any proposed proctor or any previously approved proctor. Picking a proctor who does not meet the acceptable proctor criteria may delay your proctor request. To submit your proctor choice you will need to complete the [Exams and Proctoring Form](#).

Acceptable Proctors

- Official testing center at a college/university - Including, but not limited to those listed on [NCTA](#) (**those listed on NCTA are not the only testing centers available. Many schools not listed offer testing services*).
- Certified librarians at a library, college/university, or school.
- College/university administrators, instructors, or academic advisors
- [ProctorU](#) (online exams only, not an option for paper exams)
- Learning/tutoring centers
- Educational officers of a corporation, military installation, or correctional facility
- County extension offices

All proctors must have an professional email address and be able to provide a computer with internet access for up to 2 hours, and monitor the student during the exam -- no wireless connections

Unacceptable Proctors

- Relatives or spouses/partners/significant others
- Friends and/or roommates
- Co-workers, supervisors or business associates
- Peers
- Undergraduate students
- Athletic coaches
- Anyone who does not have a professional email address (Gmail, Hotmail, Yahoo, etc. are unacceptable)
- Anyone who cannot provide a computer with internet access for up to 2 hours
- Anyone who cannot monitor the student during the exam.

Problems Finding a Proctor?

Email [Ecampus Testing](#) or call 800-667-1465 or 541-737-9281. Our office hours are Monday - Friday, 8:00 am - 5:00 pm Pacific Time.

EXHIBIT 13

Oregon State University Ecampus • OSU Degrees Online

Exams and Proctoring

[Overview](#) | [Finding a Proctor](#) | [Oregon Testing Centers](#) | [Corvallis Campus Schedule](#) | [Academic Integrity](#) | [Proctoring Guidelines](#) | [Blackboard Test Help](#)

Overview

Some of your distance courses require you to take proctored exams. Your instructor will indicate this requirement via the course syllabus, a Blackboard announcement or an email. Not all of your courses may require proctored exams.

What is a proctor and why do I need one? A proctor is a person that will supervise you while taking an exam. Proctors are used to ensure [academic integrity](#) during the exam. It is your responsibility to find and schedule your proctor in a timely fashion to take your exam. Please see [Finding a Proctor](#) for details on acceptable proctors.



If you have questions or problems, please email [Ecampus Testing](#) or call us 800-667-1465 or 541-737-9281. Our office hours are 8 a.m.-5 p.m. PST Monday through Friday.

To schedule your proctor

We recommend that you fill out the exams and Proctoring Form 1-2 weeks prior to your exam.

Log in to the [exams and proctoring form](#) and complete the four steps to set up your proctor. If you have never filled out the Proctoring Form or it's been awhile since you've last completed it, viewing the [Exams and Proctoring Flash Tutorial](#) may be helpful to you.

- Step 1: Review and edit your contact information
 - Step 2: Enter the course(s) which require proctoring
 - Step 3: Select and schedule your proctor(s) and submit
 - Step 4: Review your proctor(s) and exam(s) *This step shows if you submitted your proctor successfully
-
- Your exam information will be emailed to your proctor within 3 weeks of your exam. You will receive a confirmation email to your ONID email letting you know that it has been sent.
 - You should contact your proctor before your appointment to ensure that they have your exam information. If they do not have your exam information, please contact [Ecampus Testing](#) and it can be resent.
 - If you have submitted a proctor that Ecampus Testing has not used before it will go through an approval process which can take up to 1 or 2 weeks. Once your proctor has been approved/denied you will receive a confirmation email to your ONID email informing you of the decision. Then your exam information will be emailed to your proctor within 3 weeks of your exam. You will receive another confirmation email letting you know the exam information has been sent.

- If you need to take an exam concerning an incomplete from a past term, contact [Ecampus Testing](#).

On the day of your exam

- Bring a form of photo identification.
- Bring any items allowed by your instructor for the exam (e.g. calculator, book, notes, etc.).
- Reminder: Cell phones, laptops, tablets and/or PDAs are not allowed during your exam.
- When you complete your exam, it will be sent to your instructor for grading.

Please be aware that students are responsible for any printing and/or mailing costs associated with the test. This is most often in relation to paper exams. Please contact your proctor to find out if you need to bring any additional payment or material before your exam.

EXHIBIT 14

Quick Links

- ▾ [About Us](#)
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- ▾ [Orientation](#)
- ▾ [Tips for Success](#)
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- ▾ [Testing](#)
- ▾ [On Demand Blackboard Help](#)
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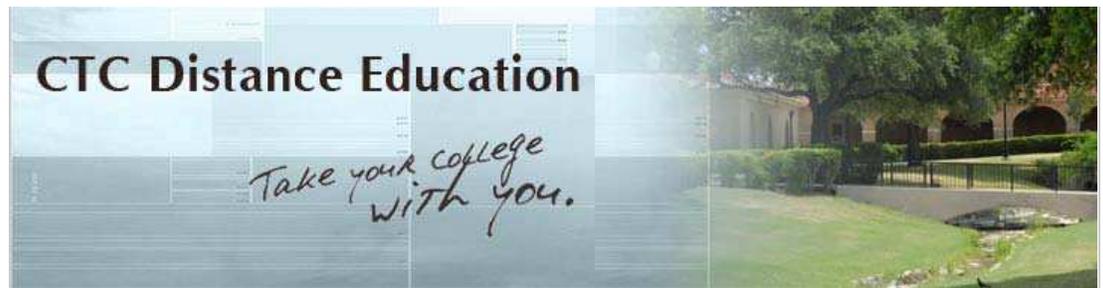
Current Events

Check out what's going on in Distance Education. For additional news and events, please see [Campus News & Events](#) and [Campus Calendars](#).

