State of Florida

# Hublic Service Commission



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-M-E-M-O-R-A-N-D-U-M-

- DATE: APRIL 11, 2002
- TO: DIRECTOR, DIVISION OF THE COMMISSION ADMINISTRATIVE SERVICES (BAYÓ)
- FROM: DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT (KENNEDY) OFFICE OF THE GENERAL COUNSEL (L. FORDHAM)
- RE: DOCKET NO. 020178-TI PETITION FOR APPROVAL OF NAME CHANGE ON IXC CERTIFICATE NO. 2497 FROM AMERIVISION COMMUNICATIONS, INC. TO AMERIVISION COMMUNICATIONS, INC. D/B/A LIFELINE COMMUNICATIONS.
- AGENDA: 04/23/02 REGULAR AGENDA PROPOSED AGENCY ACTION -INTERESTED PERSONS MAY PARTICIPATE
- CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMP\WP\020178.RCM

#### CASE BACKGROUND

- February 15, 1991 AmeriVision Communications, Inc. (AmeriVision) obtained Florida Public Service Commission interexchange company (IXC) Certificate No. 2497.
- April 26, 2000 In Docket No. 000153-TI, the Commission issued Proposed Agency Action (PAA) Order No. PSC-00-0827-PAA-TI denying AmeriVision's request to change the name on its certificate from AmeriVision Communications, Inc. to AmeriVision Communications, Inc. d/b/a LifeLine Communications. Having received no protests, on May 19, 2000, the Commission issued Consummating Order No. PSC-00-0999-CO-TI making Order No. PSC-00-0827-PAA-TI final and effective.

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- April 25, 2001 Staff opened Docket 010591-TI to initiate cancellation of AmeriVision's IXC Certificate No. 2497 for the apparent violation of Commission Order No. PSC-00-0827-PAA-TI.
- May 23, 2001 The Commission issued PAA Order No. PSC-01-1170-PAA-TI to cancel AmeriVision's IXC Certificate No. 2497.
- November 2, 2001 The Commission received AmeriVision's proposed settlement to resolve the issues in Docket No. 010591-TI.
- February 25, 2002 The Commission issued Order No. PSC-02-0240-AS-TI accepting AmeriVision's settlement offer of \$5,000 payment into the General Revenue Fund to settle all issues in Docket No. 010591-TI. Further, the Commission ordered AmeriVision to file a petition for name change no later than March 1, 2002.
- March 1, 2002 AmeriVision filed a Petition for Approval of Name Change from AmeriVision Communications, Inc., to AmeriVision Communications, Inc. d/b/a LifeLine Communications (Attachment A).

The Florida Public Service Commission is vested with jurisdiction over this matter pursuant to Sections 364.01(4)(c) and 364.337, Florida Statutes. Accordingly, staff believes the following recommendations are appropriate.

#### DISCUSSION OF ISSUES

**ISSUE 1:** Should AmeriVision Communications, Inc.'s request for a name change on Certificate No. 2497 to AmeriVision Communications, Inc. d/b/a Lifeline Communications be granted?

<u>RECOMMENDATION</u>: Yes. The Commission should grant AmeriVision Communications, Inc.'s request to change the name on Certificate No. 2497 to AmeriVision Communications, Inc. d/b/a Lifeline Communications. The Order issued in this Docket should supersede Order No. PSC-00-0827-PAA-TI issued in Docket No. 000153-TI. (Kennedy/L. Fordham)

**STAFF ANALYSIS:** On April 26, 2000, the Commission issued PAA Order No. PSC-00-0827-PAA-TI denying AmeriVision's request to change the name on its certificate from AmeriVision Communications, Inc. to AmeriVision Communications, Inc. d/b/a LifeLine Communications.

On February 25, 2002, the Commission issued Order No. PSC-02-0240-AS-TI to accept AmeriVision's settlement offer in lieu of canceling the company's certificate for the apparent violation of Order No. PSC-00-0827-PAA-TI. Further, the Commission granted AmeriVision the opportunity to file a petition for a name change and ordered AmeriVision to file the petition no later than March 1, 2002. On March 1, 2002 AmeriVision filed a Petition for Approval of Name Change from AmeriVision Communications, Inc., to AmeriVision Communications, Inc. d/b/a LifeLine Communications (Petition).

In its Petition, AmeriVision offers nine reasons why the Commission should recognize that the company's business name, AmeriVision Communications, Inc. d/b/a LifeLine Communications, is in the public interest. The reasons, along with staff's comments, are summarized as follows:

1. The Petitioner provides that the company's name has been AmeriVision Communications, Inc. d/b/a LifeLine Communications under the laws of Florida since 1999.

Staff has verified that AmeriVision registered the fictitious name, LifeLine Communications, with the Florida Secretary of State, Division of Corporations, on December 7, 1999. Staff has attached a document (Attachment B) which verifies registration with the Division of Corporations. 2. The Petitioner provides that the company has provided IXC services in Florida for twelve years and its record of regulatory compliance is exemplary. AmeriVision believes that there has never been a consumer complaint related to the use of its fictitious name or service mark.

Staff notes that the company obtained its IXC certification in 1991. Since July 1999, a total of eleven consumer complaints have been filed with the Commission. Of these complaints, the Division of Consumer Affairs closed five of the complaints as apparent rule violations. None of the complaints were related to the company's use of the fictitious name, LifeLine Communications.

 The Petitioner provides that the company markets to church and faith-based organizations, and the service mark LifeLine connotes spiritual support, not financial subsidy.

Staff has conducted research on the Internet and has listened to radio advertisements that indicate the company's primary market initiatives are church and faith-based organizations. Staff notes that churches and faith-based organizations share in the proceeds from the company's sales of IXC telecommunications services.

