

UNITED STATES DISTRICT COURT

for the

Northern District of Texas

GENERAL CONFERENCE CORPORATION OF
SEVENTH-DAY ADVENTISTS, a District of Columbia

Plaintiff

v.

JOE GRESHAM, STERLING TRICE, LINDA
TRICE, BILL MATHIS, GAY MATHIS, and JOHN DOE

Defendant

Civil Action No. 4:22-cv-00395-P

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Berean Church of Free Seventh-day Adventists, d/b/a International Association of
Free Seventh-day Adventists
Patrick M. Herbert, President and CEO
1340 Old Victron School Road
Hoschton, Georgia 30548

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Richard L. Schwartz
Whitaker Chalk Swindle & Schwartz, PLLC
301 Commerce St., Ste. 3500
Fort Worth, Texas 76102

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



CLERK OF COURT

Date: 9/12/2022

s/ T. Crowley

Signature of Clerk or Deputy Clerk

Civil Action No. 4:22-cv-00395-P

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Print**Save As...****Reset**

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

GENERAL CONFERENCE CORPORATION OF
SEVENTH-DAY ADVENTISTS, a District of
Columbia Corporation,

Plaintiff,

v.

JOE GRESHAM, STERLING TRICE, LINDA
TRICE, BILL MATHIS, GAY MATHIS, FORT
WORTH NW FREE SEVENTH-DAY ADVENTIST
CHURCH, BEREAN CHURCH OF FREE
SEVENTH-DAY ADVENTISTS, d/b/a
INTERNATIONAL ASSOCIATION OF FREE
SEVENTH-DAY ADVENTISTS, and JOHN DOES
1-20,

Defendants.

Case No. 4:22-cv-00395-P

PLAINTIFF'S FIRST AMENDED COMPLAINT

Plaintiff General Conference Corporation of Seventh-day Adventists (GCC) hereby sues Defendants Joe Gresham, Sterling Trice, Linda Trice, Bill Mathis, Gay Mathis, Fort Worth NW Free Seventh-day Adventist Church (Fort Worth Church), Berean Church of Free Seventh-day Adventists, d/b/a International Association of Free Seventh-day Adventists (IAFSDA), and John Does 1-20, and pursuant to Rule 8, Federal Rules of Civil Procedure, alleges as follows:

I.

INTRODUCTION

The Seventh-day Adventist Church has in excess of 92,000 Churches and a Church membership exceeding 21 million persons throughout more than 200 countries worldwide. It has a widespread evangelistic direction that is furthered by its extensive educational and humanitarian

health care ministries. Plaintiff General Conference Corporation of Seventh-day Adventists (GCC) is the trademark owner and enforcement arm of the General Conference of Seventh-day Adventists (the Seventh-day Adventist Church). This action is brought to obtain appropriate relief from Defendants Joe Gresham, Sterling Trice, Linda Trice, Bill Mathis, Gay Mathis, Fort Worth NW Free Seventh-day Adventist Church (Fort Worth Church), Berean Church of Free Seventh-day Adventists, d/b/a International Association of Free Seventh-day Adventists (IAFSDA), and John Does 1-20, who are collectively continuing the counterfeit and unauthorized use of Plaintiff GCC's federally registered and common law service marks and trademarks.

II.

JURISDICTION AND VENUE

1. This is an action for statutory trademark counterfeiting, trademark infringement, false designation of origin and unfair competition in violation of the Lanham Act, 15 U.S.C. Sections 1051, *et seq.*, and for dilution of famous marks under Texas law and the Lanham Act.

2. This Court has subject matter jurisdiction over this action pursuant to 15 U.S.C. §§ 1119 and 1121 and pursuant to 28 U.S.C. §§ 1331 and 1338, because this action presents questions arising under the trademark laws of the U.S. to which Congress has granted exclusive subject matter jurisdiction to the federal courts, and supplemental jurisdiction under 28 U.S.C. § 1367(a).

