
To: Colin Newberry(Colin@haylegal.com)
Subject: U.S. Trademark Application Serial No. 97120423 - ALBERT TX EST. 1892
ICEHOUSE & DANCEHALL
Sent: August 23, 2022 05:08:42 PM EDT
Sent As: tmng.notices@uspto.gov

Attachments

AHDtx
AHDtexas
TXmap1
TXmap2
TSHAalbert
TEalbert
APP1albert1892
APP2albert1892.jpg
AHDest
AHDestablished
AHDdancehall
[screencapture-www-liquor-com-articles-texas-icehouses-16612850340201](#)
[screencapture-www-txfb-ins-com-blog-texas-living-texas-icehouse-16612851152621](#)
dom1

United States Patent and Trademark Office (USPTO) Office Action (Official Letter) About Applicant's Trademark Application

U.S. Application Serial No. 97120423

Mark: ALBERT TX EST. 1892 ICEHOUSE & DANCEHALL

Correspondence Address:

COLIN NEWBERRY
HAY LEGAL
611 W 5TH ST SUITE 300
AUSTIN TX 78701 UNITED STATES

Applicant: Albert Ice Dance Partners, LLC

Reference/Docket No. N/A

Correspondence Email Address: Colin@haylegal.com

NONFINAL OFFICE ACTION

The USPTO must receive applicant's response to this letter within six months of the issue date below or the application will be abandoned. Respond using the Trademark Electronic Application System (TEAS). A link to the appropriate TEAS response form appears at the end of this Office action.

Issue date: August 23, 2022

The application has been reviewed by the assigned examining attorney.

Summary of Issues

Applicant must respond timely and completely to the issues below:

1. Disclaimer Required
2. Specimen Shows Ornamental Use - Registration Refused
3. Applicant's Domicile Address Required

15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

Search Results

The trademark examining attorney has searched the USPTO database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). 15 U.S.C. §1052(d); TMEP §704.02.

1. Disclaimer Required

Applicant must disclaim the wording "ALBERT TX", "EST. 1892" and "ICEHOUSE & DANCEHALL" because it is merely descriptive and primarily geographically descriptive of applicant's goods.

"EST. 1892" and "DANCEHALL": The wording "EST. 1892" and "DANCEHALL" merely describes an ingredient, quality, characteristic, function, feature, purpose, or use of applicant's goods and/or services. See 15 U.S.C. §1052(e)(1); *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1251, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012).

"EST" is an abbreviation for "established," which means "to cause (an institution, for example) to come into existence or begin operating; found; set up." See attached definitions from the online American Heritage Dictionary. Together with the year "1892" this wording merely describes the year that the town of Albert, Texas was founded. See attached from <https://www.alberttexas.com/> and <https://www.tshaonline.org/handbook/entries/albert-tx> showing that Martinsburg, Texas was renamed "Albert" in the year 1982.

An "ICEHOUSE" is a business that offers beer and sometimes food and drink. See attached from

<https://www.liquor.com/articles/texas-icehouses/> ("A Lone Star icehouse is a centuries-old style of open-air, beer-hocking drinking establishment: part low-key convenience store, part bar, part respite from the blistering Southwestern sun") and <https://www.txfb-ins.com/blog/texas-living/texas-icehouse> ("There is a small handful of classic Texas icehouses that remain, and they continue the tradition of providing a family-friendly gathering spot that offers hot food, cold drinks, and plenty of community"). This wording merely describes that applicant is a business that offers beer and community. See attached from applicant's website at <https://www.alberttexas.com/> ("the tradition of community gatherings and dancing continues. We're always happy to see familiar faces or make a new friend, so stop on by and enjoy a little taste of Texas tradition and a cold beer or cocktail while you're at it").

The wording "DANCEHALL" means "a building or part of a building with facilities for dancing." See attached definition from the online American Heritage Dictionary. This wording merely describes that the goods are provided by a business that is facility for dancing. See attached from applicant's website at <https://www.alberttexas.com/> ("The Albert Dance Hall was built in 1922 by Max Beckman, and provided the community a place for Saturday night dances and social gatherings").

Terms that describe the provider of a product or service may also be merely descriptive of the product and/or service. *See In re Chamber of Com. of the U.S.*, 675 F.3d 1297, 1301, 102 USPQ2d 1217, 1220 (Fed. Cir. 2012) (affirming Board's holding that NATIONAL CHAMBER was merely descriptive of online service providing directory information for local and state chambers of commerce and business and regulatory data analysis services to promote the interest of businessmen and businesswomen); *In re Major League Umpires*, 60 USPQ2d 1059, 1060 (TTAB 2001) (holding MAJOR LEAGUE UMPIRE merely descriptive of clothing, face masks, chest protectors and shin guards provided, designed, and used by major league umpires); TMEP §1209.03(q).

"ALBERT TX" and design of map: In addition, the wording "ALBERT TX" is primarily geographically descriptive of the origin of applicant's goods. *See 15 U.S.C. §1052(e)(2); In re Societe Generale des Eaux Minerales de Vittel S.A.*, 824 F.2d 957, 959, 3 USPQ2d 1450, 1451-52 (Fed. Cir. 1987); TMEP §§1210.01(a), 1210.06(a), 1213.03(a).

Applicant must also disclaim the design of the map of Texas because it is primarily geographically descriptive of the origin of applicant's goods. *See 15 U.S.C. §1052(e)(2); In re Societe Generale des Eaux Minerales de Vittel S.A.*, 824 F.2d 957, 959, 3 USPQ2d 1450, 1451-52 (Fed. Cir. 1987); *In re Joint-Stock Co. "Baik"*, 80 USPQ2d 1305, 1309 (TTAB 2006); TMEP §§1210.01(a), 1213, 1213.03(a), (c).

An accurate design of geographically descriptive matter and the word or words which describe the design are legal equivalents; therefore, a design must be disclaimed the same as the primarily geographically descriptive wording *See In re Can. Dry Ginger Ale, Inc.*, 86 F.2d 830, 832, 32 USPQ 49, 50 (C.C.P.A. 1936); TMEP §1210.02(a).

The attached evidence from <https://www.tshaonline.org/handbook/entries/albert-tx> and <http://www.texasescapes.com/TexasHillCountryTowns/Albert-Texas.htm> shows that Albert, Texas as a town in Texas. "TX" is an abbreviation for "Texas". See attached definition from the American Heritage Dictionary online. Thus, ALBERT, TX is a generally known geographic place or location. *See TMEP §§1210.02 et seq.* Additionally, the design of the map of Texas is the legal equivalent of the geographic place Texas. TMEP §1210.02(a). The attached from <https://www.tourtexas.com/texas-maps/map-of-texas-cities> and <https://ftp.txdot.gov/pub/txdot-info/trv/maps/texas.pdf> shows that the shape in the mark is an accurate representation of the shape of the state of Texas.

