

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

SERIAL NO. 75/486339	APPLICANT WORLEY CLAIMS SERVICES, INC.	PAPER NO.	
MARK WORLEY		ADDRESS: Assistant Commissioner for Trademarks 2900 Crystal Drive Arlington, VA 22202-3513 If no fees are enclosed, the address should include the words "Box Responses - No Fee." Please provide in all correspondence: 1. Filing Date, serial number, mark and Applicant's name. 2. Mailing date of this action. 3. Examining Attorney's name and Law Office number. 4. Your telephone number and ZIP code.	
ADDRESS RAYMOND GERARD AREAUX CARVER DARDEN KORETZKY TESSIER FINN BLOSSMAN & AREAUX LLC 2700 ENERGY CENTRE 1100 POYDRAS ST NEW ORLEANS LA 70163			ACTION NO. 01
			MAILING DATE 02/03/99
			REF. NO. 599.11808
FORM PTO-1525 (5-90) U.S. DEPT. OF COMM. PAT. & TM OFFICE			

PRIORITY ACTION

EXAMINING ATTORNEY	PERSON CALLED/INTERVIEWED	TELEPHONE NUMBER
Terria P. Hicks	Jonathan Pierce	(504) 585-3823
☒ TELEPHONE CALL	INTERVIEW DATE	☒ ATTORNEY
☐ PERSONAL INTERVIEW	January 26, 1999	☐ APPLICANT

CALL RECORD/NOTES

RE: Serial Number 75/486339

This case will be given priority as an amended case if Applicant or applicant's attorney responds to the requirements stated below within two months of the above mailing date. In any event, a proper response to this Priority Action must be received within SIX MONTHS from the mailing date stated above in order to avoid ABANDONMENT.

The assigned examining attorney has reviewed the referenced application and determined the following.

Refusal Mark is Primarily Merely A Surname

The applicant has applied to register the mark WORLEY. The examining attorney refuses registration on the Principal Register because the mark is primarily merely a surname. Trademark Act Section 2(e)(4), 15 U.S.C. Section 1052(e)(4); TMEP section 1211. The examining attorney must consider the primary significance of the mark to the purchasing public to determine whether a term is primarily merely a surname. *In re Kahan & Weisz Jewelry Mfg. Corp.*, 508 F.2d 831, 184 USPQ 421 (CCPA 1975). Please see the attached evidence from PHONEDISC, U.S.A.®, establishing the surname significance of the mark.

Registration Under Section 2(f)

An applicant may register a surname under Trademark Act Section 2(f), 15 U.S.C. Section 1052(f), by establishing acquired distinctiveness. The applicant may present any of the following to establish distinctiveness.

- (1) The applicant may rely on a claim of ownership of one or more prior registrations on the Principal Register for a mark which is the same as the mark in this application for the same or related goods. 37 C.F.R. Section 2.41(b); TMEP section 1212.04.

(2) The applicant may provide a statement that the mark has become distinctive of the applicant's services by reason of **substantially exclusive and continuous use in commerce by the applicant for the five years** next preceding the date of the statement. The applicant must verify this statement with an affidavit or a declaration under 37 C.F.R. Section 2.20. 37 C.F.R. Section 2.41(b); TMEP section 1212.05.

(3) The applicant may submit actual evidence of acquired distinctiveness. 37 C.F.R. Section 2.41(a); TMEP section 1212.06.

Declaration – Proper Form

The following is a properly worded declaration under 37 C.F.R. Section 2.20. At the end of the response, the applicant should insert the declaration signed by the appropriate officer.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that the facts set forth in this application are true; all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

(Signature)

(Print or Type Name and Position)

(Date)

If the applicant has any questions or needs assistance in responding to this Office action, please telephone the assigned examining attorney.



Terria P. Hicks
Trademark Examining Attorney
Law Office 108
(703) 308-9108 ext. 126

TELEPHONE LISTING SURNAME EVIDENCE

The attached listings of individuals with the surname at issue were obtained from
PHONEDISC POWERFINDER USA ONE 1998, 4th edition.

The listings making up the data base were gathered from address lists and telephone directories, and contain over **115 million** names, addresses, and phone numbers. The listings may contain a small number of duplicate listings for the same individual when the individual maintained two addresses or moved.

A total number of **10,252** residential listing(s) was/were found
for **WORLEY** on PHONEDISC.

The evidence attached includes either the entire listing from names with fewer than 100 matches or only the first 100 matches or only the first 100 matches as representative of the entire listings from the disc.