3. This Court has personal jurisdiction over Defendants in that Defendants have committed tortious acts in Texas and in this District. Further all Defendants (other than IAFSDA) reside in this District. Defendants (other than IAFSDA) have improperly represented to others that they are entitled to use the name "Fort Worth Northwest Seventh-day Adventist Church," when they are not. For example, Defendants (as a collective Plaintiff) in the name of the Fort Worth Northwest Seventh-day Adventist Church have brought suit in Tarrant County, Texas state court (in the 48th Judicial District, Cause No. 048-313499-19) seeking redress of certain actions of the

Texas Conference of Seventh-day Adventists and others. Upon information and belief, Defendants (other than IAFSDA) continue to have worship services, have church board meetings, publish church bulletins, and operate under the name Fort Worth Northwest Seventh-day Adventist Church, when in fact they have no such authorization from the Plaintiff. The Court has personal jurisdiction over IAFSDA because, at least, it issued a Certificate of Membership to the Fort Worth Church, on which the other Defendants rely for use of GCC's Marks, and is otherwise also believed to be active in Texas.

4. Venue is proper in this District pursuant to 28 U.S.C. Sections 1391(b) and (c) because this cause of action arises in substantial part out of the activities of Defendants in this District.

III.

PARTIES

5. Plaintiff General Conference Corporation of Seventh-day Adventists (GCC) is a corporation formed under the laws of the District of Columbia, having its principal office located at 12501 Old Columbia Pike, Silver Spring, Maryland 20904.

6. Defendant Joe Gresham is an individual residing at 6425 Welch Avenue, Fort Worth, Texas 76133.

7. Defendants Sterling Trice, and spouse Linda Truce, are individuals residing at 5816 Wimbledon Way, Fort Worth, Texas 76133.

8. Defendants Bill Mathis, and spouse Gay Mathis, are individuals residing at 1512 Long Avenue, River Oaks, Texas 76114.

9. Defendant Fort Worth NW Free Seventh-day Adventist Church is believed to be an unincorporated association consisting of the individual Defendants, among others. Its address is

632 N. Las Vegas Trail, White Settlement, Texas 76108, where it may be served.

10. Defendant Berean Church of Free Seventh-day Adventists, d/b/a International Association of Free Seventh-day Adventists (IAFSDA) is a California corporation, with its principal place of business at 1340 Old Victron School Road, Hoschton, Georgia 30548, and may be served there by service on its President and CEO, Patrick M. Herbert.

11. Defendants John Does 1-20 are believed to be additional potential Defendants residing in Tarrant County, Texas that are participants in the below identified infringing activities.

12. Defendants Joe Gresham, Sterling Trice, Linda Trice, Bill Mathis, Gay Mathis, Fort Worth Church, IAFSDA, and John Does 1-20 are collectively hereinafter referred to as “Defendants.”

IV.

BACKGROUND FACTS

A. The Structure and Organization of the Seventh-day Adventist Church and its Trademark Rights

13. The mission of the Seventh-day Adventist Church (the “Church”) is to fulfill the Gospel’s “commission of making disciples in all the world.” *See* Seventh-day Adventist Church Manual (“*Church Manual*”) (19th ed. 2015) at 116, 129-30; *see also* Matt. 28:18-20, Acts 1:8, Rev. 14:6-12. “The Church, individually and collectively, shares responsibility for ensuring that every church member remains part of the body of Christ.” *Church Manual* at 130.

14. The General Conference of Seventh-day Adventists (“the General Conference”) is the governing body of the Church. *Rayburn v. Gen. Conference of Seventh-day Adventists*, 772 F.2d 1164, 1165 (4th Cir. 1985). As described by one court, the General Conference “is the Seventh-day Adventist Church.” *Gen. Conference Corp. of Seventh-day Adventists v. Perez*, 97

F.Supp.2d 1154, 1156 (S.D. Fla. 2000). The General Conference vests all right, title and interest in and to all trademark and service mark rights of the General Conference and all associated goodwill in Plaintiff GCC. Plaintiff GCC is charged with the responsibilities of prosecuting, maintaining, licensing and enforcing such trademarks and service marks.