The goods and/or services for which applicant seeks registration originate in this geographic place. *See* TMEP §1210.03. See attached from applicant's website at <https://www.alberttexas.com/> listing applicant's address as "Albert-Stonewall, TX." Because the goods and/or services originate in this place or location, a public association of the goods and/or services with the place is presumed. *See In re Hollywood Lawyers Online*, 110 USPQ2d 1852, 1858 (TTAB 2014) (citing *In re Spirits of New Merced, LLC*, 85 USPQ2d 1614, 1621 (TTAB 2007)); TMEP §§1210.02(a), 1210.04.

Applicant may respond to this issue by submitting a disclaimer in the following format:

No claim is made to the exclusive right to use "ALBERT TX", "EST. 1892", "ICEHOUSE & DANCEHALL" and the design of the map of Texas apart from the mark as shown.

For an overview of disclaimers and instructions on how to provide one using the Trademark Electronic Application System (TEAS), see the [Disclaimer webpage](#).

2. Specimen Shows Ornamental Use - Registration Refused

Registration is refused because the applied-for mark as used on the specimen of record is merely a decorative or ornamental feature of applicant's clothing and, thus, does not function as a trademark to indicate the source of applicant's clothing and to identify and distinguish applicant's clothing from others. Trademark Act Sections 1, 2, and 45, 15 U.S.C. §§1051-1052, 1127; *see In re Lululemon Athletica Can. Inc.*, 105 USPQ2d 1684, 1689 (TTAB 2013); *In re Pro-Line Corp.*, 28 USPQ2d 1141, 1142 (TTAB 1993); TMEP §§904.07(b), 1202.03 *et seq.*

The size, location, dominance, and significance of the alleged mark as used on the goods are all relevant factors in determining the commercial impression of the applied-for mark. *See, e.g., In re Peace Love World Live, LLC*, 127 USPQ2d 1400, 1403 (TTAB 2018) (quoting *In re Hulting*, 107 USPQ2d 1175, 1178 (TTAB 2013)); *In re Lululemon Athletica Can. Inc.*, 105 USPQ2d at 1687 (quoting *In re Right-On Co.*, 87 USPQ2d 1152, 1156 (TTAB 2008)); TMEP §1202.03(a).

With respect to clothing, consumers may recognize small designs or discrete wording as trademarks, rather than as merely ornamental features, when located, for example, on the pocket or breast area of a shirt. *See* TMEP §1202.03(a). Consumers may not, however, perceive larger designs or slogans as trademarks when such matter is prominently displayed across the front of a t-shirt. *See In re Pro-Line Corp.*, 28 USPQ2d at 1142; *In re Dimitri's Inc.*, 9 USPQ2d 1666, 1667-68 (TTAB 1988); TMEP §1202.03(a), (b), (f)(i), (f)(ii).

In this case, the submitted specimen shows the applied-for mark, located directly on the back and center of the shirt covering most of the back, where ornamental elements often appear. *See* TMEP §1202.03(a), (b). While the specimen also shows a small picture of the front of the shirt, the design and/or text on the front is not legible on the specimen. Furthermore, the mark is displayed in a relatively large size on the clothing such that it dominates the overall appearance of the goods. Lastly, the applied-for mark appears to be a design element that is used in a merely decorative manner that would be perceived by consumers as having little or no particular source-identifying significance.

Therefore, consumers would view the applied-for mark as a decorative or ornamental feature of the goods, rather than as a trademark to indicate the source of applicant's goods and to distinguish them from others.

In appropriate circumstances, applicant may overcome this refusal by satisfying one of the following options:

(1) Submit a different specimen (a verified “[substitute](#)” specimen) that was in actual use in commerce at least as early as the filing date of the application (or prior to the filing of an amendment to allege use) and that shows proper trademark use for the identified goods in International Class 25. Examples of acceptable specimens that show non-ornamental use on clothing include hang tags and labels used inside a garment.

(2) Amend to the [Supplemental Register](#), which is a second trademark register for marks not yet eligible for registration on the Principal Register, but which may become capable over time of functioning as source indicators.

(3) Claim acquired distinctiveness under Trademark Act Section 2(f) by submitting [evidence](#) that the applied-for mark has become distinctive of applicant’s goods; that is, proof that applicant’s extensive use and promotion of the mark allowed consumers now directly to associate the mark with applicant as the source of the goods.

(4) Submit evidence that the applied-for mark is an [indicator of secondary source](#); that is, proof that the mark is already recognized as a source indicator for *other* goods or services that applicant sells/offers.

(5) Amend the filing basis to [intent to use under Section 1\(b\)](#). This option will later necessitate additional fee(s) and filing requirements.

For an overview of the response options above and instructions on how to satisfy each option online using the Trademark Electronic Application System (TEAS) form, see the [Ornamental Refusal webpage](#).

3. Applicant's Domicile Address Required

Applicant must clarify its domicile street address because the domicile address of record identifies “c/o” or in “care of” another party’s address and does not appear to be applicant’s permanent legal place of residence or principal place of business. *See* 37 C.F.R. §§2.11(b), 2.189; TMEP §601.01(b)(1). The application lists the same address for the applicant and the attorney of record, and the attached from <https://haylegal.com/contact-us/> shows that the address “611 W 5th St Suite 300 Austin TX 78701” is the address of The Hay Legal Group, PLLC. A domicile address must identify either (1) the permanent legal place of residence, which is the place an individual applicant resides and intends to be the applicant’s principal home; or (2) the principal place of business, which is the juristic applicant’s headquarters where its senior executives or officers ordinarily direct and control the entity’s activities. *See* 37 C.F.R. §2.2(o)-(p); TMEP §803.05(a). All applications must include the applicant’s domicile address, which is required for a complete application. *See* 37 C.F.R. §§2.22(a)(1), 2.32(a)(2), 2.189.

In this case, the application record lists applicant as a juristic entity and specifies applicant’s domicile as “c/o” or in “care of” another party’s address. In most cases, an address that is listed as “c/o” or in “care of” another party’s address is not acceptable as a domicile address because it does not identify the location of applicant’s headquarters where the entity’s senior executives or officers ordinarily direct and control the entity’s activities. *See* 37 C.F.R. §2.2(o)-(p); TMEP §601.01(b)(1).

Response options. Applicant must provide its domicile street address. *See* 37 C.F.R. §2.32(a)(2), 2.189; TMEP §803.05. Alternatively, applicant may provide (1) documentation showing that the listed address is, in fact, applicant's domicile, or (2) a detailed explanation supporting that applicant has no fixed physical address. *See* 37 C.F.R. §2.11(b); TMEP §601.01(b)-(b)(1).

To provide applicant's domicile street address. After opening the correct Trademark Electronic Application System (TEAS) response form and entering the serial number, (1) answer "yes" to question 5 and click "Continue;" (2) on the "Owner Information" page, in the "Domicile Address" field, uncheck the box stating the domicile and mailing address are not the same; and (3) below the checkbox provide applicant's domicile street address. Applicant's domicile street address will be hidden from public view if it is entered into the "Domicile Address" field. However, any street address listed in the "Mailing Address" field will be publicly viewable.

To provide documentation to support applicant's domicile address. Applicant should provide the most recent documentation showing that the address is the applicant's business headquarters, for example one of the following: (1) the most recent final annual or quarterly report or other similar report; or (2) a current, valid signed rental, lease, or mortgage agreement for office space. TMEP §601.01(b)-(b)(1); *see* 37 C.F.R. §2.11(b). Submitted documentation must show the name, listed domicile address, and the date of the document but should redact other personal and financial information.

To provide this documentation, open the correct TEAS response form and enter the serial number, answer "yes" to question 3, and on the "Additional Statement(s)" page, below the "Miscellaneous Statement" field, click the button below the text box to attach documentation to support the U.S. street address.

To provide a detailed explanation that applicant has no fixed physical address. If applicant has no physical headquarters where its senior executives or officers ordinarily direct and control the business (e.g., because the business is conducted virtually), applicant should state for the record that applicant has no fixed physical address and provide a detailed explanation of the circumstances.

To provide this explanation, open the correct TEAS response form and enter the serial number, answer "yes" to question 3, and on the "Additional Statement(s)" page, in the "Miscellaneous Statement" field, enter the referenced explanation in the text box.

Response Information

Please call or email the assigned trademark examining attorney with questions about this Office action.

How to respond. [**Click to file a response to this nonfinal Office action.**](#)

/April Roach/
April Roach
Trademark Examining Attorney
Law Office 115
(571) 272-1092
april.roach@uspto.gov

RESPONSE GUIDANCE

- **Missing the response deadline to this letter will cause the application to abandon.** The response must be received by the USPTO before midnight **Eastern Time** of the last day of the response period. TEAS maintenance or unforeseen circumstances could affect an applicant's ability to timely respond.
- **Responses signed by an unauthorized party** are not accepted and can **cause the application to abandon**. If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with legal authority to bind a juristic applicant. If applicant has an attorney, the response must be signed by the attorney.
- If needed, find contact information for the supervisor of the office or unit listed in the signature block.



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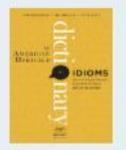
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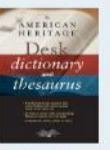
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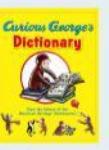
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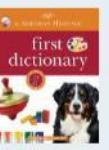
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 Search

Tex·as ^{wik} (tĕk'săs) *Abbr. TX or Tex.*

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A state of the south-central United States. It was admitted as the 28th state in 1845. Explored by the Spanish in the 1500s and 1600s, the region became a province of Mexico in the early 1800s. Texans won their independence in 1836 after a gallant but losing stand at the Alamo in February and a defeat of Santa Anna's forces at the Battle of San Jacinto (April 21). Denied admission as a state by antislavery forces in the US Congress, the leaders of Texas formed an independent republic that lasted until 1845. Austin is the capital.

Tex'an adj. & n.

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tex·as ^{wik} (tĕk'săs)

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A structure on a river steamboat containing the pilothouse and the officers' quarters.

[After **Texas** (from the fact that steamboat cabins were named after states and the officers' quarters were the largest).]

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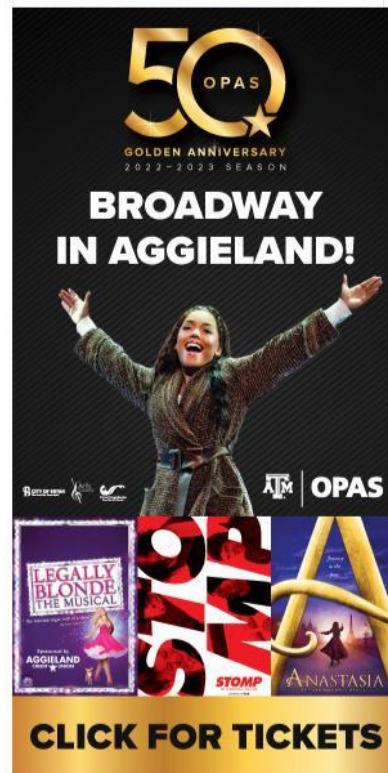


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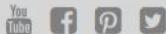
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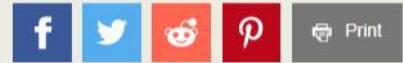
The image shows the Texas Official Travel Map, a detailed map of the state of Texas. The map features a complex network of roads, including major highways and local streets, color-coded in various shades of red, green, and blue. A grid system with letters (A-Z) on the vertical axis and numbers (1-24) on the horizontal axis is overlaid on the map. In the bottom right corner, there is a legend box titled "LEGEND" which provides information about road types and symbols used on the map. The map also includes labels for major cities like Dallas, Houston, and Austin, as well as geographical features like the Gulf of Mexico and the Colorado River. The overall layout is clean and professional, designed for easy navigation and reference.



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Albert, TX

By: [Martin Donell Kohout](#)

Type: General Entry

Published: 1952

Updated: November 1, 1994

ALBERT, TX. Albert is on Williams Creek sixteen miles southeast of Fredericksburg and one mile west of the Blanco county line in southeastern Gillespie County. The earliest known settlers in the area were George Cauley, Ben White, Sr., and a man named Jacobs. The town dates from 1877, when Fritz Wilke, George Maenius, and John Petri moved from Fredericksburg seeking new grazing lands for their cattle. Wilke, a blacksmith, bought his land from a man named Elmeier, who was murdered in a robbery several years later. The town was originally called Martinsburg after an early settler and was a stop on the Fredericksburg-Blanco stage route. The Martinsburg post office operated from 1877 to 1886, when mail was routed through nearby Hye in Blanco County. In 1892, however, Martinsburg got a new post office and a new name, thanks to Albert Luckenbach, who sold his store in Luckenbach, moved to Martinsburg, and opened a new post office, which he registered as Albert. The first local school was established in 1891, and in 1897 postmaster Otto Schumann opened the town's first store. The Albert Echo, a singing society, was founded the following year. In 1900 a new school building was erected; there the young [Lyndon Baines Johnson](#) was enrolled for a year. A local Lutheran mission was established in 1902 and eventually grew into what was often called the Lutheran Church of Stonewall, which Johnson attended. Albert had fifty residents in 1925, four in 1964, and twenty-five in 1972. By 1985 the store had been torn down, the school was a community club, and the town's dance hall was partitioned and used for storage; Albert still had twenty-five residents and two businesses. The reported population in 1990 and again in 2000 was twenty-five.