Academic Support

With CTC's distance learning program, educational guidance is at your fingertips. Our [Online Mentors](#) are standing by. Click the Live Support icon below for help with:

- **Admissions and Registration**
- **Course Selections**
- **Withdrawals**
- **General Academic Advisement**



Testing Requirements

Identifying a test proctor outside of the Killeen area

The following are appropriate testing centers:

- Central Texas College Continental/International site, or embassy.
- Central Texas College Service Area Site.
- Community College or University Testing Center.
- High Schools may be used by their students (including dual credit) under the supervision of principal, counselor, or faculty, if permitted by Independent School District (ISD) administration.
- Public Library facilities under supervision of Librarian or assistant.

The test proctor must be a neutral third-party professional employed with one of the above educational institutions and have a bachelor's degree. Students who are overseas may use commissioned officers with a minimum of a bachelor's degree and who are not in the chain of command/supervision of the student. Students who are not able to use one of these options must still obtain approval by providing a detailed explanation in the comments field of the [Test Proctor Submission Form](#).

Proctors must have an official email address that has been assigned to them such as @ctcd.edu, @killeenisd.org, or @us.army.mil. Personal email addresses such as yahoo, hotmail, or gmail cannot be used.

The following are NOT appropriate test sites/proctors:

- Friends or relatives
- Personal Residence

Please make arrangements for testing at the beginning of your class to prevent delays, then submit the [Test Proctor Submission Form](#) to identify your test site. You must provide all information requested before your form will be processed.

Registering proctors who have never proctored for CTC

Once you have made contact with your potential test site and secured its hours of operation, testing procedures, and contact information, submit the Test Proctor Submission Form. You should receive an auto response confirming that your form was received. The CTC Testing Office will notify the proctor of approval and provide access information. Test Proctor Submission Forms are not processed until a week after class begins. To check the status of your Test Proctor Submission Form, contact the CTC Testing Office at online.testing@ctcd.edu.

You will make arrangements with your proctor for test dates and times. Consult your syllabus or contact your instructor to determine which exams you must take. Test sites will not have this information; you must provide it.

Proctors already proctoring for CTC

Once you have made contact with your potential test site, please inquire if they are already registered as a CTC proctor. If they are, you do NOT need to submit a Test Proctor Submission Form. The test site will already have the ability to access your exams. You will still need to make arrangements for test dates and times based on the testing windows provided in your syllabus and proctor availability. Bring your course and test information with you to the test site.

Normally, test site information is processed in 5-7 business days.

If the exam is not available at your scheduled time, contact your instructor for further instructions.

Re-scheduling tests

Occasionally situations arise which make it impossible for online students to take exams within the published schedule. It is solely the instructor's decision to approve re-scheduling. Students are responsible for securing that approval prior to the last day of testing.

Coordinate with the test proctor and schedule a new testing time in advance. Students must supply the test proctor with the instructor's written permission to reschedule. Late exams cannot be administered without the instructor's approval.

Requests to re-schedule an exam should occur rarely and only in cases of emergency.

Central Texas College's accessible education supports student success and employability. [CTC Policies](#)
P.O. Box 1800, Killeen, Texas, 76540-1800
Tel: 254-526-7161 In State: 1-800-223-4760 Out of State: 1-800-792-3348
Please forward all questions, comments or requests about this website only to the [Webmaster](#)
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EXHIBIT 15

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How to prevent online learning from ruining your reputation

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By Molly Schulson, @eCN Molly

Read more by [Contributor](#)

June 25th, 2014

As more students sign up for online classes, it's up to reputable online proctoring companies to ensure that test-takers have integrity and authenticity



By the end of 2014, 80 percent of higher education students are expected to take some or all of their classes online, according to Pulp-PR's [recent infographic](#) —and statistics like that make online proctoring providers very happy.

Cheating can lead to a “slow erosion” of a school's reputation, said Jarrod Morgan, executive vice president of an online proctoring company [ProctorU](#).

Educators have become more concerned about online cheating with the expansion of online learning, as millions of students around the globe sit down to take exams online without anyone to monitor them.

“How are we going to know that the person taking the test is a person taking the class?” said Dr. W. Andrew McCollough, associate provost for teaching and technology at the University of Florida. “Faculty are worried about

that.”

In response to these concerns of student integrity, the remote proctoring industry burst on to the scene. Instead of students spending time and money traveling to a regional testing center, online proctoring allows them to take tests wherever and whenever they want.

(Next page: [Characteristics of good online proctoring](#))



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