

TRADEMARKS MANUAL			
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## TRADEMARKS MANUAL

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## 1. INTRODUCTION TO TRADEMARKS

Trademarks are unique terms, symbols, or combinations of terms and symbols that communicate a specific message to the public. The term "COKE", for example, is a trademark that identifies a specific soft drink produced by The Coca-Cola Company. A service mark is a type of trademark that identifies the source of a service and distinguishes that service provider from all others. For example, the term "FedEx" is a service mark that identifies a specific provider of parcel delivery. A collective mark is a type of trademark that indicates membership in an organized collective group, such as a union, an association, or other organization. The term "Jaycees" is a collective mark that indicates membership in the United States Junior Chamber of Commerce. Over time, trademarks like those mentioned become associated with standards of quality or care and the public looks upon such marks as guarantees of repeated quality or care.

If a trademark owner does not properly protect its mark, it may be lost forever. Many of the words we use in our everyday speech were once valuable trademarks that could have been maintained as such if they had been promoted and protected properly. The words "escalator" and "aspirin" were once valuable trademarks, but for lack of vigilance, care, and public promotion, they lost their distinctive protectable qualities and are now words of ordinary use. Preservation of a trademark requires:

- Use of the trademark only in its intended context;
- Distinguishing the trademark from words of ordinary use by using capital letters and the registration symbol "™"; and
- Enforcing an appropriate program governing proper use and display of the trademark.

## 2. The MARKS: NATIONAL ASSOCIATION of PERMITORS™, PERMITORS™, PERMITOR™ and the NATIONAL ASSOCIATION of PERMITORS™' logo

The NATIONAL ASSOCIATION of PERMITORS™ (NAP) is the proud owner of numerous trademarks including the terms NATIONAL ASSOCIATION of PERMITORS™, PERMITORS™, PERMITOR™ and the NATIONAL ASSOCIATION of PERMITORS™' Logo (referred to collectively as the "MARKS"). Members and employees of NAP receive a limited license to use the MARKS in connection with their building permits and business licenses business or PERMITOR™ association.

The MARKS are collective marks that identify members of NAP and distinguish them from non-members. The unique term PERMITOR™ was first coined in 2015 and the

public recognize those who use the MARKS as members of NAP and, as such, providers of permits and licenses related services consistent with a strict Code of Ethics and the highest standards of professionalism.

There is only one way to properly pronounce the term **PERMITOR**<sup>™</sup>: PERMI- tor (pēr'mi-tôr'). Members are encouraged to carefully train new employees, etc., on the proper pronunciation of the term.

**PERMITOR**<sup>™</sup> consistent aural use is just as important as consistent visual use to the preservation of the distinctive and recognizable character of the MARKS.

In order to preserve the value of the MARKS, NAP has implemented a program that governs use of the MARKS. Members and NAP's employees are only permitted to use the MARKS in a way that highlights to the public the registered status, significance, and special meaning of the MARKS and distinguishes them from words of ordinary use and other marks or symbols.

The license that members and NAP's employees have to use the MARKS is conditioned upon adherence to the rules for proper use of the MARKS set forth in this Marks Manual. These rules are designed to encourage the widest possible consistent use of the MARKS while preserving and perpetuating their meaning and identifying function. To remain valuable and effective in performing their identifying function, the MARKS must be used consistently and correctly.

### 3. DEFINITION OF **PERMITOR**<sup>™</sup>

The term **PERMITOR**<sup>™</sup> has one, and only one, meaning:

**PERMITOR**<sup>™</sup> is a federally registered collective membership mark which identifies a building permits and business license professional who is member of the **NATIONAL ASSOCIATION of PERMITORS**<sup>™</sup> and subscribes to its strict Terms and Conditions, Code of Ethics, background checks and other relevant obligations giving confidences to all parties: **PERMITORS**<sup>™</sup>, their clients and federal, state, or local governments in the United States of America.