Search performed by: **Denise Walker** Date: **1 /27 /99**

WORLEY, 3501 PERSHING DR EL PASO, TX 79903-2731 915-566-3927
WORLEY, 1318 MADISON AVE CORBIN, KY 40701-1945 606-528-4463
WORLEY, A SPOKANE, WA 99201 509-325-9262
WORLEY, A IRVINE, CA 92602 714-552-7731
WORLEY, A RR 2 STRAFFORD, MO 65757-9802 417-736-2369
WORLEY, A 6908 NW 74 KANSAS CITY, MO 64152 816-741-0066
WORLEY, A 1300 AUGUSTA DR HOUSTON, TX 77057-2416 713-782-4689
WORLEY, A 1239 BAY AREA BLVD HOUSTON, TX 77058-2543 281-461-8547
WORLEY, A 1239 BAY AREA BLVD HOUSTON, TX 77058-2543 713-461-8547
WORLEY, A 207 CLOVER PL BUFFALO, NY 14225-3363 716-634-5430
WORLEY, A 5200 GOSHEN SPRINGS RD NORCROSS, GA 30093-2525 770-925-4517
WORLEY, A 6000 HODGEMAN DR CLEVELAND, OH 44130-2155 440-885-5361
WORLEY, A 3036 KELLY CIR MONTGOMERY, AL 36116-5261 334-284-8448
WORLEY, A 5500 LYONS RD POMPAÑO BEACH, FL 33073-2815 954-480-9151
WORLEY, A 1031 N MCKINLEY RD ARLINGTON, VA 22205-1619 703-534-4645
WORLEY, A 502 NUTLEY ST SW VIENNA, VA 22180-6252 703-281-4031
WORLEY, A 59 PINDALE DR BRIDGETON, NJ 08302-4904 609-453-1059
WORLEY, A 14300 SADDLEVALLEY LN ALPHARETTA, GA 30004-3255 770-475-4913
WORLEY, A 634 SUNNY SANDS RD ANTHONY, NM 88021-7422 505-824-0335
WORLEY, A 205 WHITE DR TALLAHASSEE, FL 32304-3087 850-574-1210
WORLEY, A 8797 COLLEGE AVE BERRIEN SPRINGS, MI 49103-1375 616-471-7168
WORLEY, A 42 COWLES AVE PLANTSVILLE, CT 06479-1105 860-621-8195
WORLEY, A 621 RAEMAR DR COLORADO SPRINGS, CO 80911-2649 719-390-9526
WORLEY, A 651 LILAC RD CASSELBERRY, FL 32707-5044 407-831-4604
WORLEY, A A MURPHY, NC 28906 704-644-5417
WORLEY, A A 11 GOSS TER LEWISTOWN, PA 17044-1945 717-248-7574
WORLEY, A B 3320 QUARTZ LN FULLERTON, CA 92831-2644 714-961-1763
WORLEY, A C ANCHORAGE, AK 99501 907-345-4083
WORLEY, A C 850 8TH ST IDAHO FALLS, ID 83401-4954 208-522-3370
WORLEY, A C 182 E HAMPTON WAY JUPITER, FL 33458-8148 561-743-5860
WORLEY, A C 81 PINE GROVE RD CARTERSVILLE, GA 30120-4081 770-386-2806
WORLEY, A C 6901 TERMINAL RD QUINTON, VA 23141-2427 804-932-4408
WORLEY, A C 1006 HIGH MEADOW DR CROWN POINT, IN 46307-5106 219-663-8718
WORLEY, A D 33701 S 640 RD GROVE, OK 74344 918-787-5397
WORLEY, A D 209 E 6TH ST LANCASTER, TX 75146-2520 972-227-5617
WORLEY, A D 451 SANDY MUSH RD MARSHALL, NC 28753-9197 704-683-2398
WORLEY, A D 6102 WILLARD NORRIS RD MILTON, FL 32570-8807 850-623-6754
WORLEY, A E RIVERSIDE, CA 92501 909-684-9381
WORLEY, A E 8812 CRESWELL RD SHREVEPORT, LA 71106-6214 318-861-1788
WORLEY, A F 2002 12TH ST LAKE CHARLES, LA 70601-6562 318-433-1569
WORLEY, A F 771 CHADWICK RD FAYETTEVILLE, NC 28301-2546 910-488-1673
WORLEY, A G YORBA LINDA, CA 92886 714-777-2705
WORLEY, A G 810 BELLEVUE RD NASHVILLE, TN 37221-2729 615-662-7898
WORLEY, A G 501 E WALNUT ST INDEPENDENCE, MO 64050-4018 816-836-2012
WORLEY, A H 202 AUTUMNDALE CIR MOBILE, AL 36611-1401 334-457-9945
WORLEY, A H 571 ANGLERS COVE RD KINGSTON, TN 37763-6153 423-376-1600
WORLEY, A H 112 LINCOLN DR FAYETTEVILLE, PA 17222-1010 717-352-2929
WORLEY, A J 3507 GROTE ST SW HUNTSVILLE, AL 35805-4909 205-539-2199
WORLEY, A J 1318 MADISON AVE CORBIN, KY 40701-1945 606-528-4463
WORLEY, A J MAPLE SPRINGS RD SYLVA, NC 28779 704-631-9200
WORLEY, A J MAPLE SPRINGS RD SYLVA, NC 28779 704-586-2267
WORLEY, A L SAN JOSE, CA 95110 408-227-2699
WORLEY, A L 3103 ACKLEN AVE NASHVILLE, TN 37212-3313 615-292-5356
WORLEY, A L 6285 FAIRCREST RD COLUMBUS, OH 43229-2124 614-899-0782
WORLEY, A L 1910 HOLLYWOOD DR LAWRENCEVILLE, GA 30044-3813 770-237-0246
WORLEY, A L 13900 NC HIGHWAY 50 HOLLY RIDGE, NC 28445-6562 910-328-6541
WORLEY, A L 1114 W LENOIR ST RALEIGH, NC 27603-1936 919-834-8508
WORLEY, A L 416 STONY CREEK DR DE SOTO, TX 75115-3233 972-224-3802
WORLEY, A M KINGSPORT, TN 37660 423-392-0128
WORLEY, A M 3234 VIPOND AVE SCRANTON, PA 18505-2956 717-346-8323
WORLEY, A M 409 ELMO BRISTOL, TN 37620 540-669-7094
WORLEY, A P 106 A P WORLEY DR CERRO GORDO, NC 28430 910-649-7489
WORLEY, A R LONE STAR, TX 75668 903-656-2718
WORLEY, A R 591 GENEVA DR MECHANICSBURG, PA 17055-5472 717-766-4843
WORLEY, A R 7439 E MEDINA AVE MESA, AZ 85208-4952 602-854-0847
WORLEY, A R 4353 POTTER ST PHILADELPHIA, PA 19124-4427 215-288-6739
WORLEY, A R 1121 STEVENS LN MOBILE, AL 36618-1715 334-344-6509
WORLEY, A S ANAHEIM, CA 92801 714-956-0247