15. GCC is the owner of all right, title and interest in and to US Registration No. 1,176,153 registered November 3, 1981 for the mark "ADVENTIST", a true and accurate copy of which is attached hereto as Exhibit 1. This mark and registration are valid and subsisting.

16. GCC is the owner of all right, title and interest in and to US Registration No. 1,177,185 registered November 10, 1981 for the mark "SEVENTH-DAY ADVENTIST", a true and accurate copy of which is attached hereto as Exhibit 2. This mark and registration are valid and subsisting.

17. GCC is the owner of all right, title and interest in and to US Registration No. 1,218,657 registered November 30, 1982 for the mark "ADVENTIST", a true and accurate copy of which is attached hereto as Exhibit 3. This mark and registration are valid and subsisting.

18. All statutory and common law trademark and service mark rights in and to "Fort Worth Northwest Seventh-day Adventist Church" as associated with each of the above U.S. Registrations are hereinafter collectively referred to as "GCC's Marks".

19. Per General Conference Working Policy BA 40 Seventh-day Adventist Trademark Policy, Plaintiff GCC is authorized to license all such trademarks and to "revoke permission for the use of any trademarks that it owns at any time, with or without cause." BA 40 45 . In the event of unauthorized use of any such trademark, GCC may "implement trademark protection procedures." BA 40 50. The Plaintiff GCC reserves the right to initiate such legal action on its own in consultation with the divisions and other Church entities located where the unauthorized

use occurs. BA40 50.

20. Since the 1860's the Seventh-day Adventist Church has existed, growing to a membership of over 92,000 churches worldwide and a Church membership exceeding 21 million worldwide. In the Texas Conference alone, there are 256 authorized Seventh-day Adventist Churches having a Church membership in excess of 63,000.

B. Defendants' Actions

21. On or about August 7, 1982, the original Fort Worth River Oaks Seventh-day Adventist Church was formed and approved to perform all Church functions. By June 1990, the name was changed to the Fort Worth Northwest Seventh-day Adventist Church. At that time the Fort Worth Northwest Seventh-day Adventist Church was authorized by the Texas Conference of Seventh-day Adventists ("the Texas Conference") to use all of GCC's trademarks and service marks.

22. From 1992 to December 2018, Defendant Gresham served as an authorized pastor of the Fort Worth Northwest Seventh-day Adventist Church, last located at 2705 Biway, Fort Worth, Texas. As of about 2013, Defendant Gresham previously had retired, but nonetheless continued to pastor.

23. In December 2018, the Texas Conference terminated Defendant Gresham for noncompliance with conference and division policies.

24. Thereafter Defendants (other than IAFSDA) began meeting at 632 N. Las Vegas Trail, Fort Worth, Texas 76108, while continuing to use the counterfeit and infringing name "Fort Worth Northwest Seventh-day Adventists." Exemplar of such use is the fact that Defendants (as a Plaintiff) have filed a lawsuit in the name of the counterfeit and infringing "Fort Worth Northwest Seventh-day Adventist Church" in Tarrant County, Texas state court (in the 48th Judicial District,

Cause No. 048-313499-19) seeking redress of certain actions of the Texas Conference and others. True and accurate copies of the filed stamped copy of the first page of the original Petition dated November 22, 2019, The First Amended Petition dated May 15, 2020 and its Motion to File a Second Amended Petition dated February 7, 2022 are attached hereto as Exhibit 4. In each Petition, Defendants (as Plaintiff) claim that the Fort Worth Northwest Seventh-Day Adventist Church is a “religious non profit organization having its principal place of worship in Tarrant County, Texas.” Upon information and belief, Defendants use the counterfeit and infringing name of the “Fort Worth Northwest Seventh-day Adventist Church” in association with their religious services, church publications (*i.e.*, bulletins), board meetings, and minutes of same.

25. Defendants’ use of “Seventh-day Adventists” and “Adventists” is not licensed nor authorized by GCC, but rather such use was specifically terminated by April 2019 by letter from the Texas Conference.

26. Plaintiff does not seek to stop Defendants from meeting as a religious body, worshipping together, conducting services, or engaging in any of the normal activities of a church. Rather, it only seeks to prevent these individuals from using the marks “ADVENTIST” or “SEVENTH-DAY ADVENTIST”.

27. Defendant IAFSDA is a California corporation headquartered in Georgia which purports to have authority to certify membership in the “Free Seventh-Day Adventist Church.” Attached hereto as Exhibit 5 is the “Certificate of Membership” in the IAFSDA for the “Fort Worth NW Free Seventh-day Adventist Church” (a splinter group from the Fort Worth Northwest Seventh-day Adventist Church, with the splinter group located at the same 632 N. Las Vegas Trail, White Settlement [Fort Worth], TX 76108 address) stated to be for the period “June 2022 to June 2027.” However, IAFSDA does not have any right or license from GCC to license GCC’s

“ADVENTIST” or “SEVENTH-DAY ADVENTIST” Marks to the remaining Defendants, nor does it have any other basis or right to be using those marks in this geographic area. IAFSDA is using counterfeit and infringing marks.

V.

COUNT I

Federal Trademark Counterfeiting -15 U.S.C. § 1114 and 1117

28. GCC hereby re-alleges and incorporates by reference the allegations set forth above in Paragraphs 1 - 27.

29. GCC has never granted Defendants the authorization to use GCC’s Marks. Defendants have nevertheless used spurious designations that are identical with or substantially indistinguishable from GCC’s Marks in association with identical religious services and related goods (“Infringing Services”).

30. Defendants have intentionally used these spurious designations, knowing they are counterfeit, in connection with the promotion and offering of such Infringing Services. Defendants’ use of GCC’s Marks to promote, offer and provide their Infringing Services bearing the infringing trademarks was at all times and is currently without GCC’s authorization, license or consent. Defendants’ unauthorized use of GCC’s Marks on and in connection with Defendants’ promotion, offering and providing Infringing Services constitutes a use of GCC’s Marks in commerce.

31. Defendants’ unauthorized use of GCC’s Marks is likely to: (a) cause confusion, mistake and deception; (b) cause the public to believe that the Defendants’ Infringing Services are legitimate, and/or that the Infringing Services are authorized by, sponsored by or approved by GCC, or that Defendants’ are affiliated with, connected to, associated with or in some way related

to GCC; (c) resulting in Defendants unfairly benefiting from GCC's promotion, offering and providing its services; and (d) resulting in Defendants unfairly benefiting from GCC's reputation and GCC's Marks, all to the substantial and irreparable harm of the public, GCC, GCC's Marks, and the substantial goodwill they represent.

32. Defendants' acts constitute willful trademark counterfeiting in violation of Section 32 of the Trademark Act, 15 U.S.C. § 1114, making this an exceptional case.

33. By reason of the foregoing, Defendants are liable to GCC for (a) statutory damages as provided by 15 U.S.C. § 1117(c) of the Lanham Act and (b) reasonable attorneys' fees, investigative fees and prejudgment interest pursuant to 15 U.S.C. § 1117(a) and (b).

VI.

COUNT II

Federal Trademark Infringement – 15 U.S.C. Section 1114

34. GCC hereby re-alleges and incorporates by reference the allegations set forth above in Paragraphs 1- 27.

35. Without GCC's authorization, license, or consent, Defendants have knowingly used and continue to use in commerce GCC's Marks in connection with their Infringing Services. Defendants have used GCC's Marks with the knowledge of and intent to call to mind and create a likelihood of confusion with regard to and/or trade off the fame of GCC's Marks.

36. Defendants' use of GCC's Marks is likely to (a) confuse, mislead, or deceive potential or existing congregational members of the general public as to the origin, source, sponsorship, or affiliation of Defendants with GCC and their Infringing Services and related materials (b) is likely to cause such people to believe in error that Defendants have been authorized, sponsored, approved, endorsed, or licensed by GCC or that they are in some way affiliated with GCC.

37. GCC has no control over Defendants' use of GCC's Marks and cannot control the fact that Defendants (not Defendant IAFSDA) have used GCC's Marks to promote and identify their church as initially the Fort Worth Northwest Seventh-day Adventist Church, and subsequently as of June 2022 the Fort Worth NW Free Seventh-day Adventist Church. Defendant IAFSDA is not authorized by GCC to license any GCC Marks to the remaining Defendants. Therefore, GCC's reputation and goodwill have been and continue to be damaged – and the value of GCC's Marks are jeopardized by Defendants' continued use of GCC's Marks and colorable imitations thereof. Because of the likelihood of confusion between Defendants' initial use of the name Fort Worth Northwest Seventh-day Adventist Church and subsequent use of Fort Worth NW Free Seventh-day Adventist Church (as purportedly licensed by Defendant IAFSDA) and GCC's Marks, any objections or faults found with respect to Defendants' use will negatively reflect upon and injure the exceptional reputation that GCC has established for its services and related materials that it offers in connection with GCC's Marks. As such, Defendants are liable to GCC for infringement of GCC's Marks pursuant to 15 U.S.C. Section 1114.

38. Defendants acts as alleged herein have caused, and if not permanently enjoined will continue to cause, irreparable and continuing harm to GCC's Marks, religious institution and goodwill. GCC has no adequate remedy at law as monetary damages are inadequate to compensate GCC for the ongoing injuries caused by Defendants to GCC's Marks, reputation and goodwill.

39. Defendants' infringement of GCC's Marks is deliberate, willful, fraudulent, and constitutes a knowing use of GCC's Marks, so as to make this an exceptional case within the meaning of 15 U.S.C. Section 1117(a).

40. GCC is entitled to permanent injunctive relief as well as costs and reasonable attorney's fees pursuant to 15 U.S.C. Sections 1116 and 1117.

VII.

COUNT III

Federal False Designation of Origin/Unfair Competition — 15 U.S.C. § 1125

41. GCC hereby re-alleges and incorporates by reference the allegations set forth above in Paragraphs 1 - 27.

42. Defendants' use, promotion, offers to sell, and provide unlicensed Infringing Services violates Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a). GCC's Marks are federally registered and entitled to protection under both federal and common law.

43. Defendants' use of colorable imitations of GCC's Marks constitutes a false designation of origin that is likely to cause consumer confusion, mistake, or deception as to the origin, sponsorship, or approval of the Infringing Services by creating the false and misleading impression that the Infringing Services are authorized by, or otherwise associated with GCC.

44. Defendants' use of colorable imitations of the GCC's Mark has caused, and unless enjoined will continue to cause, substantial and irreparable injury to GCC for which GCC has no adequate remedy at law, including at least substantial and irreparable injury to the goodwill and reputation and/or quality associated with GCC's Marks.

45. Defendants' use of colorable imitations of GCC's Marks has been intentional and willful. Defendants' bad faith is evidenced at least by Defendants' use of a mark identical to GCC's Marks in association with its Infringing Services. GCC is entitled to injunctive relief and is also entitled to recover its costs, and reasonable attorneys' fees pursuant to 15 U.S.C. § 1125(a), 1116 and 1117.

VIII.

COUNT IV

Injunctive Relief under Texas Anti-Dilution Statute – Tex. Bus. & Com. Code § 16.103(a)

46. GCC hereby re-alleges and incorporates by reference the allegations set forth above in Paragraphs 1 - 27.

47. The owner of a mark that is famous and distinctive, inherently or through acquired distinctiveness, in this state is entitled to enjoin another person's commercial use of a mark or trade name that begins after the mark has become famous if use of the mark or trade name is likely to cause the dilution of the famous mark. Tex. Bus. & Com. Code § 16.103(a).