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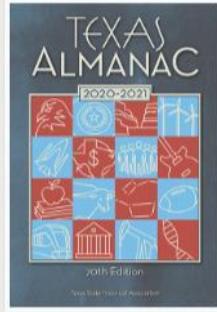
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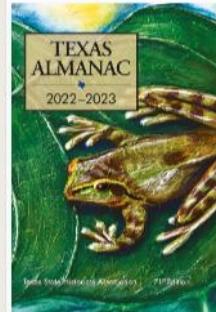
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Kathleen Bauer, "Settlement and Progress of the Albert Community," *Junior Historian*, September 1968.

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Town Fields

Has post office: No

Is Incorporated: No

Belongs to

Gillespie County

Associated Names



	Associated Names				
Place	Martinsburg				
Albert	Williams Creek				
Currently Exists					
Yes					
Place Type	Coordinates				
Town	Latitude: 30.19381540° Longitude: -98.60169580°				
USGS ID	Population Counts				
1377922	<table border="1"> <thead> <tr> <th>People</th> <th>Year</th> </tr> </thead> <tbody> <tr> <td>25</td> <td>2014</td> </tr> </tbody> </table>	People	Year	25	2014
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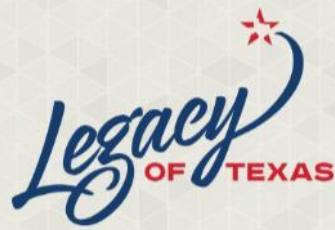
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FM 1623
On Williams Creek
1 Mile W of the [Blanco County](#) Line
16 Miles SE of [Fredericksburg](#) the county seat
SE of [Stonewall](#)
Population: (Estimated at 25 since 1972)

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Albert city limits on FM 1623.
Photo courtesy [Terry Jeanson](#), November 2007
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History in a Pecan Shell

Settlers from [Fredericksburg](#) moved here around 1877 in

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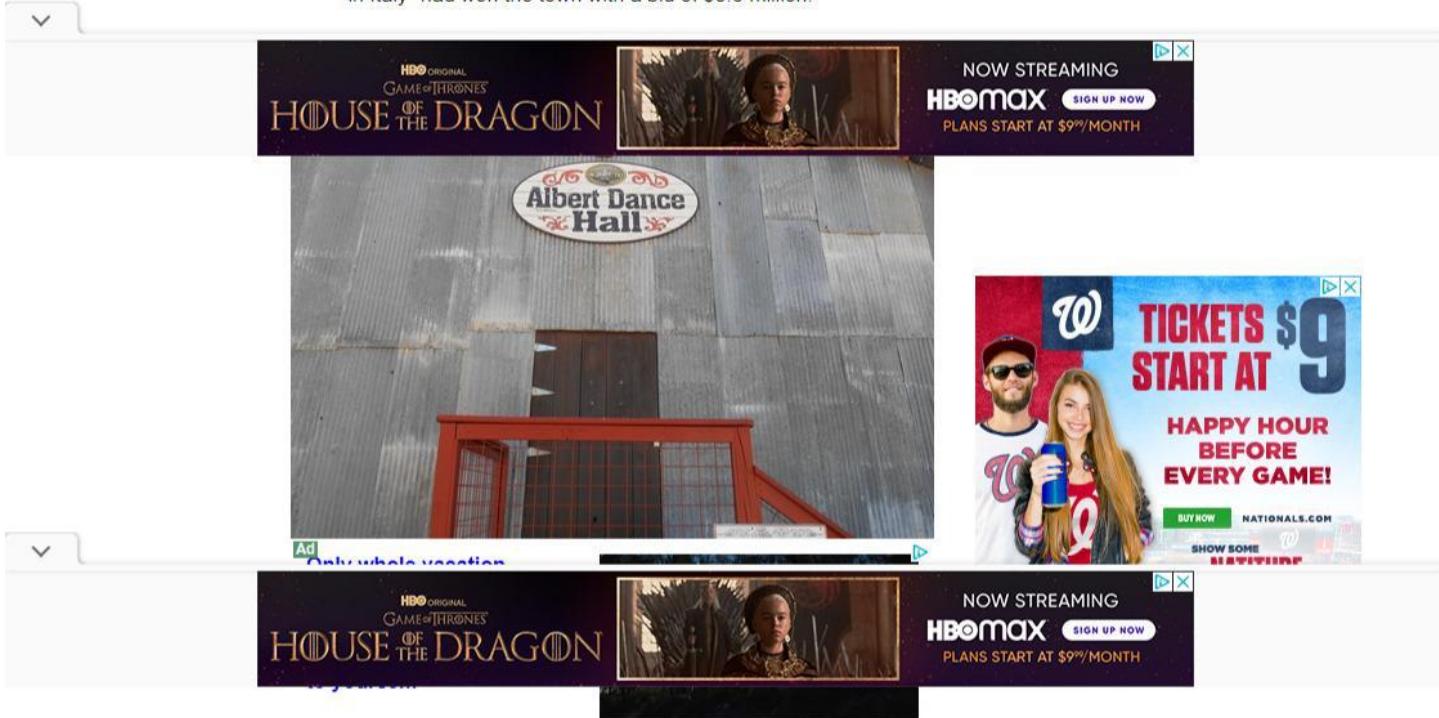
search of greener pastures for their livestock. The town was originally named **Martinsburg** and was on the Blanco-Fredericksburg stage line.

Martinsburg had a post office from 1877 to 1886, when the mail was rerouted through Hye in Blanco County. But when Albert Luckenbach, (see Luckenbach, Texas) moved here after selling his store there, he applied for a post office under his first name. It was approved in 1892. In a rare switch of priorities, Albert got its post office five years before it opened its first store (1897).

A new school replaced an earlier building in 1900. Lyndon Baines Johnson was a student here, albeit for only one year. From 50 residents in 1925, it reached rock-bottom in the mid 1960s with only four residents. In the early 1970s when Luckenbach was finally being appreciated as an endangered Hill Country "lifestyle," Albert, Texas had increased its population to 25. The store was demolished in the 1980s, and the old school put to another use.

The population figure of 25 has been in use ever since and the 13-acre town became a single property. In November of 2007, the town was put up for auction with a minimum acceptance price of 2.5 million.

On November 24th, 2007, it was reported that "someone in Italy" had won the town with a bid of \$3.8 million.