4. The Petitioner provides that the company has used its service mark alongside the Federal Lifeline Assistance Program for fourteen years without customer confusion.

Staff determined that the company has advertised on radio using the fictitious name LifeLine Communications for at least four years in Florida, and based on the lack of complaints, without any apparent consumer confusion regarding the company's fictitious name and the Federal Lifeline Assistance Program. AmeriVision provides IXC telecommunications services and the Federal Lifeline Assistance Program relates to local exchange services. Staff believes that any consumer confusion could be readily remedied if the company's customer service representatives are appropriately trained. The service representatives should be trained to direct a consumer to call a local exchange company when a consumer's inquiry relates to the Federal Lifeline Assistance Program and local exchange services. 5. The Petitioner provides that commerce appears to favor more rather than fewer uses of the mark "Lifeline." Lifeline appears in approximately 110 current marks on the Principal Register and most of the entities that own these marks do business in Florida.

Staff provides Attachment C, obtained from the United States Patent and Trademark Office's website. Attachment C lists more than 100 active uses of the Lifeline trademark or service mark.

6. The Petitioner provides that federal statutes favor use of protected service marks and the company's service mark is protected under the Lanham Act, 15 U.S.C.§§ 1051-1127. AmeriVision provides that service marks are secured by statutory and common law because their use promotes the economy, which is in the public interest.

Staff acknowledges that service marks and trademarks are protected under the Lanham Act and that promotion of the economy is in the public interest. However, staff believes that the Commission did not deny AmeriVision the use of its service mark, LifeLine, but instead denied AmeriVision the use of its fictitious name LifeLine Communications. The Commission's actions were clearly demonstrated in Order No. PSC-02-0240-AS-TI.

7. The Petitioner provides that Chapter 495, Florida Statutes, which codifies the state common law, provides protections similar to that of the Lanham Act. The company believes that the Florida Statutes secure marks because their use is in the public interest.

Staff response is the same as provided in paragraph 6.

8. The Petitioner provides that the common law favors use of protected marks. In <u>El Modelo Cigar Mfg. Co. v. Gato</u>, 7 So. 23 (1890), The Florida Supreme Court stated that "Every manufacturer has the unquestionable right to distinguish the goods that he manufactures and sells by a particular label, symbol or trademark..." AmeriVision asserts that the same is true of marks that apply to services.

Staff believes the Commission's Order No. PSC-00-0827-PAA-TI denied the company the use of the fictitious name, but did not deny

the company the use of its registered service mark. Staff believes that the company should have been using its certificated name regardless of whether or not it used a registered service mark.

9. The Petitioner provides that thirty-two other companies use "Lifeline" in their fictitious name without impairing the Federal Lifeline Assistance Program. The company believes that AmeriVision's use of the name LifeLine offers no greater chance of confusion with the Federal Lifeline Assistance Program than the other companies that operate in Florida using Lifeline in their fictitious names.

Staff provides Attachment D, which is a list of companies, registered with the Division of Corporations, using Lifeline as part of their fictitious name. Staff believes that the company's argument has merit; however, LifeLine coupled with Communications may potentially cause confusion for some consumers. Nevertheless, based on a review of consumer complaints filed with the Commission's Division of Consumer Affairs, no consumer has, to date, expressed confusion or concern about AmeriVision's use of the fictitious name LifeLine Communications.

In Section B of its Petition, AmeriVision concludes that the Commission based its concerns on AmeriVision's fictitious name and service mark, creating customer confusion with respect to the Federal Lifeline Assistance Program, solely on the similarity of the names. AmeriVision offers that there is no credible threat to the public welfare from AmeriVision's use of its fictitious name LifeLine Communications. In Order No. PSC-02-0240-AS-TI, the Commission provided the company an opportunity to file a petition for name change, allowing the company an opportunity to present its case.

Staff believes it important that not only AmeriVision, but all companies regulated by the Commission, should be aware that adding a fictitious name to a tariff is synonymous with adding a fictitious name to a Certificate of Public Convenience and Necessity. Staff also stresses that the Commission's rules require that companies use their certificated names in marketing and on bills. These rules were established to ensure that the public, as well as Commission staff, is keenly aware of the provider of services regulated by the Commission.

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Staff concurs with the Petitioner's suggestion that the likelihood of consumer confusion over the fictitious name LifeLine Communications with that of the Federal Lifeline Assistance Program will likely be minimal. Based on this alone, without addressing the Petitioner's legal arguments, staff recommends that the Commission should grant AmeriVision Communications, Inc.'s request to change the name on Certificate No. 2497 to AmeriVision Communications, Inc. d/b/a Lifeline Communications.

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**ISSUE 2**: Should this docket be closed?

**<u>RECOMMENDATION</u>**: If no person whose substantial interests are affected by the Commission's Proposed Agency Action, files a protest within 21 days of the issuance date of the order, this docket should be closed upon issuance of a Consummating Order. (L. Fordham)

**STAFF ANALYSIS:** This docket should be closed, upon issuance of a Consummating Order, if no person whose substantial interests are affected by the Commission's Proposed Agency Action, files a protest within 21 days of the issuance date of the order.

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for Approval of Name Change from AmeriVision Communications, Inc., to AmeriVision Communications, Inc. d/b/a LifeLine Communications DOCKET NO .: 020178-77

FILED: March 1, 2002

#### PETITION

AmeriVision Communications, Inc. ("AmeriVision") hereby petitions the Florida Public Service Commission to approve to the extent necessary a name change from AmeriVision Communications, Inc., to AmeriVision Communications, Inc. d/b/a LifeLine Communications. The name change is requested to reflect AmeriVision's use of the name LifeLine Communications as its fictitious name and the registration of its name with the Secretary of State.