48. GCC's marks are famous and distinctive in this state, and Defendants' use of their counterfeit marks did not begin until after GCC's marks became famous and distinctive.

49. Therefore, GCC is statutorily entitled to enjoin Defendants from use of its marks in Texas, and requests such an injunction. *See Mott's LLP v. Comercializadora Eloro, S.A.*, 507 F. Supp. 3d 780, 787-88 (W.D. Tex. 2020).

IX.

COUNT V

Federal Trademark Dilution - 15 U.S.C. § 1125(c)(1)

50. GCC hereby re-alleges and incorporates by reference the allegations set forth above in Paragraphs 1 - 27.

51. The owner of a famous mark is be entitled to an injunction against another person who commences use of a mark or trade name in commerce that is likely to cause dilution by blurring or dilution by tarnishment of the famous mark, regardless of the presence or absence of actual or likely confusion, of competition, or of actual economic injury. 15 U.S.C. § 1125(c)(1).

52. GCC owns its marks, which are famous and distinctive. Defendants have commenced using marks in commerce which are diluting GCC's famous marks. The similarity between Defendants' marks and GCC's famous marks is giving rise to an association between the marks. This association is likely to impair the distinctiveness of GCC's famous mark or is likely to harm the reputation of GCC's famous mark.

53. Therefore, GCC is statutorily entitled to enjoin Defendants from use of its marks in the United States, and requests such an injunction. *See vonRosenberg v. Lawrence*, 412 F. Supp. 3d 612, 658-59 (D.S.C. 2019), appeal filed, No. 19-2163 (4th Cir. Oct. 23, 2019).

X.

GENERAL PRAYER FOR RELIEF

WHEREFORE, General Conference Corporation of Seventh-day Adventists respectfully prays for:

A. Judgment that Defendants have (i) willfully engaged in trademark counterfeiting in violation of 15 U.S.C. Section 1114 and 1117; (ii) willfully infringed GCC's Marks in violation of 15 U.S.C. §1114; (iii) willfully used false designations of origin and/or engaged in federal unfair competition in violation of 15 U.S.C. Section 1125(a); and (iv) diluted GCC's famous marks.

B. A permanent injunction against further counterfeiting, infringement, false designation of origin, federal unfair competition, and dilution directed against GCC's Marks by Defendants as a group, their agents, servants, employees, attorneys, and all persons in active concert or participation therewith;

C. A finding that this is an exceptional case in accordance with 15 U.S.C. Section 1117(a) and an award to GCC as the prevailing party of its reasonable attorneys' fees; and,

D. Such other and further relief as this Court deems just and proper.

Dated: August __, 2022

Respectfully submitted,

/s/ Richard L. Schwartz
Richard L. Schwartz
Whitaker Chalk Swindle &
Schwartz PLLC
301 Commerce St., Ste 3500
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Telephone: (817) 878-0500
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rschwartz@whitakerchalk.com

Todd R. McFarland (*Pro Hac Vice*)
Illinois Bar No. 6272690
General Conference of
Seventh-day Adventists
122501 Old Columbia Pike
Silver Spring, MDM 20904 6600
Telephone: (301) 680-6321
Fax: (301) 680-6329
mcfarland@gc.adventist.org

*Counsel for Plaintiff General Conference
Corporation of the Seventh-day Adventists*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on August __, 2022, in accordance with the parties' agreement and written consent to accept and effect service by email, I caused the foregoing document to be served via electronic mail to all counsel of record at the email addresses designated in the Court's CM/ECF system.

/s/ Richard L. Schwartz
Richard L. Schwartz

EXHIBIT 1

Int. Cls.: 16, 36, 41 and 42

Prior U.S. Cls.: 38, 100, 102 and 107

United States Patent and Trademark Office

Reg. No. 1,176,153

Registered Nov. 3, 1981

**TRADEMARK
SERVICE MARK**

Principal Register

ADVENTIST

The General Conference Corporation of Seventh-Day
Adventists (District of Columbia corporation)
6840 Eastern Ave., NW.
Washington, D.C. 20012

For: RELIGIOUS BOOKS, MAGAZINES,
PAMPHLETS, NEWSLETTERS, BROCHURES,
ENCYCLOPEDIAS, DICTIONARIES, COMMENTARIES,
FLIERS, BULLETINS, BOOKLETS
AND BIBLES, in CLASS 16 (U.S. Cl. 38).

First use 1861; in commerce 1861.

For: ESTABLISHMENT AND ADMINISTRATION OF
EMPLOYEE HEALTH CARE AND BENEFIT PROGRAMS
AND MEDICAL INSURANCE PROGRAMS, in CLASS 36
(U.S. Cl. 102).

First use 1973; in commerce 1973.

For: FILM PRODUCTION AND DISTRIBUTION
SERVICES, in CLASS 41 (U.S. Cl. 107).

First use 1894; in commerce 1894.

For: HEALTH CARE SERVICES—NAMESLY,
HOSPITAL, DENTAL, PHARMACEUTICAL,
NURSING HOME, AND MEDICAL LABORATORY
SERVICES, in CLASS 42 (U.S. Cl. 100).

First use 1860; in commerce 1860.

Ser. No. 261,132, filed May 7, 1980.

MARTIN MARKS, Primary Examiner

BRUCE A. TASSAN, Examiner

EXHIBIT 2

Int. Cls.: 16, 36, 41 and 42

Prior U.S. Cls.: 38, 100, 102 and 107

United States Patent and Trademark Office

Reg. No. 1,177,185

Registered Nov. 10, 1981

**TRADEMARK
SERVICE MARK
Principal Register**

SEVENTH-DAY ADVENTIST

General Conference Corporation of Seventh-Day
Adventists (District of Columbia corporation)
6840 Eastern Ave., NW.
Washington, D.C. 20012

For: RELIGIOUS BOOKS, MAGAZINES,
PAMPHLETS, NEWSLETTERS, BROCHURES,
ENCYCLOPEDIAS, DICTIONARIES, COMMENTARIES,
FLIERS, BULLETINS, YEARBOOKS,
BOOKLETS AND BIBLES, in CLASS 16 (U.S. Cl.
38).

First use 1861; in commerce 1861.

For: ESTABLISHMENT AND ADMINISTRATION
OF EMPLOYEE HEALTH CARE AND
BENEFIT PROGRAMS AND MEDICAL INSURANCE
PROGRAMS, in CLASS 36 (U.S. Cl. 102).

First use 1973; in commerce 1973.

For: EDUCATIONAL INSTRUCTION SERVICES
IN ACADEMICS AT GRADE SCHOOL,

HIGH SCHOOL AND COLLEGE LEVEL; FILM
PRODUCTION AND DISTRIBUTION SERVICES,
in CLASS 41 (U.S. Cl. 107).

First use 1894; in commerce 1894.

For: HEALTH CARE SERVICES—NAMELY,
HOSPITAL, DENTAL, PHARMACEUTICAL,
NURSING HOME, AND MEDICAL LABORATORY
SERVICES; CONDUCTING RELIGIOUS
OBSERVANCES AND MISSIONARY SERVICES,
in CLASS 42 (U.S. Cl. 100).

First use 1860; in commerce 1860.

Ser. No. 261,134, filed May 7, 1980.

MARTIN MARKS, Primary Examiner

BRUCE A. TASSAN, Examiner

EXHIBIT 3

Int. Cls.: 41 and 42

Prior U.S. Cls.: 100 and 107

United States Patent and Trademark Office

Reg. No. 1,218,657

Registered Nov. 30, 1982

SERVICE MARK

Principal Register

ADVENTIST

The General Conference Corporation of Seventh-Day
Adventists (District of Columbia corporation)
6840 Eastern Ave., NW.
Washington, D.C. 20012

For: EDUCATIONAL INSTRUCTION SER-
VICES IN ACADEMICS AT GRADE SCHOOL,
HIGH SCHOOL AND COLLEGE LEVELS, in
CLASS 41 (U.S. Cl. 107).

