

Issues arise regarding Texas Baptist College name

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When Southwestern Baptist Theological Seminary announced recently it was renaming its undergraduate school “Texas Baptist College,” two issues quickly came to light—a state convention with a similar registered trademark and a university with a historic claim to the name.

For nearly a decade, the Baptist General Convention of Texas has operated under the “Texas Baptists” trademark, and “Texas Baptist College” was part of the institutional name of what is now East Texas Baptist University for four decades.

ETBU filed an application with the U.S. Patent and Trademark Office for the service mark “Texas Baptist College” on May 13—one month before Southwestern Seminary filed a similar application.

However, the seminary insisted it already had obtained from the State of Texas a “doing business as” designation for the name before ETBU filed its paperwork.

James A. Smith, associate vice president for communications at Southwestern Seminary, confirmed seminary officials did not consult with anyone related to the BGCT prior to the name change, but the seminary conducted appropriate research.

“Given the confidential nature of the matter and the authority of our board of trustees to act, it was not appropriate to consult outside parties about a possible name change prior to that action,” Smith said.

“We did our due diligence before recommending the name change, which

included a trademark status search and filing an assumed name certificate (d/b/a) in March in anticipation of our board's action."

BGCT adopted 'Texas Baptists' name decade ago



The BGCT's claim to the "Texas Baptists" trademark grew out of recommendation by its Future Focus Committee, appointed after a motion made at the [2007 annual meeting](#).

That committee initially recommended the convention [change its name](#) to "Texas Baptist Convention." After a [motion at the 2008 BGCT annual meeting](#) to change the name was referred to the BGCT Executive Board, the committee instead decided to retain "Baptist General Convention of Texas" as the legal name, but the BGCT registered and began to use "[Texas Baptists](#)" as the convention's trademark.

In June 2010, the BGCT filed for the trademark/service mark "Texas Baptists" with the U.S. Patent and Trademark Office. The trademark was registered in August 2011, and the BGCT granted its affiliated institutions permission to use the trademark.

ETBU has historic link to 'Texas Baptist College' name

One of those institutions with its own distinctive claim to the “Texas Baptist College” moniker is ETBU, located in Marshall, 180 miles east of Southwestern Seminary’s Fort Worth campus.



“Of course, East Texas Baptist College used Texas Baptist College in its corporate name for four decades, from 1944 to 1984, and we continue to use Texas Baptist College as a part of our name in relationship with thousands of ETBC graduates from that period of our history,” said President J. Blair Blackburn.

“As part of our ongoing protection of ETBU’s intellectual property rights, ETBU sought and obtained the BGCT leadership’s authorization to continue the use of Texas Baptist College and to utilize this name in our academic programming.”

With regard to Southwestern Seminary’s undergraduate school, Blackburn said: “East Texas Baptist celebrates all of our Christian educational partners among our fellow Baptists here in Texas. Most certainly, we strive to collaborate with other Baptist institutions as we all commit to advance God’s kingdom through Christ-centered higher education.”

Seeking some kind of resolution

Moving forward, officials at the BGCT, ETBU and Southwestern Seminary have spoken in terms of finding “a reasonable and cooperative resolution,” a “workable resolution” or a way to “ensure amicable co-existence.”

BGCT Executive Director David Hardage affirmed the seminary—as well as ETBU—saying: “We are grateful for the kingdom impact of Southwestern Baptist Theological Seminary and want to be friendly partners in mission

and ministry. Of course, the BGCT deeply values its longtime and close relationship with ETBU and will be supportive of ETBU's name and brand—and, at the same time, be careful guardians of our name and brand. Therefore, we are working with all parties involved to find a reasonable and cooperative resolution to the matter.”

Similarly, Blackburn said, “East Texas Baptist is focused on and committed to advancing the mission of our university, and we are working with all parties involved in this situation to find a reasonable and workable resolution.”

Southwestern Seminary insisted “no institution had made claim” to the “Texas Baptist College” name until after its board acted.

“Since announcing the name change, we have had cordial conversations with various Texas Baptist partners, and we have received near-universal affirmation for the name change from Baptists in Texas and across the Southern Baptist Convention,” Smith said.

“The fact is ETBU filed a trademark application after we were granted an official d/b/a with the State of Texas and our board's approval of the name change. Indeed, prior to our actions, no institution had made claim to the name.”

“We believe reasonable parties understand that ‘Texas Baptist College’ is an identity distinctly different from other institutions and is decisively connected to Southwestern Seminary's heritage in Texas Baptist life. Nevertheless, we are engaged in active communications with ETBU to ensure amicable co-existence.”

Mark Wingfield of Baptist News Global contributed to this article.