WORLEY, A S 183 WORLEY LN WALHALLA, SC 29691-4753 864-638-6655
 WORLEY, A W 4659 S ERWIN DR MEMPHIS, TN 38117-1832 901-683-0239
 WORLEY, A W 707 GILLESPIE AVE CHARLOTTESVILLE, VA 22902-4902 804-295-2613
 WORLEY, A W 7850 US HIGHWAY 29 BUSINESS REIDSVILLE, NC 27320-8920 910-939-2155
 WORLEY, A W 105 ORCHARD CIR CUMMING, GA 30040-2734 770-887-2287
 WORLEY, A W 210 AMBER DR CANTON, NC 28716-7711 704-648-6362
 WORLEY, AARON 1130 S BOWMAN AVE HOLYOKE, CO 80734-2008 970-854-3469
 WORLEY, AARON C 1670 ROSEMARY ST DENVER, CO 80220-1958 303-377-9483
 WORLEY, AARON E 23006 139TH AVE JAMAICA, NY 11413-2817 718-528-1990
 WORLEY, ABBEY 306 S ORANGE ST HAMMOND, LA 70403-4366 504-429-1476
 WORLEY, ADA 5000 MICHIGAN AVE SAINT LOUIS, MO 63111-1720 314-351-2147
 WORLEY, ADA H 1244 ARBOR RD WINSTON SALEM, NC 27104-1135 910-722-5388
 WORLEY, ADA V 4783 NC HIGHWAY 194 S TODD, NC 28684-9434 910-877-3852
 WORLEY, ADAM 1205 TUSCARORA DR LOVELAND, OH 45140-2449 513-583-5497
 WORLEY, ADAM E 255 SHELARD PKWY MINNEAPOLIS, MN 55426-4904 612-540-0043
 WORLEY, ADDIE R 532 OLD BELLS FERRY RD NE ROME, GA 30161-8996 706-291-2847
 WORLEY, ADONICA 58498 E 42ND DR STRASBURG, CO 80136-8127 303-622-4668
 WORLEY, ADRIENNE 8001 NW 15TH MNR FORT LAUDERDALE, FL 33322-5410 954-475-1843
 WORLEY, AGNES H 2046 STONELEA ST PITTSBURGH, PA 15212-1723 412-766-4094
 WORLEY, AGNES T 1105 N SAINT MARYS ST BEEVILLE, TX 78102-3422 512-358-3201
 WORLEY, AIMEE 3648 NATURE WALK TRL SW MARIETTA, GA 30060 770-434-8391
 WORLEY, AL SUN CITY CENTER, FL 33573 813-634-7907
 WORLEY, AL BUTLER BRIDGE RD ARDEN, NC 28704 704-684-9409
 WORLEY, AL 3213 DONNELL ST GREENSBORO, NC 27405-3818 910-621-3719
 WORLEY, AL N52W35237 W LAKE DR OCONOMOWOC, WI 53066-3348 414-567-1715
 WORLEY, ALAN ALTUS, OK 73521 580-477-0639
 WORLEY, ALAN RENO, NV 89501 702-425-1414
 WORLEY, ALAN DIAMOND BAR, CA 91765 909-595-2627
 WORLEY, ALAN 1412 20TH AVE SEATTLE, WA 98122-2802 206-325-1739
 WORLEY, ALAN 5980 JAYS WAY MILTON, FL 32570-7809 850-626-9350
 WORLEY, ALAN 200 PIERSON LN WHITWELL, TN 37397-8000 423-658-9388
 WORLEY, ALAN 1060 PEACOCK DR BISHOP, GA 30621-1101 706-769-8592
 WORLEY, ALAN 103 RUBIN CT CARY, NC 27511-4872 919-462-0325
 WORLEY, ALAN 5901 WEBER RD CORPUS CHRISTI, TX 78413-4700 512-852-1780