#### I. Introduction

AmeriVision believes that the Commission is obligated to recognize the change in its business name consistent with the Company's business name as registered with and approved by the Secretary of State. In short, AmeriVision believes that the Commission's duties in this regard are ministerial rather than substantive. Nevertheless, AmeriVision recognizes that the Commission does have a legitimate interest in promoting both consumer welfare and fair competition in regulating competitive carriers. AmeriVision further understands that the Commission wishes to consider these interests in addressing the approval of this petition. Without acquiescing in the proposition that the Commission's duty here is more than ministerial, AmeriVision welcomes the opportunity to address in this petition the Commission's concerns. DOCUMENT NUMBER-DATE

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#### II. <u>Discussion</u>

The Commission's major concern is that allowing AmeriVision to use "LifeLine Communications" as either a fictitious name or a service mark may lead to confusion among Florida consumers who are the target of the Federal Lifeline Assistance program. Because of this the Commission is apparently concerned that recognizing the fictitious name might not be in the public interest.

There has been no demonstration that AmeriVision's lawful use of its fictitious name and service mark would be contrary to the public interest, nor can there be. Moreover, AmeriVision believes that the public interest is best served by allowing commercial free speech in the market place. And still further, AmeriVision enjoys the constitutional right to commercial free speech, which right may not be abridged through prior restraint except under very narrow circumstances. These points are briefly addressed below.

#### A. <u>AmeriVision's Use of LifeLine Communications as a fictitious name and a</u> service mark is in the public interest

Commission recognition of the Company's business name as "AmeriVision Communications, Inc. d/b/a LifeLine Communications" is in the public interest for at least nine basic reasons:

Reason #1. It really is the Company's name. "AmeriVision Communications, Inc. d/b/a LifeLine Communications" has been the Company's business name under the laws of Florida since 1999. It is in the public's interest to allow a company to use its name.

#### ATTACHMENT A

#### DOCKET NO. 020178-TI DATE: APRIL 11, 2002

Reason #2. AmeriVision has a stellar record. AmeriVision has been successfully providing interexchange telecommunications services in Florida for twelve years. Its record of regulatory compliance is exemplary. For example, last year there were only four complaints filed with the Commission. AmeriVision enjoys a similar record throughout the nation. It has proved that it provides service in a manner that promotes customer satisfaction, not confusion. To the best of AmeriVision's knowledge, there has never been a consumer complaint related to the use of its fictitious name or service mark.

#### Reason #3. AmeriVision's markets to church and faith-based

organizations. AmeriVision markets to churches and faith-based organizations under the fictitious name and service mark "LifeLine Communications." This market demands the highest standards of performance and ethics. Moreover, in this context the service mark "LifeLine" connotes spiritual support, not financial subsidy.

Reason #4. AmeriVision has used its service mark LifeLine Communications alongside the federal program for fourteen years without customer confusion. There is no basis in fact to conclude that continued use will undermine any legitimate policy objective of the Federal Lifeline Assistance Program in the State of Florida.

Reason #5. Commerce appears to favor more rather than fewer uses of the mark "Lifeline." "Lifeline" appears in approximately 110 current marks on the Principal Register. Most, of the entities who own these marks do business in Florida. The term "Lifeline" appears in over 100 other marks that have lapsed.

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interest.

Reason #6. Federal Statutes favors use of protected service marks. AmeriVision's service mark is fully secured by the Lanham Act. Its first use in commerce is documented as June 28, 1988. AmeriVision registered the service mark Lifeline with the U.S. P.T.O. on January 26, 1993 (Registration No. 1748831). It is, therefore, entitled to all of the protection available under the Lanham Act, 15 U.S.C.§§ 1051-1127. It has acquired the right to use the mark nationwide, including in Florida, limited only by the prior use of others, if any. Service marks are secured by statutory and common law because their use promotes the economy which is in the public

Reason #7. State statute favors use of protected marks. Chapter 495, Florida Statutes, which codifies the state common law, provides protections similar to that of the Lanham Act. State statute thus secures marks because their use is in the public interest.

Reason #8. The common law favor use of protected marks. Common law rights in marks have always been recognized in Florida. <u>Crown Central Petroleum</u> <u>Corp. v. Standard Oil Co.</u>, 135 So.2d 26 (1<sup>st</sup> DCA 1961). Over one hundred years ago the Supreme Court Florida recognized a company's right to use protectable marks. In <u>El Modelo Cigar Mfg. Co. v. Gato</u>, 7 So. 23 (1890), the Court stated that "Every manufacturer has the unquestionable right to distinguish the goods that he manufactures and sells by a particular label, symbol or trademark ....." The same is true of marks that apply to services.

Reason #9. Thirty-two other companies use "Lifeline" in their fictitious name without impairing the Federal Lifeline Assistance Program. More than thirty

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other corporations registered to do business in Florida use "Lifeline" in their fictitious names. There is no apparent reason to believe that the likelihood of confusion with the Federal Lifeline Assistance Program is materially greater with AmeriVision's use of its fictitious name than the use by at least some of the other corporations of fictitious names including "Lifeline."

#### B. <u>As A Matter Of Constitutional Law AmeriVision Is Entitled To The Use Of Its</u> Service Mark LifeLine Communications Without Prior Restraint

The Commission has concerns that AmeriVision's fictitious name and service mark may create customer confusion with respect to the Federal Lifeline Assistance Program. These concerns, however, are apparently based solely on the similarity of the names. To the best of AmeriVision's knowledge, the Commission has taken no steps to validate those concerns. For example, the Commission did not investigate the facts and it did not research the law or even analyze the situation. Rather the Commission simply issued a proposed agency action the purpose of which was to deny AmeriVision continued use of its fictitious name and service mark until AmeriVision could persuade the Commission that the exercise of its constitutional right to commercial free speech would not confuse customers about a federal subsidy program. The Commission's actions in this regard do not pass constitutional muster.