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Albert Dance Hall
Photo courtesy Michael Barr, June 2019
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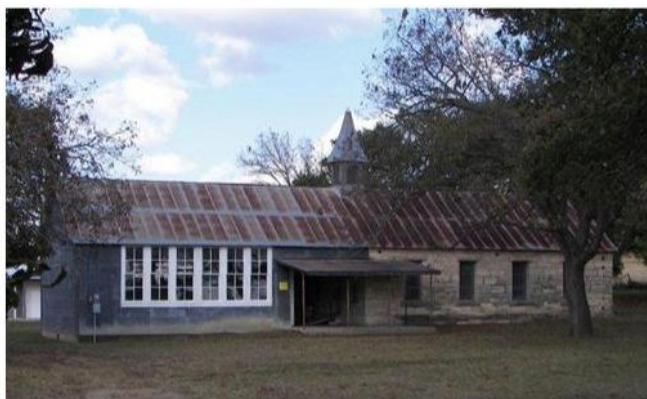


Albert Ice House

Photo courtesy [Michael Barr](#), June 2019

[Drinking Beer Under the Trees at Albert](#) by Michael Barr

A hot summer day in the Texas Hill Country can give Lucifer a heat rash, but in Albert, where the beer is cold, the music is lively and a gentle breeze stirs the air under the giant oak trees behind the Albert icehouse, even a sultry Texas afternoon can be downright pleasant.... [more](#)



The Williams Creek School, aka the Albert School, was once attended by a young Lyndon B. Johnson
Recorded Texas Historic Landmark
- Terry Jeanson, November 2007 photo



WILLIAMS CREEK SCHOOL
ESTABLISHED TO SERVE THE RURAL ALBERT
COMMUNITY, THE WILLIAMS CREEK SCHOOL,
ALSO KNOWN AS THE ALBERT SCHOOL,
BEGAN IN 1890-91 NEAR THE CREEK. IN 1897,
TRUSTEES APPROVED CONSTRUCTION OF A
STONE SCHOOLHOUSE AT THIS SITE. THEY

HBO ORIGINAL GAME OF THRONES  NOW STREAMING HBO MAX SIGN UP NOW PLANS START AT \$9.99/MONTH

YOUNG LYNDON BAINES JOHNSON, AN AREA NATIVE, ATTENDED THE SCHOOL, WHICH MERGED WITH STONEWALL IN 1950, AND THE BUILDING HAS SINCE PROVIDED SPACE FOR A COMMUNITY CLUB, WHICH MEETS REGULARLY, AS WELL AS OTHER LOCAL EVENTS.

RECORDED TEXAS HISTORIC LANDMARK - 2002

Williams Creek School Marker
Photo courtesy Terry Jeanson, November 2007
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Historical Marker: 5501 South RR 1623

Williams Creek School

Established to serve the rural Albert community, the Williams Creek School, also known as the Albert School, began in 1890-91 near the creek. In 1897, trustees approved construction of a stone schoolhouse at this site. They enlarged the school to two rooms in 1922, constructing a frame addition clad in brick-faced metal siding. A dogtrot separates the two main rooms, and the original bell tower became a central feature. For one year, the young Lyndon Baines Johnson, an area native, attended the school, which merged with [Stonewall](#) in 1950, and the building has since provided space for a community club, which meets regularly, as well as other local events.

Recorded Texas Historic Landmark - 2002



Downtown Albert
Photo courtesy [Terry Jeanson](#), November 2007





Riders of beast and machine congregate in Albert most weekends.

- Terry Jeanson, November 2007 photo



A screenshot of a promotional banner for the TV show "House of the Dragon". The banner features the show's title and a small image of a character. To the right, it says "NOW STREAMING HBO MAX SIGN UP NOW PLANS START AT \$9.99/MONTH".

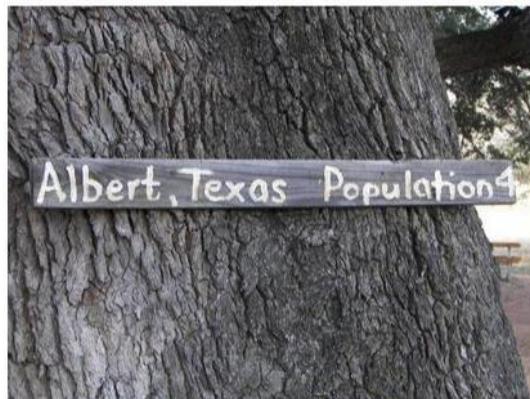


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[[Drinking Beer Under the Trees at Albert](#) by Michael Barr]

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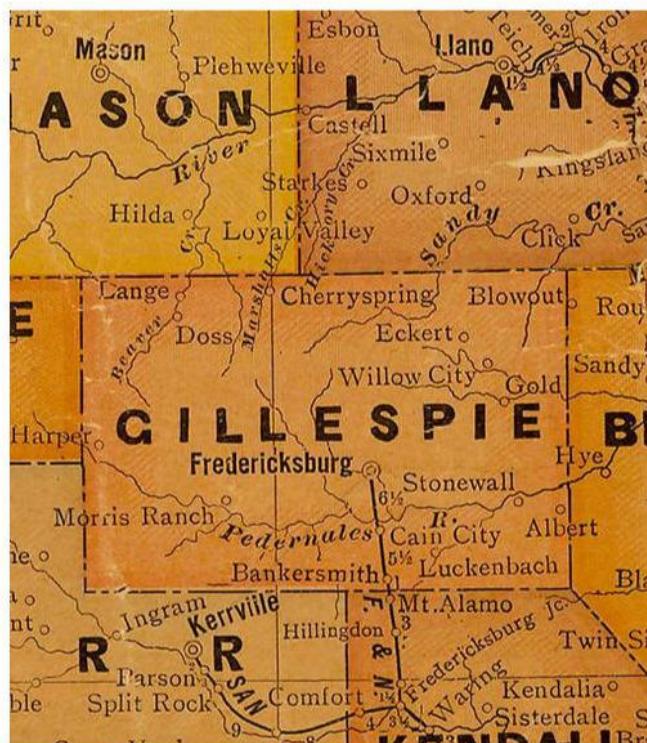
Wilke Cemetery at Albert, Texas

This burial ground served the rural community of Albert (originally Martinsburg), which was named for Albert Luckenbach, who opened a new post office in the town in

1892. Blacksmith and rancher Friedrich August Wilke, Sr., a native of Germany, conveyed this property for cemetery use in 1907. The first burial was of Constantine A. Kleinert (1892 - 1894), who was reinterred from a ranch that year. Cemetery features include interior fencing, Masonic gravestones and extensive curbing. In 1980, the Wilke Cemetery of Albert, Texas Association formed. Today, the cemetery association continues to maintain the burial ground, which as a vestige of the Albert Community, serves as a reminder of the area's early pioneers.

2010

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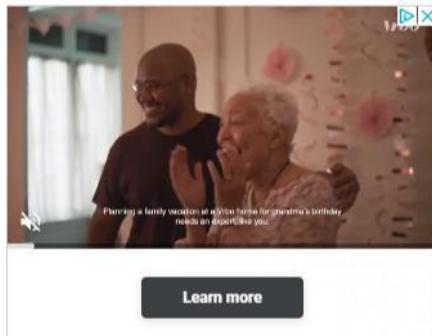
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ALBERT, TX - A HILL COUNTRY TRADITION SINCE 1892.

In 1892, when Albert and Minnie Luckenbach sold their store in Luckenbach and moved 20 miles east to Martinsburg, the little town of Martinsburg was renamed "Albert". The first local school was established in 1891, and in 1897, then Postmaster Otto Schumann opened the town's first general store. By 1900, a new school building was erected that the young LBJ would attend.

The Albert Dance Hall was built in 1922 by Max Beckman, and provided the community a place for Saturday night dances and social gatherings. It featured German brass bands rotating between the Luckenbach, Hye and Weinheimer Dance Halls of the time.

Located just south of Highway 290, halfway between Fredericksburg and Johnson City, the tradition of community gatherings and dancing continues. We're always happy to see familiar faces or make a new friend, so stop on by and enjoy a little taste of Texas tradition and a cold beer or cocktail while you're at it. We've got live music most nights and our Icehouse is open everyday!

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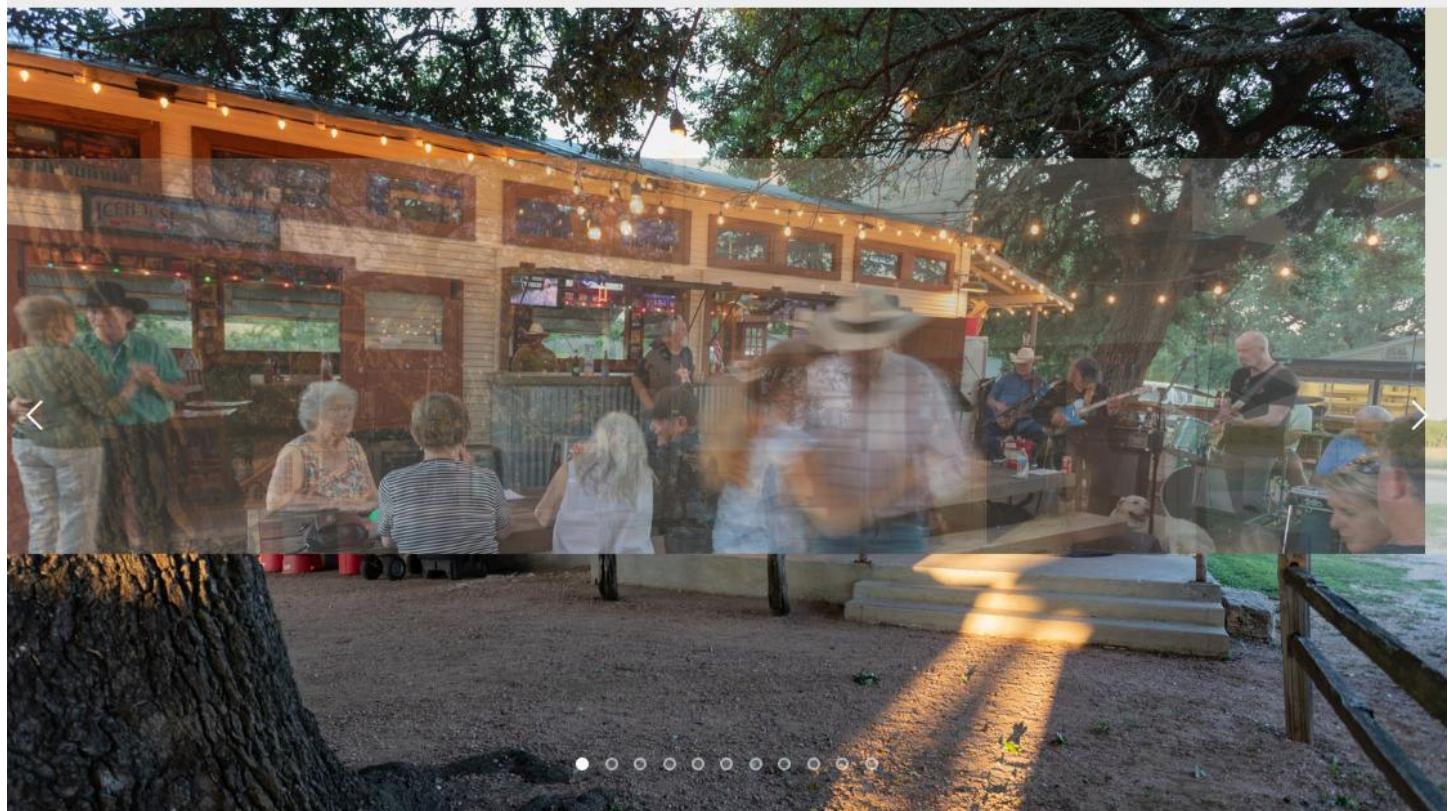
Devin Baize
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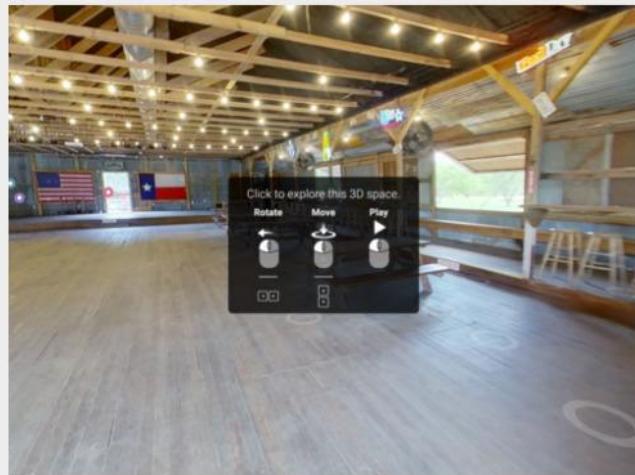
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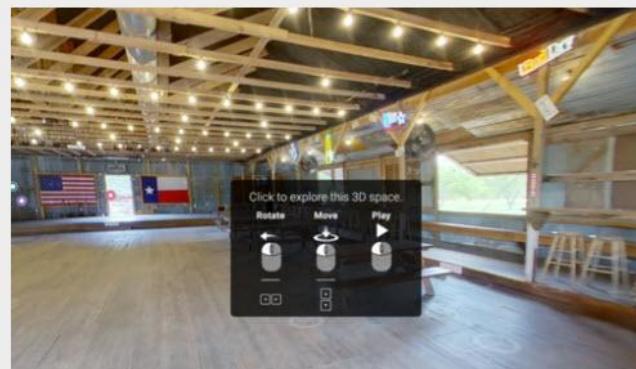
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suff. Used to form the superlative degree of adjectives and adverbs: *greatest; earliest*.

[Middle English, from Old English *-est, -ast, -ost*.]

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2. estate
3. estimate

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tr.v. es·tab·lished, es·tab·lish·ing, es·tab·lish·es

1.

- a. To cause (an institution, for example) to come into existence or begin operating; found; set up.
- b. To bring about; generate or effect: *establish goodwill in the neighborhood.*

2.

- a. To place or settle in a secure position or condition: *They established me in my own business.*
- b. To cause to become regular or usual: *established the habit of going to bed early.*
- c. To cause to be able to grow or thrive: *The tree needs to be watered to help it become established.*

3. To cause to be recognized and accepted: *a discovery that established his reputation.*

4. To introduce and put (a law, for example) into force.

5. To prove the validity or truth of: *The defense attorneys established the innocence of the accused.*

6. To make a state institution of (a church).

[Middle English *establisnen*, from Old French *establir*, *establis-*, from Latin *stabilire*, from *stabilis*, firm; see **stā-** in the Appendix of Indo-European roots.]

es·tab·lish·er *n.*

Synonyms: **establish, create, found¹, institute, organize**

These verbs mean to bring something into existence and set it in operation: *establishing a business; created a trust fund; founded a colony; instituted an annual benefit concert; organizing a field trip.*

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1. or **dance hall** A building or part of a building with facilities for dancing.
2. A style of reggae music that incorporates hip-hop and rhythm and blues elements. Also called *ragga*.

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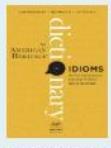
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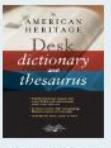
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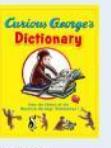
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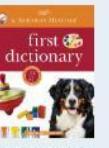
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THE BASICS > DRINKING OUT

5 Icehouses That Show the Right Way to Drink in Texas

These open-air saloons are a long-held Lone Star tradition.

Written by Sarah Baird | Updated 09/17/20



The aptly named The Friendly Spot is family-friendly.
Image: The Friendly Spot Ice House

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There's always a pretty good excuse for a culinary road trip across Texas, whether you're hot on the trail of brisket or fiendishly searching for the freshest masa tortillas. But if a laid-back beer crawl is what you're after, a (slow, well-hydrated) tour of icehouses is sure to quench your thirst.

What is an icehouse? Glad you asked! A Lone Star icehouse is a centuries-old style of open-air, beer-hocking drinking establishment: part low-key convenience store, part bar, part respite from the blistering Southwestern sun. Below are five key places to sip suds and bask in a throwback, saloon-style ambiance.

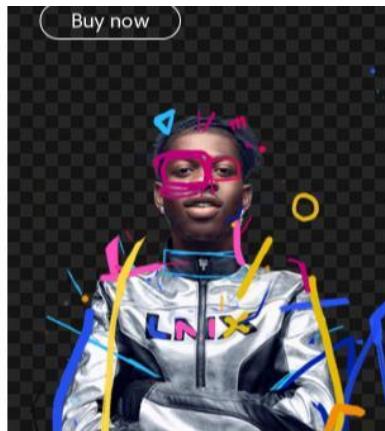
1. Albert Icehouse and Dance Hall (Albert-Stonewall)



Image: Albert Icehouse and Dance Hall

Located in the not-so-bustling city of Albert (population: 4), in the heart of Hill Country, this one is a popular weekend getaway for those looking to sip beer under the shade of massive live oaks, then cut a rug at the dance hall next door. The town is dedicated to the holy trinity of a Texas good time—music, food and cold beer—making it an oasis for anyone with a hankering for icy Bud Light and a basket of fiery wings from the local restaurant The Pig Pen.

2. D&T Drive Inn (Houston)



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Image: D&T Drive Inn

An unassuming spot nestled in a residential area of Houston Heights, D&T Drive Inn is a neighborhood gem boasting more than 50 beers on tap. Straddling the line between traditional Texas icehouse and modern beer garden, D&T features an ever-rotating number of flavored shandies, from blueberry to coconut, and a jukebox full of tunes that balances old standbys with new favorites.

3. The Friendly Spot (San Antonio)



Image: The Friendly Spot Ice House

A yard full of retro rainbow lawn chairs and more than 250 beers on tap make this San Antonio favorite the perfect spot to spend a Sunday afternoon with the whole family. Hyperlocal beers from breweries like

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Alamo Beer and the house Michelada are fan favorites, and pair nicely with an impressive spread of Tex-Mex snacks.



4. C. Hunt's Ice House (Austin)



Image: C. Hunt's Ice House

After 34 years as a meat processing plant, C. Hunt's Ice House owner Chester Hunt decided it was high time he breathed some new life into the old building and turned it into—what else?—a bar. A giant trough full of ice (and beer) runs the length of the establishment, ensuring your brew is always frosty. Outside, grapevines provide shade for more than 40 picnic tables, where drinkers can play a game of washers or simply enjoy the steamy Texas night.

5. West Alabama Ice House (Houston)



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Image: West Alabama Ice House

One of the oldest still-standing operations of its kind in Texas, the West Alabama Ice House has been around since the outpost actually sold, well, ice. Live music continues to be a popular draw for regulars and out-of-town blues lovers alike, with regulars so welcoming it often feels more like a block party than a bar. Free hot dogs are grilled on Friday nights in the summer, and dogs (of the pet variety) are more than welcome.

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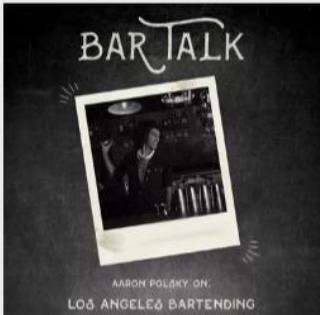
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ORIGINS OF THE TEXAS ICEHOUSE

BY PETER SIMEK | 8.13.20



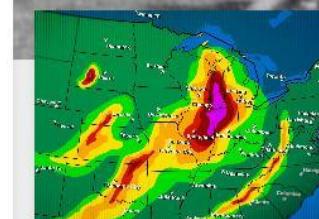
A 1984 article in Texas Monthly presented a one-question quiz that it claimed could pinpoint where a Texan grew up. You simply ask what they would call a store where you could buy a few groceries, beverages, ice cream, and other daily staples, as well as plenty of ice. If they respond with "7-Eleven" or "a convenience store," then you know they grew up north of Austin, perhaps in the Dallas area. If they say "an icehouse," then you know they are from the part of Texas that could be called the "icehouse belt," which stretches from Houston to San Antonio and down to the border.

That quiz may be a little dated now. Icehouses, once a ubiquitous element of Texas life, are becoming rare, even in parts where they once served as essential



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stores providing the chilled items we use in daily life. But the legacy of the Texas icehouse lives on in a few remaining joints that are more than a convenience store and, in fact, are centers of community life.