First use 1894; in commerce 1894.

For: RELIGIOUS OBSERVANCES AND MIS-

SIONARY SERVICES, in CLASS 42 (U.S. Cl. 100).

First use 1860; in commerce 1860.

Owner of U.S. Reg. Nos. 1,171,760, 1,172,224,
1,176,153 and 1,177,185.

Sec. 2(f).

Ser. No. 312,118, filed May 22, 1981.

CARLISLE WALTERS, Examining Attorney

EXHIBIT 4

048-313499-19

FILED
TARRANT COUNTY
5/15/2020 1:44 PM
THOMAS A. WILDER
DISTRICT CLERK

CAUSE NO. 048-313499-19

FORT WORTH NORTHWEST	§	IN THE DISTRICT COURT
SEVENTH-DAY ADVENTIST	§	
CHURCH,	§	
Plaintiff,	§	
	§	
vs.	§	48th JUDICIAL DISTRICT
	§	
TEXAS CONFERENCE OF	§	
SEVENTH-DAY ADVENTISTS,	§	
SOUTHWESTERN UNION	§	
CONFERENCE CORPORATION OF	§	
SEVENTH-DAY ADVENTISTS, TEXAS	§	
CONFERENCE ASSOCIATION OF	§	
SEVENTH-DAY ADVENTISTS, AND	§	
ALICE CASH	§	
Defendants.	§	TARRANT COUNTY, TEXAS

FIRST AMENDED PETITION & APPLICATION FOR INJUNCTIVE RELIEF

TO THE HONORABLE COURT:

Plaintiff Fort Worth Northwest Seventh-Day Adventist Church (“Plaintiff” of the “Fort Worth Church”) complains of Defendants Texas Conference of Seventh-day Adventists (the “Conference”), Southwestern Union Conference Corporation of Seventh-day Adventists (the “Union”), and Texas Conference Association of Seventh-Day Adventist (the “Association”), and Alice Cash (“Treasurer Cash”) (collectively referred to herein as “Defendants”), and files its first amended petition as follows:

I. DISCOVERY

1. Discovery in this case is being conducted in accordance with an Agreed Discovery Control Plan (Level 3).

EXHIBIT 5

INTERNATIONAL ASSOCIATION OF FREE SEVENTH-DAY ADVENTISTS
Certificate Of Membership

This is to certify that

Fort Worth NW Free Seventh-day Adventist Church

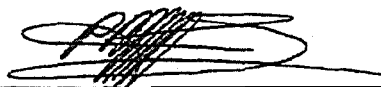
632 N. Las Vegas Trail, White Settlement, TX 76108

having met all the necessary requirements and conditions for membership in the
International Association of Free Seventh-day Adventists, has membership in this worldwide body

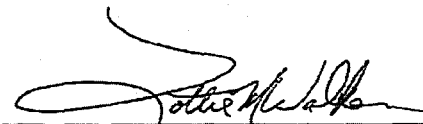
June 2022 to June 2027

and is therefore entitled to all the rights and privileges afforded to all member churches and ministries of this Association.

This certificate serves as license/permission for this church or ministry to be identified as a Free Seventh-day Adventist
entity, which seeks to promote the everlasting gospel of the Three Angels' Messages worldwide.



Patrick M. Herbert, Chairman of the Executive Committee



Lottie M. Walker, Secretary of the Executive Committee

*The International Association of Free Seventh-day Adventists is located in Barrow County in the state of Georgia, and is a registered dba of
Berean Church of Free Seventh-day Adventists, Inc., a California corporation incorporated in the year 1916.*

Certificate No. 06202201-01