In <u>Central Hudson Gas & Electric Corporation v. Public Service Commission of</u> <u>New York</u>, 447 U.S. 557 (1980), the U.S. Supreme Court stated that the First Amendment, as applied to the states through the Fourteenth Amendment, protects commercial speech from unwarranted governmental regulation.<sup>1</sup> 447 U.S. at 561.

<sup>&</sup>lt;sup>1</sup> The Court further stated that:

Commercial expression not only serves the economic interest of the speaker, but also assists consumers and furthers the societal interest in

Earlier in Virginia State Board of Pharmacy v. Virginia Citizens Consumer Council, 425

U.S. 748 (1976), the Court had stated that:

Our question is whether speech which does "no more than propose a commercial transaction," (citation omitted), is so removed from any "exposition of ideas," (citation omitted), and from " 'truth, science, morality, and arts in general, in its diffusion of liberal sentiments on the administration of Government," (citation omitted), that it lacks all protection. Our answer is that it is not.

425 U.S. at 762.

In Central Hudson, the Court developed a four-part analysis in commercial

speech cases.

At the outset, we must determine whether the expression is protected by the First Amendment. For commercial speech to come within that provision, it at least must concern lawful activity and not be misleading. Next we must ask whether the asserted governmental interest is substantial. If both inquiries yield positive answers, we must determine whether the regulation directly advances the governmental interest asserted, and whether it is not more extensive than necessary to serve that interest.

447 U.S. at 566-67.

First, without a question, AmeriVision's use of its service mark (or fictitious name)

LifeLine Communications is not involved with any activity that is unlawful. Neither is its

use demonstrably misleading or confusing. Although the Commission concluded in

the fullest possible dissemination of information. In applying the First Amendment to this area, we have rejected the" highly paternalistic" view that government has complete power to suppress or regulate commercial speech. "[P]eople will perceive their own best interests if only they are well enough informed, and ... the best means to that end is to open the channels of communication rather then to close them." (citations omitted) 447 U.S. at 562.

Order No. PSC-PSC-00-0827-PAA-TI, that the use was unduly confusing with the Federal Lifeline Assistance Program, its conclusion was based entirely on a supposition. It considered no evidence of consumer confusion. Such evidence does not exist.

The State of Florida does have a substantial interest in promulgating regulations that protect consumers from activities of telecommunications service providers with the potential to harm them. For example, section 364.01 (3), Florida Statutes, provides that "The Legislature further finds that the transition from monopoly provision of local exchange services to the competitive provision thereof will require appropriate regulatory oversight to protect consumers and provide for the development of fair and effective competition ....." Moreover, section 364.27, Florida Statutes, empowers the Commission to investigate rules of practice in relation to interstate telecommunications services that violate federal statutes. Section 201 of the Communications Act of 1934 provides that all charges, practices, classifications, and regulations of interstate service be just and reasonable.

However, a prior restraint in this instance will not directly advance the state's interests. In <u>Beckwith v. Department of Business and Professional Regulation, Board of</u> hearing Aid <u>Specialists</u>, 667 So.2d 450 (1<sup>st</sup> DCA 1996), the Court stated that:

But the First Amendment right to engage in commercial speech may not be so significantly limited on mere speculation that such behavior might *possibly* occur. As the United States Supreme Court has explained, Central Hudson's second prong "is not satisfied by mere speculation and conjecture; rather a governmental restriction on commercial speech must demonstrate that the harms it recites are real and that its restriction will in fact alleviate

them to a material degree." *Rubin* [v. Coors Brewing Co.], 514 U.S. 476 [,\_\_\_] (1995) (quoting *Edenfield* [v. Fane], 507 U.S. at 770-771 [(1993)].

As already noted, there is no evidence in the record of Docket No. 000153-TI or Docket No. 010591-TI, or otherwise before the Commission, that would support a conclusion that AmeriVision's use of the fictitious name LifeLine Communications has resulted or will result in consumer confusion with the Federal Lifeline Assistance Program. There have been no studies. There is no anecdotal evidence. There have been no consumer complaints. AmeriVision has used this fictitious name and service mark in Florida and extensively elsewhere in the nation for at least fourteen years without confusing or misleading consumers. Furthermore, it is difficult to see what harm would come to the rare consumer who might confuse AmeriVision's use of the fictitious name LifeLine Communications with the Federal Lifeline Assistance Program. Any such confusion would be quickly cleared up with a simple inquiry.<sup>2</sup>

Thus the link between a prior restraint and the public welfare is tenuous and indirect here. There is no credible threat to the public welfare from AmeriVision's use of its fictitious name LifeLine Communications. The Commission makes no showing of harms that are real in AmeriVision's use of its service mark, and can make no such showing. There is no harm to be averted.

Because the Commission cannot assert that a substantial state interest is directly advanced by denying AmeriVision's request for the name change, it is unnecessary to

<sup>&</sup>lt;sup>2</sup> Indeed, consumers experiencing this "confusion" may benefit. Upon inquiry, they are likely to be readily provided with the information needed to make contact with the Federal Lifeline Assistance Program, which might otherwise elude them.

address whether the suppression of speech caused by the Commission's denial is no more than necessary to further the state's interest.

#### C. AmeriVision's Gesture of Good Faith

AmeriVision is troubled that despite its explanations to the contrary, there is still concern that it knowingly disregarded the Commission's wishes and ignored the concerns expressed at agenda conference about customer confusion. To reiterate briefly, no one at AmeriVision was even aware that the use of "LifeLine Communications" was an item at the agenda where it was considered. AmeriVision was completely unaware of discussions of this issue at the agenda. Again, when AmeriVision received the PAA order denying the name change request, the regulatory director in good faith thought it related to the tariff that had been withdrawn months earlier. Despite these representations and its excellent record of regulatory compliance, AmeriVision has found itself being portrayed as arrogantly indifferent to the Commission's concerns about the public interest. AmeriVision is not only chagrined by this, but also troubled that its good working relationship with the Commission has suffered. AmeriVision wishes to repair that relationship.

AmeriVision recognizes the Commission's concern that by allowing this petition (rather than proceeding to hearing in the show cause docket), it might be agreeing to dilatory tactics. This is one reason AmeriVision agreed to quickly file the petition. Moreover, AmeriVision appreciates the good faith on the Commission's part. To further alleviate the Commission's concerns and as a gesture of its own good faith, the Company will include in all marketing and sales materials and efforts an appropriate

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disclosure that telecommunications service is being provided by "AmeriVision Communications, Inc."

So that the Commission will appreciate the sweep of this commitment, this disclosure will be made, for example, in radio broadcasts, television broadcasts, print ads, and telephone scripts. Moreover, because AmeriVision's marketing and sales operations are centrally generated and managed, AmeriVision must *do this nationally to accommodate Florida locally.* Still further, AmeriVision will meet with the Commission staff to discuss these disclosures and will attempt to accommodate changes suggested by staff, if any. It is AmeriVision's intention to continue this approach during the pendency of this case. AmeriVision trusts that the Commission will appreciate AmeriVision's efforts in this regard, as well as the positive intent.

#### III. Conclusion

For the reasons stated above, AmeriVision respectfully requests that the Commission approve this petition on an expedited basis.

Respectfully submitted this 1st day of March 2002.

Patrick K. Wiggins UVKatz, Kutter, Alderman, Bryant & Yon. P.A. 106 E. College Avenue, 12<sup>th</sup> Floor Tallahassee, Florida 32301 Telephone: 850 224 9634 Facsimile: 850 222 0103 email: pkwiggins@katzlaw.com

Counsel for AmeriVision Communications, Inc.

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14	41 75731336		LIFELINE HEALTH LETTER	LIVE	-
4	42 75700473		LIFELINE MD	LIVE	-
4	43 75677623	2392969	LIFELINE	LIVE	
12	44 75677539		KEYNOTE LIFELINE	DEAD	
4	45 <u>75677538</u>		LIFELINE	DEAD	
14	46 75677537	2395117	KEYNOTE LIFELINE	LIVE	
4	47 75662515		LIFELINE PERSONAL RESPONSE AND SUPPORT SERVICES	LIVE	
Ī	48 75657370	2329131	THE LIFELINE TOP	LIVE	
F	49 75640242		FLEXIBLE LIFELINE SYSTEMS	DEAD	_
Ì	50 75639837		BV-LIFELINE	LIVE	

PTO HOME TRADEMARK TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT PREV LIST NEXT LIST TOP HELP

	Serial Number	Reg. Number	Word Mark	Live/Deac Indicator
51	75625111		QUALITY OF LIFELINE	DEAD
52	75585465		LIFELINE	LIVE
53	75585464		LIFELINE AUTOMOTIVE EMERGENCY KIT	LIVE
54	75584139		LIFELINE TO THE MOBILE PROFESSIONAL	DEAD
55	75565804		LIFELINE	LIVE
56	75560736		LIFELINE	DEAD
57	75540526		LIFELINE TO THE MOBILE PROFESSIONAL	DEAD
58	75504620		LIFELINES	LIVE
59	75490803		LIFELINE	DEAD
60	75454039	2230767	LIFELINE	LIVE
61	75395416		LIFELINES	DEAD
62	75388219	2266364	LIFELINE PLANNING	LIVE
63	75360200		LIFELINE MEDICAL CENTERS	DEAD
64	75357243	2337079	MEDLINK LIFELINE	LIVE
65	75353567		LIFELINE MEDICAL ASSOCIATES	DEAD
66	75338549	2193625	LIFELINE	LIVE
67	75329561	2193565	LIFELINE	LIVE
68	75323649		MOSBY LIFELINE	DEAD
69	75317944		LIFELINE	DEAD
70	75313927		LIFELINE	DEAD
71	75301180	2233387	LIFELINE	LIVE
72	75300079	2167529	YOUR BABY'S LIFELINE	LIVE
	IN FRANCISCO	0000110	ISS OF DOT A VIDEN AND	17 17 175

U.S. Trademark Electronic Search System (TESS)

TESS was last updated on Sat Feb 2 04:29:26 EST 2002

Start List At: \_\_\_\_\_OR Jump to record: \_\_\_\_\_226 Records(s) found (This page: 51 ~ 100)

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Logout Please logout when you are done to release system resources allocated for you.

73 75291351 PROJECT LIFELINE LIVE 2282460 74 75291274 2147819 PROJECT LIFELINE LIVE 75 75285850 LIFELINES LIVE 2246561 76 75262342 LIFELINE LIVE 2186831 77 75164323 2168326 AWHONN LIFELINES LIVE 78 75155967 LIFELINE COUNSELING ASSOCIATES, INC. LIVE 2130035 79 75154063 2179191 MCI LIFELINE LIVE 80 75152090 DEAD LIFELINE 81 75061103 LIFELINE DEAD 82 75042596 2066537 COMPUTER LIFELINE LIVE 83 75037251 2015756 LIFELINE LIVE

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ATTACHMENT C k4s1.2.51

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DOCKET NO. 020178-TI DATE: APRIL 11, 2002

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	CKET NO. ( E: APRIL 1		$\cup$ $\downarrow$	ATTACHMENT C	q5k4sl.2.51
84	75037250	2020879	APC LIFELINE	LIVE	1
85	75036098		LIFELINE	DEAD	
86	75030698		LIFELINE	DEAD	
87	75028732		LIFELINE BIOMEDICAL EQUIPMENT SERVICES	, INC. DEAD	
88	75017127		LIFELINE ORTHOPEDIC PRODUCTS LTD.	DEAD	
89	75012194	_	WHEN EVERY SECOND COUNTS LIFELINE INTERNATIONAL MANAGEMENT ENTERPRISES	DEAD	
90	75008657	2070672	LIFELINE	LIVE	
91	74421476	1871503	LIFELINE	DEAD	
92	74101169	1666113	STUDENT LIFELINE	LIVE	
93	74030414	1661187	LIFELINE HOME HEALTH CARE	LIVE	
94	74037814	1672929	LIFELINE	LIVE	
95	74802769	1965991	MOSBY LIFELINE	LIVE	
96	74801451	2133058	MOSBY LIFELINE	LIVE	

PTO HOME TRADEMARK TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT PREV LIST NEXT LIST TOP HELP

MOSBY LIFELINE

LIFELINE FIRST AID

THE LIFELINE PROGRAM

LIFELINE

LIFELINE

2133058

2076840

2079930

2101946

2015151

96 74801451

97 74735282

98 74714698

99 74713540

100 74711347

LIVE

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DATE: APRIL 11, 2002

Rec DOCKET NO. 020178-TI

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**Refine Search** 

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PTO HOME TRADEMARK TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT PREV LIST NEXT LIST BOTTOM HELP

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Start	List At:	OR Jum	to record:	226 Records(s) found (This page: 101 ~150)
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(lifeline) [COMB]

Current Search: S1: (lifeline)[COMB] docs: 226 occ: 482

	Serial Number	Reg. Number	Word Mark	Live/Dead Indicator
101	74697444		PRO LIFELINE	DEAD
102	74693009		LIFELINES	DEAD
103	74684591		LIFELINES	DEAD
104	74671405	2034420	NORTHWEST LIFELINE	LIVE
105	74658297	2029253	FLOLAN LIFELINE	LIVE
106	74658210		FLOLAN LIFELINE	DEAD
107	74648528		LIFELINE THERAPEUTIC COMMUNITY	DEAD
108	74634177	1	LIFELINE CREDIT REPORT	DEAD
109	74617793	1	LIFELINE	DEAD
110	74585792	1	LIFELINE	DEAD
111	74563370		E911 LIFELINE	DEAD
112	74558386	2072160	LIFELINE	LIVE
113	74546783	1904522	LIFELINES	LIVE
114	74533885	1907743	LIFELINES	LIVE
115	74522981	-	LIFELINE	DEAD
116	74513122		RED CAR LIFELINE EMERGENCY MEDICAL INFORMATION	DEAD
117	74493092	1886307	LIFELINE FOUNDATION INCORPORATED 1987	LIVE
118	74483557		LIFELINE	DEAD
119	74474314		LIFELINE INTERNATIONAL CORPORATION	DEAD
120	74429942	2087945	MOSBY LIFELINE	LIVE
121	74418482		U.S. LONG DISTANCE LIFELINE	DEAD
122	74416796	1886290	LIFELINE	LIVE
123	74331089	1849801	LSN LIFELINE	DEAD
124	74313504	1791875	LIFELINE	LIVE
125	74295273	1922760	MOSBY LIFELINE	LIVE
126	74278569	1887781	LIFELINE	LIVE
127	74267173		LIFELINE HOME HEALTH CARE PRODUCTS	DEAD
128	74263760	1892425	LIFELINE HOMECARE	LIVE
129	74261302	1845055	IDEAL LIFELINE SYSTEMS	LIVE
130	74259793		LIFELINES	DEAD
131	74231715		AMERICAN LIFELINE	DEAD
132	74230864		LIFELINE	DEAD
i	74223626		LIFELINE	DEAD

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Reco DOCKET NO. 020178-TI		$\subseteq$	ATTACHMENT C	.2.101
DATE: APRIL 11, 2002	$\cup$			
134 74215730	LIFELINE		DEAD	ĺ
135 74199938	LSN LIFELINE	· · · · · · · · · · · · · · · · · · ·	DEAD	
136 74180250	LII LIFELINE INDUSTRIES INC.		DEAD	
137 74178661 1713219	LIFELINE		LIVE	
138 <u>74154269</u> <u>1683702</u>	LIFELINES		LIVE	
139 74150390 1716793	LIFELINE		LIVE	
140 <u>74150378</u> <u>1719052</u>	LIFELINE CENTRAL		LIVE	
141 <u>74126946</u> <u>1718872</u>	LIFELINE		DEAD	
142 74122691 1752390	LIFELINE		LIVE	
143 74120910 1719612	LIFELINE		DEAD	
144 74108112 1729235	LIFELINE RESOURCES, INC.		DEAD	
145 74096565	LIFELINE		DEAD	
146 <u>74074407</u> <u>1807920</u>	LIFELINE		DEAD	
147 74064736 1718671	THE LIFELINE NETWORK		DEAD	
148 74063911 1748831	LIFELINE		LIVE	
149 74041976 1630028	LIFELINES FOR RECOVERY		DEAD	
150 <u>74038371</u> <u>1723318</u>	LIFELINE		LIVE	]

PTO HOME TRADEMARK TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT PREV LIST NEXT LIST TOP HELP

Recc	DOCKET NO. 020178-TI DATE: APRIL 11, 2002	$\checkmark$	ATTACHMENT C	4sl.2.151
	U.S. Trademark Electronic Sea	rch System (TESS)		
	TESS was last updated on Sat Feb 2 0-	4:29:26 EST 2002		
	PTO HOME TRADEMARK TESS HOME NEW USER STRUCTURED FREE FORM BROWSEDER PREV LI	ST NEXT LIST BOTTOM	<b>IELP</b>	
	Logout Please logout when you are done to release system resources a	llocated for you.		
	Start List At: OR Jump to record: $\sim 200$		l (This page: 151	

(lifeline) [COMB]

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Refine Search

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Current Search: S1: (lifeline)[COMB] docs: 226 occ: 482

Serial Number	Reg. Number	Word Mark	Live/Dead Indicator
151 74038336		LIFELINE BABY PRODUCTS	DEAD
152 74036720		LIFELINES	DEAD
153 74030046		LIFELINES FOR KIDS	DEAD
154 74025241	1623088	LIFELINE COMPUTING, INC.	DEAD
155 73834949	1607399	LIFELINE	DEAD
156 73785315		METRO LIFELINE	DEAD
157 73785313		LIFELINE	DEAD
158 73785293		LIFELINE	DEAD
159 73784873	1608068	LIFELINE	DEAD
160 73781442	1565060	YOUR LIFELINE IN DOWNTIME	DEAD
161 73759974	1607763	SL THE SOFTWARE LIFELINE, INC.	DEAD
162 73735954	1615216	LIFELINE	LIVE
163 73733158	1576063	LIFELINE CHALLENGE	DEAD
164 73726270	1557905	THE LIFELINE ORGANIZER	DEAD
165 73712531	1506076	LIFELINE USA	DEAD
166 73694478	1490329	LIFELINES	DEAD
167 73685759	1494476	LIFELINE	DEAD
168 73685512	1501603	PROJECT LIFELINE	DEAD
169 73684045	1488347	LIFELINE SHELTERS	DEAD
170 73672807	1497660	LIFELINE	DEAD
171 73664319	1472303	LIFELINE LUMBER	DEAD
172 73663200		LIFELINE SCREENING CENTERS, INC.	DEAD
173 73663199		LIFELINE SCREENING CENTERS, INC. LOGO	DEAD
174 73645382	1454239	LOWFAT LIFELINE	DEAD
175 73635284	1468462	LIFELINE USA	DEAD
176 73625306		LIFELINE	DEAD
177 73597303	1474109	PET LIFELINE	LIVE
178 73586905	1412124	LIFELINES	LIVE
179 73567546	1423386	LIFELINE	DEAD
180 73556484	1419960	LIFELINES	DEAD
181 73526066		LIFELINE	DEAD
182 73520725	1461365	LIFELINE VIDEO PRODUCTIONS	DEAD
183 73514587		LIFELINE EXPRESS CARE	DEAD
184 73512584	1391143	LIFELINE	LIVE

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Record	DOCKET NO. 02	20178-TI		ATTACHMENT C
	DATE: APRIL 11	1, 2002	<u> </u>	
	185 73511662	1358990	LIFELINE	LIVE
	186 <u>73479117</u>	1393555	LIFELINE	DEAD
	187 <u>73477918</u>	1323475	LIFELINE	LIVE
	188 <u>73461843</u>	1330760	LIFELINE	LIVE
	189 73418593	1333721	BETHANY LIFELINE	LIVE
	190 73409072	1276547	SMOKERS' LIFELINE	DEAD
	191 <u>73401880</u>	1438206	LIFELINE	DEAD
	192 <u>73398543</u>	1264076	LIFELINE	LIVE
	193 73382194	1278288	LIFELINE	LIVE
	194 73377900		LIFELINE	DEAD
	195 <u>73375368</u>		LIFELINES	DEAD
	196 73354740	1272696	LIFELINE	LIVE
	197 <u>73339951</u>	1261690	LIFELINE	DEAD
	198 73336611		LIFELINE	DEAD
	199 73333536	1237987	LIFELINE	DEAD
	200 73319821	1235692	LIFELINE	DEAD

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(lifeline) [COMB] Refine Search

Current Search: S1: (lifeline) [COMB] docs: 226 occ: 482

	Serial Number	Reg. Number	Word Mark	Live/Dead Indicator
201	73307392	1198327	LIFELINE	DEAD
202	73307389	1198326	LIFELINE	DEAD
203	73299239		LIFELINE	DEAD
204	73288344	1227170	LIFELINE	LIVE
205	73288156		LIFELINE	DEAD
206	73285128		LIFELINE	DEAD
207	73239030	1163047	OLD AMERICAN'S LIFELINE	LIVE
208	73215198	1148394	LIFELINE	LIVE
209	73151682	1155451	LIFELINE	LIVE
210	73136232	1110538	LIFELINE	DEAD
211	73126716	1096961	LENDER'S LIFELINE	DEAD
212	73082875	1069437	LIFELINE	DEAD
213	73051838	1072635	LIFELINE	DEAD
214	73049232	1093406	LIFELINE	LIVE
215	73029853	1069358	LIFELINE	DEAD
216	81030342	1030342	LIFELINE	DEAD
217	80978705	0978705	LIFELINE	DEAD
218	72417801	0978698	LIFELINE	DEAD
219	72340727	0896855	LIFELINE	DEAD
220	72285797	0850718	LIFELINE	LIVE
221	72261109	0840127	LIFÉLINE	DEAD
222	72188931	0786434	LIFELINE	DEAD
223	72159674	0772095	SAF-T-LIFELINE LOK	DEAD
224	71676444	0608238	LIFELINE	DEAD
225	71418612	0371240	LIFELINE	LIVE
226	71417642	0371821	LIFELINE	DEAD

PTO HOME TRADEMARK TESS HOME NEW USER STRUCTURED FREE FORM BROWSEDICT PREV LIST NEXT LIST TOP HELP



### Fictitious Name List

Fictitious Name	Address	City	State	County	Status
LIFELINE CORP	PO BOX 23066	FT LAUDERDALE	FL	BROWARD	E
LIFELINE CENTER OF HOPE FOR ALL PEOPLES	570 S. ELLIS RD.	JACKSONVILLE	FL	DUVAL	A
LIFELINE CHIROPRACTIC	3705 SOUTH MACDILL AVENUE	ТАМРА	FL	HILLSBOROUGH	A
LIFELINE COMMUNICATIONS	2610 CALADIUM RD.	JACKSONVILLE	FL	DUVAL	C
LIFELINE COMMUNICATIONS	5900 MOSTELLER DRIVE., SUITE 1850	OKLAHOMA CITY	OK	BROWARD	A
THE LIFELINE COUNCELING CENTER	10406 TAFT STREET	PEMBROKE PINES	FL	BROWARD	A
LIFELINE COUNSELING CENTER	10406 TAFT STREET	PEMBROKE PINES	FL	BROWARD	E
LIFELINE CREATIONS	HC I BOX 787	OLD TOWN	FL	DIXIE	A
LIFELINE DESIGNS	2425 LOST COLONY DRIVE	SANIBEL	FL	LEE	A
LIFELINE ENTERPRISES	2715 E. OAK DR.	APOPKA	FL	ORANGE	E
LIFELINE ENTERTAINMENT	12864 BISCAYNE BLVD	MIAMI	FL	DADE	Ā
LIFELINE FINANCIAL CENTER	3108 DEL PRADO BLVD	CAPE CORAL	FL	LEE	A
LIFELINE HOME HEALTH CARE	13121 UNIVERSITY DRIVE	FT MYERS	FL	LEE	A
LIFELINE HOME HEALTH CARE	3728 PHILLIPS HIGHWAY SUITE 213	JACKSONVILLE	FL	DUVAL	A
LIFELINE HOME HEALTH CARE	P.O. BOX 938	SOMERSET	KY	MONROE	Â
LIFELINE HOME HEALTH CARE	P.O. BOX 938	SOMERSET	KY	MARION	A
LIFELINE MAGAZINE	P.O. BOX 3106	ORLANDO	FL	ORANGE	E
LIFELINE MARKETING INTERNATIONAL	11150 NW 26 DR	CORAL SPRINGS	FL	BROWARD	E
LIFELINE MEDICAL BILLING SERVICES	P.O. BOX 382	CHIEFLAND	FL	LEVY	A
LIFE LINE MINISTRIES	P.O. BOX 618727	ORLANDO	FL	ORANGE	E

Previous List

Next List

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Fictitious Name Inquiry

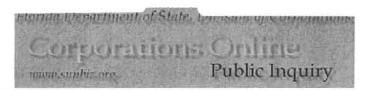
Fictitious Name Help.

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DOCKET NO. 020178-TI

DATE: APRIL 11, 2002





## Fictitious Name List

Fictitious Name	Address	City	State	Cou
LIFELINE NUTRITIONALS	P.O. BOX 651	PERRY	FL	TAYLOR
LIFELINE OUTREACH CHRISTIAN CENTER	1312 EAST UNIVERSITY BLVD	MELBOURNE	FL	BREVAR
LIFELINE PRODUCTS	912 S.E. 18TH TERRACE	CAPE CORAL	FL	LEE
THE LIFELINE PROGRAM	2810 EAST OAKLAND PARK BOULEVARD	FORT LAUDERDALE	FL	BROWAR
LIFELINES, INC	707 CURLEW ROAD	DELRAY BEACH	FL	PALM BE
LIFELINES	P.O. BOX 1586	JUPITER	FL	PALM BE
LIFELINES	POST OFFICE BOX 964	WINTER GARDEN	FL	ORANGE
LIFE LINE SCREENING	9715 W. BROWARD BLVD., SUITE 312	PLANTATION	FL	BROWAR
LIFELINE SECURITY	P.O BOX 1775	RIVERVIEW	FL	HILLSBO
LIFELINE SUPPORT FOR INJURED WORKERS OF PALM BEACH COUNTY	P.O. BOX 4052	LANTANA	FL	PALM BE
LIFE LINE SYSTEMS	10330 FERNBROOK LANE	TAMPA	FL	HILLSBO
LIFELINE SYSTEMS & STAFFING	10330 FERNBROOK LN	TAMPA	FL	HILLSBO
LIFELINE THRIFT SHOP	1747 DREW ST	CLEARWATER	FL	PINELLA
LIFELINE WATER SYSTEMS INC	3806 N. 29TH AVE	HOLLYWOOD	FL	BROWAR
LIFE LINE OF WEST FLORIDA	4411 BEE RIDGE RD	SARASOTA	FL	SARASO
LIFELINK	409 BAYSHORE BLVD	ТАМРА	FL	HILLSBO
LIFELINK CHILD AND FAMILY SERVICES	1300 N. LOCKWOOD RIDGE ROAD	SARASOTA	FL	MULTIPL
LIFELINK OF FLORIDA	409 BAYSHORE BOULEVARD	TAMPA	FL	HILLSBO
LIFELINK OF FLORIDA	5100 S. CLEVELAND, SUITE 318-174	FORT MYERS	FL	LEE
LIFELINK FOUNDATION TISSUE BANK	8510 SUNSTATE STREET	ТАМРА	FL	HILLSBO

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Next List

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Fictitious Name Inquiry:

Fictitious Name Help.