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Origins of the Texas Icehouse

Some scholars have argued that the Texas icehouse dates back to the 1840s, when ships carrying huge blocks of ice made their way down the coast from Maine and [arrived in Galveston Bay](#) to sell whatever chunks of the frozen stuff were still frozen. The Texas icehouse really came into its own, however, in the early 20th century. At a time before refrigeration, icehouses provided an essential service, selling the ice that people used to keep their kitchen iceboxes cool. But proprietors quickly realized that they could sell not just ice but also the things best kept on ice, including milk, butter, beverages, and soda water.

Icehouses popped up in San Antonio and Houston neighborhoods and in rural towns across the state. They became an organic network of essential groceries and centers of community life. They had outdoor seating; some served food. Bulletin boards announced community news and events. On Friday evenings, teenagers pulled up their trucks in front of the icehouse, sat on their hoods, popped a [bottle of cold soda](#), and made a night of it.



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A Fading Texas Treasure

Even as refrigerators made their way into the homes of most Texans, icehouses held on and evolved. In towns near rivers and lakes, they may have sold bait for fishing. Some sold bleacher cushions for high school football games or offered regular dominoes games for patrons.

Today, there are plenty of establishments in Texas that claim to be icehouses, but few of the original Texas Icehouses remain. In the end, it was not refrigeration that did them in but growth. As Texas' cities expanded and suburbs overtook small towns, icehouses, once the center of city and small-town life alike, disappeared. Convenience stores like 7-Eleven took over, even though 7-Eleven itself began its life as a small icehouse in the Oak Cliff neighborhood of Dallas.

By the late-1990s, this once-vibrant Texas tradition was becoming a relic of the past.

The Last Texas Icehouses

There is a small handful of classic Texas icehouses that remain, and they continue the tradition of providing a family-friendly gathering spot that offers hot food, cold drinks, and plenty of community. Many of these places are still housed in steel-clad or bricked buildings, with garagelike front doors that blend the outside with the inside. If you want to experience a classic Texas icehouse, try

these three spots:



The Friendly Spot

The Friendly Spot, San Antonio: Originally housed in an old 1930s gas station in San Antonio's King William Historic District, The Friendly Spot became a legendary Texas music joint, featuring acts like Joe "King" Carrasco, Angela Strehli, Santiago Jiménez Jr., and Steve Earle. Today, you can still relax under the large pecan trees that shade the Friendly Spot's welcoming courtyard.

West Alabama Ice House, Houston: Houston has managed to hold onto a handful of its classic icehouses, and the West Alabama remains one of the best. First opened in 1928, it is considered the quintessential representation of icehouse culture. Named after its location at 1919 West Alabama Street, the joint features a huge shaded backyard, picnic tables, a jukebox, live music, and communal grills where neighbors can swing by and cook up their own food.

Albert Ice House & Dancehall, Albert: If the icehouse and [historic dance hall](#) in tiny Albert (pop. 4) reminds you of Luckenbach, it's no coincidence. The town was founded in the 1890s by two Luckenbach store owners who picked up from the more famous Hill Country hamlet and moved about 15 miles to the east to start Albert. President Lyndon B. Johnson attended the little town's school



when he was a boy. Over the years, Albert has become more well known as a popular destination for those seeking out Texas music, hospitality, and the kind of ice-cold offerings that made the Texas icehouse famous.

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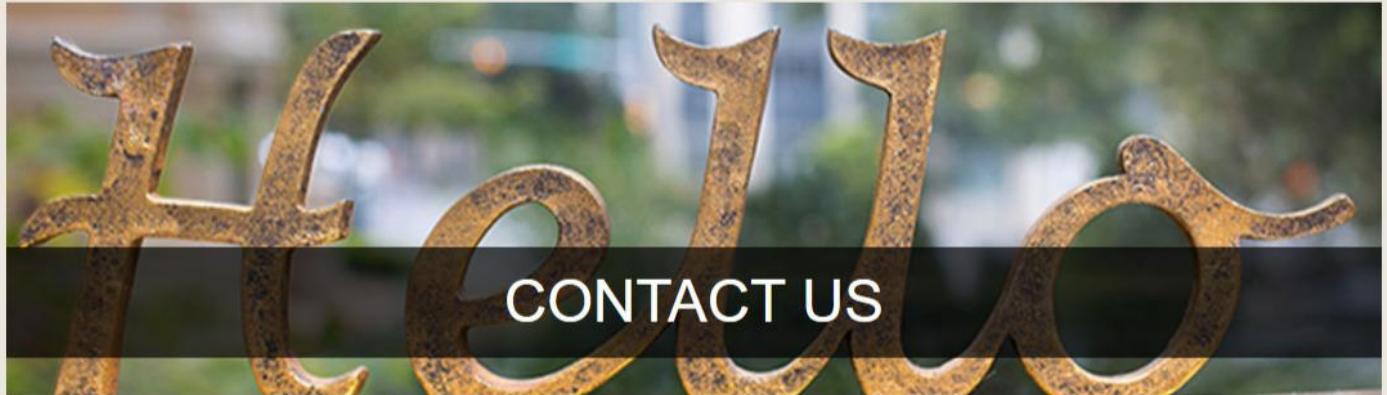
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X Added design code in TRADEUPS

X Changed TRADEUPS to: delete incomplete mark description; correct literal elements

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10	(070304 barn)[DC] and live[ld]	1003	0	3	1003	0:01
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14	(6 7) and 8	490	0	3	490	0:01
15	(6 7) and 3	29	0	3	29	0:00
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#	Search	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/Search Duration
1	*a{"l":2}{"b":2}{v:2>{"r":2}t*[BI, TI] and live[LD]	317	0	0	0	0:03
2	*tx*[BI, TI] and live[LD]	2800	0	0	0	0:01
3	"TX"[BI, TI] and live[LD]	421	0	0	0	0:02
4	"T X"[BI, TI] and live[LD]	23	0	23	23	0:01
5	*texa{"sz"}*[BI, TI] and live[LD]	3730	0	0	0	0:00
6	(011712 Texas map)[DC] and live[ld]	822	0	0	0	0:02
7	1 and (2 3 5 6)	7	0	7	7	0:01
8	*albert*[BI, TI] and live[LD]	314	0	0	0	0:01
9	albert*[BI, TI] and live[LD]	303	0	0	0	0:01
10	albert[BI, TI] and live[LD]	186	0	0	0	0:01
11	albert[BI, TI] and live[LD]	187	0	0	0	P/0:00
12	a{"l":2}{"b":2}{v:2>{"r":2}t*[BI, TI] and live[LD]	186	0	0	0	P/0:03
13	(11 12)	186	0	186	186	0:01

Session started 08/23/2022 8:08 am

Session ended 08/23/2022 8:19 am

Total search duration 17.00

Session duration 10 minutes 12 seconds

Adjacency Level 1

Near Level 1