 WORLEY, ALAN 11 W VIEW DR AKRON, PA 17501-1169 717-859-2683
 WORLEY, ALAN 364 MARKHAM DR SLIDELL, LA 70458-5232 504-649-2814
 WORLEY, ALAN 50 DERBYSHIRE DR JACKSON, TN 38305-3320 901-664-1937
 WORLEY, ALAN C 913 CHALK ST COPPERAS COVE, TX 76522-3643 254-547-9768
 WORLEY, ALAN J 4017 SOMERSET LN DOUGLASVILLE, GA 30134-5581 770-920-7887
 WORLEY, ALANN E 7888 S UNIVERSITY WAY LITTLETON, CO 80122-3300 303-694-2040
 WORLEY, ALBERT BEDFORD, VA 24523 540-586-6787
 WORLEY, ALBERT 735 1ST AVE W ROCK SPRINGS, WY 82901-7602 307-362-5769
 WORLEY, ALBERT 304 E PINE ST FAIRMONT, NC 28340-2032 910-628-6186
 WORLEY, ALBERT 151 COUNTY ROAD 82 ALBERTVILLE, AL 35951-3056 205-561-3514
 WORLEY, ALBERT 350 TOTTEN KIMBALL, WV 24853 304-585-7200
 WORLEY, ALBERT C 1223 PLYMOUTH AVE NASHVILLE, TN 37216-2211 615-228-8759
 WORLEY, ALBERT S 701 RIDGE RD N COUNCIL BLUFFS, IA 51503-0370 712-322-7259
 WORLEY, ALBERT T BEDFORD, VA 24523 540-586-4991
 WORLEY, ALBERT W BEAVERDAM RD CANTON, NC 28716 704-648-1242
 WORLEY, ALBERTA 103 E MCKENZIE ST FAIRMONT, NC 28340-1855 910-628-9572
 WORLEY, ALENE C 2109 TAR HEEL FERRY RD WHITE OAK, NC 28399-9668 910-866-4813
 WORLEY, ALETA 2600 N HUB DR INDEPENDENCE, MO 64055-2062 816-833-2826
 WORLEY, ALEX 12 CONESTOGA WAY GLASTONBURY, CT 06033-3304 860-659-8016
 WORLEY, ALEX C BEULAH CHURCH RD LEE, FL 32059 850-971-5088
 WORLEY, ALEXANDER M 16 HOMESTEAD ST BOSTON, MA 02119 617-442-9506
 WORLEY, ALEXIS 4451 TRACY AVE KANSAS CITY, MO 64110-1874 816-531-3978
 WORLEY, ALFRED 13262 C LINDALE, TX 75771 903-882-5024
 WORLEY, ALFRED G 11 WELLINGTON RD BUFFALO, NY 14225-4309 716-685-2792
 WORLEY, ALFRED M 6205 BOYKIN SPANIEL RD CHARLOTTE, NC 28277-8744 704-846-3045
 WORLEY, ALFRED M 5109 GARDENVUE AVE FORT WAYNE, IN 46809-1903 219-747-2761
 WORLEY, ALFREDA 5641 LANDFALL DR VIRGINIA BEACH, VA 23462-7705 757-490-0043
 WORLEY, ALICE 313 NE 11TH PL OCALA, FL 34470-5255 352-622-2582
 WORLEY, ALICE 1339 W 7TH ST CHESTER, PA 19013-3315 610-874-0856
 WORLEY, ALICE 535 JACKSON AVE BRONX, NY 10455-4315 718-292-3157
 WORLEY, ALICE 511 W K ST OGALLALA, NE 69153-1823 308-284-6210
 WORLEY, ALICE OKEEFE RD JACKSONVILLE, TX 75766 903-586-8565
 WORLEY, ALICE 3713 TOLLGATE TER FALLS CHURCH, VA 22041-1318 703-256-6262
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