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Pre

Copycat LSAT prep company offering course at U of C

By **Hassan S. Ali**

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Amid recent complaints filed by the New York State Consumer Protection Board (C) Houston-based test preparation company called Test Masters Educational Services, Inc. has set up registration for LSAT courses on the U of C campus. However, the company' history and disputed business practices have raised questions about its future at the Univers

According to an October 18 order filed in the U.S. Fifth District Court of Appeals, the Hc based company has a history of trademark disputes and "mutual animosity" with another co called "TestMasters," based out of California. The California company filed a trademark requ the name "TestMasters" in 1999, but took legal action after learning that the Texas company Masters") had already secured trademark rights for the domain name www.testmasters. October 1995, according to court documents.

The names of both companies are different only in that the Texas firm has a space in its nar the minor detail has spurred a series of lawsuits and appeals that are yet to be resolved.

Roger Israni, president of Test Masters, said in a release that his company was incc represented by the New York CPB and by its competitor in California.

"We have had over 63,000 satisfied customers since 1991," he said.

The California firm began offering courses for the LSAT in 1991, while the Houston compai formed in 1992, only offering courses for the SAT, MCAT, GMAT, and other standardized according to court documents. The Texas company only recently began offering LSAT c after it won a trademark lawsuit in 2003.

The court order also comments on multiple cases of confusion created by the companies' names, in which several students found courses through the website, www.testmasters.com, belongs to the Texas firm. The California company, which owns the domain www.testmasters180.com and www.testmasters.net, alleged that potential customers intended to sign up for its services were misled by the information on its Texas comp website.

Despite calls made to the Houston Test Masters headquarters and further inspection of its website, details of the company's plans at the U of C remain cloudy.

"The [Houston company's] site lists 'University of Chicago' as the testing place, but when you go further into the website (to sign up for a class), it lists 'a location close to the University of Chicago' as the testing place," said Karen Afshari, assistant dean for Administration at the Law School. She called the 800 number on their website and the operator said they hold the tests at hotels within a three-mile range of the noted spot, but that she did not have an exact location."

Afshari added that she plans on bringing the issue to the attention of the University's legal counsel "so they can determine if it is appropriate for [the Houston company] to make it appear as if the University is a testing place."

An operator of the Houston company, who refused to be identified, said that a precise location would be determined in December, and that any such location would be "near the University of Chicago."

In an e-mail interview, one student highlighted serious concerns for the possible recurrence of such cases on the U of C campus. "When students like myself find out they have been duped by fake Test Masters makes a full refund contingent on the signing of a confidentiality agreement, they won't complain or tell anyone about it," said the student, who was not affiliated with the University and wished to remain anonymous fearing retaliation from the Texas company. "I will check with your school to see if they in fact have a contract with these people, because in many cases they don't."

The Houston-based Test Masters has planned on holding its weekend LSAT courses from January 7 until January 29, 2006, which have been priced at \$1,099 after a \$200 early registration discount, according to the company's website.

"I haven't heard anything concerning this fraudulent spin-off company," said Liana Hollingsworth, a fourth-year in the College and Test Preparation Liaison for Habeas Corpus, a student group that provides information and advice to students planning for law school. "We have had dealings in the past with TestMasters [California], but we do not currently have a relationship with them," she added, noting that the group only holds relationships with Powerscore, Inc., a South Carolina test preparation company, and Brody Admissions, based in Skokie, Illinois.

Imran Ahmad, Habeas Corpus's former president and a third-year in the College, cited the group's previous commitments to the California TestMasters company.

“They [California-based TestMasters] tend to focus their efforts mainly on the LSAT and consistently referred to as one of the top LSAT prep courses by University of Chicago students beating out Princeton Review and Kaplan,” Ahmad said. “If anything, the ‘ripoff’ is capitalizing on this name recognition, though I was unaware that they have started offering courses at the University of Chicago as well.”

The New York State Consumer Protection Board (CPB) issued a warning on October 25 about the confusion created by the companies’ similar names. “Students are complaining that a company, using the name ‘Test Masters,’ does not adequately disclose that a different company provides the original ‘TestMasters’ program for pre-law students,” said CPB Chairperson Executive Director Teresa A. Santiago. The report reiterated ongoing litigation between the companies’ accusations of trademark infringement.

The CPB report came after a group of students enrolled in what was thought to be a course offered by the original California TestMasters company. According to the report, students paid nearly \$1,100 for a month-long course between August and September 2005 in a class room rented on the Hunter College campus in Manhattan. The CPB was alerted when 17 of the students withdrew from the class and filed complaints after realizing that the course was not the original California company, but was rather under the operation of the Houston-based Test Masters company. The CPB is reportedly seeking refunds for these students and has called for improved contract language to more clearly differentiate the two companies.

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