

AN ORDINANCE **101066**

APPROVING A CONSENT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE SINCLAIR OIL CORPORATION REGARDING THE USE AND THE FEDERAL REGISTRATION OF THE TRADEMARK NAME "TOWER OF THE AMERICAS."

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WHEREAS, the City hired a consultant, Charles W. Hanor, P.C., to review and register trademarks (marks) on behalf of the City, including TOWER OF THE AMERICAS; and

WHEREAS, the Sinclair Oil Corporation ("Sinclair") is the owner of certain marks that contain the word AMERICA and this includes but is not limited to marks for LITTLE AMERICA, GRAND AMERICA, and THE AMERICAS that are used in providing resort hotel, restaurant and retail properties services; and

WHEREAS, Sinclair contacted the City to indicate that it would object to the City's registration of TOWER OF THE AMERICAS unless the City agreed to certain limitations in its use; and

WHEREAS, in order to avoid any challenge to its registration, the City negotiated a consent agreement with Sinclair; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

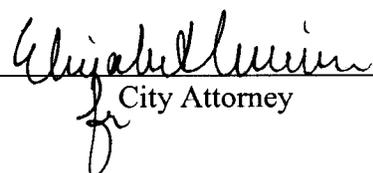
Section 1. The Interim City Manager, or his designee, is hereby authorized to execute the consent agreement attached hereto and incorporated herein for all purposes as Attachment I.

Section 2. This ordinance shall become effective on and after July 3, 2005.

PASSED AND APPROVED this 23rd day of June, 2005.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney