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## Companies dispute name similarity

### *Two test preparation companies are fighting over comparable titles.*

by James Nghiem  
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A California-based test preparation company is warning students about possible foul play from another company with similar name.

Sharon Naim, in-house counsel for TestMasters, said students should be wary of the Texas-based test preparation company named "Test Masters."

"It's one of the greatest scams in American history," Naim said.

Recently, the New York State Consumer Protection Board issued a warning about the name similarities.

"TestMasters and Test Masters aren't similar (names), they're the same (name)," Naim said.

The Texas-based company's Web site lists Norman as an active course site. Under the LSAT section, the approximate location for the course is listed as University of Oklahoma.

Naim said TestMasters, a company that has been administering LSAT preparation courses since 1991, is accusing the Texas-based company of stealing their business under a stolen name.

Roger Israni, president of the Texas-based company, said this is merely a trademark dispute between the two companies and maintains he has done nothing wrong.

"The trademark has nothing to do with them duping students," Naim said.

#### *Name dispute*

"TestMasters, a California-based company that has taught LSAT preparation courses since 1991, can be found on the Web at [testmasters.net](http://testmasters.net) or [testmasters180.com](http://testmasters180.com).

"Test Masters, a Texas-based company, can be found on the Web at [testmasters.com](http://testmasters.com).

Source: [www.testmaster.com](http://www.testmaster.com) and [www.testmasters180.com](http://www.testmasters180.com)

Israni said not only does he have rights to the name, he also claims the California-based company has sent corporate spies to walk into his classrooms and act confused, sabotaging his business.

Naim said this accusation is ridiculous.

The California-based TestMasters was created in 1991, according to the New York State Protection Board Web site. The Texas-based company began in 1992 but did not offer LSAT courses until 2003 after it won a trademark lawsuit, the site states.

Naim said problems arose when the Texas-based company launched their Web site under the domain name testmasters.com and caused confusion among customers.

“They started invading our market,” Naim said.

Naim said some students who accidentally signed up for the Texas company’s classes immediately thought something was wrong when they arrived for instruction and dropped out of the class.

Naim said the Texas company’s practices are giving her company an unmerited bad reputation, hurting her company’s overall business.

Naim said TestMasters loses about 500 customers a year to the name confusion.

Dawn Joyce, California resident, said she enrolled in what she thought was TestMasters’ LSAT preparation course. Joyce said she did not know there were two schools with the same name. She said when she confronted her instructor, from the Texas-based school, he accused her of being a corporate spy.

Naim said though her company is suffering some losses, they are minor ones compared to the losses of the students who are caught in the middle.

Kathryn Hall, a customer of the Texas-based company, issued a testimony to the state of New York.

Hall said she accidentally enrolled in the Texas-based company’s course under the false perception that it was the California-based company.

“I was surprised that for \$1,100, we (she and her classmates) would only get a plastic binder with typed hand-outs and a few authentic LSAT questions and two commercial books of actual LSATs that are available to the public at Barnes and Noble,” Hall said in her testimony.

Naim said if too few students enroll, the Texas-based company cancels its classes.

Gina Ciraldo, in her testimony to the District of Columbia, said she signed up for the Texas-based Test Masters's™ LSAT course and experienced a similar situation.

"I was contacted by Test Masters right before the course was supposed to start. They said they were not sure if the course would happen in Miami because not enough people had signed up for that location," Ciraldo said in her testimony.

Ciraldo said she was disappointed, but the telephone operator from the company said the course would be administered in Houston, Texas, and she should fly to Houston to participate. Ciraldo said she really wanted to do well on her LSAT and flew to Houston, where she was left feeling unimpressed by a course that she thought she heard so many good things about.

Joyce said she thinks it's okay if the Texas company wants to offer an LSAT preparation course but still thinks that it is attracting students by intentionally causing them to perceive its program as the California-based TestMasters.

Joyce is currently preparing for the LSAT with TestMasters of California and wants to be ready by Dec. 3, the day she hopes take the exam.

Naim said it is wrong to deceive potential law students at such a crucial time in their development, citing the LSAT is a pivotal milestone in a law student's™ career.

"They've prepared their whole lives to go to law school," Naim said.

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