The single most important rule governing the MARK is that it may only be used to convey this meaning, and never used to convey another meaning.

#### 4. LICENSE TO USE THE MARKS

The MARKS are specifically intended for use by members and NAP's employees in connection with their permit and licenses business or **PERMITOR**<sup>™</sup> association programs, products, and services. Upon joining NAP, members and employees are granted a limited, nonexclusive, nontransferable license to use the MARKS pursuant to the rules set forth in this Manual. The license is embodied in the NAP Terms and Conditions. These provisions incorporate by reference the limitations, rules, and policies of this Manual and other policies for use adopted by NAP.

Individuals who hold **PERMITOR**<sup>™</sup> or **PERMITORS**<sup>™</sup> are licensed to use one or more of the MARKS in connection with their name and the name of their permit and licenses business. **PERMITOR**<sup>™</sup> members are licensed to use the "**PERMITOR**<sup>™</sup>" trademark when identifying themselves as members of NAP and NAP's employees are licensed to use the "**PERMITORS**<sup>™</sup>" trademark when identifying themselves as employees of NAP.

NAP's employees are licensed to use the term **PERMITORS**<sup>™</sup> as part of their name, in the title of their official publication, educational or civic meetings, services, or clinics sponsored by the Association, provided that the affiliation of the undertaking with the Association is indicated; and to use the **PERMITORS**<sup>™</sup> Logo in connection with their name or logo.

#### 5. LIMITATIONS ON LICENSE TO USE THE MARKS

There are important limitations to the license granted to members and NAP's employees. They are the membership, permit and licenses business, geographic, context, and form limitations described in this Manual and are official policy interpretations of NAP's Terms and Conditions regarding use of the MARKS. These limitations, and the guidelines and policies under them, are essential to the orderly, uniform use of the MARKS, and to their preservation and promotion.

##### 5.1. Membership Limitation

Only NAP, its members, and its employees may use the MARKS. A member's license to use the MARKS terminates automatically in the event that for any reason, such individual ceases to be a **PERMITOR**<sup>™</sup> or **PERMITORS**<sup>™</sup> member or employee in good standing.

Because this limitation requires continuing membership as a condition to use the MARKS, members are not authorized to adopt usages which cannot be readily changed in the event membership ceases. For example, members should exercise

forethought before using the MARKS on unalterable business signs, in domain names, or phone numbers which correspond to the letters spelling the term **PERMITOR™**. Also, note, a Member or employee must obtain written permission from NAP before allowing the department of transportation in its state to use the MARKS on specialty license plates.

Use of the term **PERMITOR™** as part of the corporate name or business name of any member is prohibited. This prohibition is necessary to avoid the legal formalities of a corporate or business name change in the event of a termination, suspension, or expulsion from membership or employee.

Collateral use of a MARK by a non-member, such as a journalist naming a member in a news article, is acceptable without NAP's written permission provided that the non-member's use of the MARK only refers to membership in NAP and does not indicate or imply that the non-member is a member or that NAP endorses, sponsors, or approves of a good or service.

## 5.2. Building Permits and Licenses Business Limitation

Members are licensed to use the MARKS only in connection with their building permits or business licenses. The MARKS may not be used in connection with any other business or personal activities in which a member is engaged.

A member may use the MARKS in connection with the name of his building permits and licenses business even though other, non-permit and licenses services are offered under that same business name if:

- Such other services are lawful and the member is licensed or otherwise legally entitled to offer such services; and
- Such other services do not, and are not likely to, undermine or diminish public respect for or understanding of the MARKS, other members, employees, or NAP.

Members may use the MARKS in the title of, or otherwise in connection with, publications, services, activities, or functions sponsored by Members provided that Member's name immediately precedes, follows, or is otherwise included in the title of the publication or service.

Members or NAP's employees may not use the MARKS in the name of, or in connection with services, activities, or functions for which NAP lacks authority under its Terms and Conditions, or federal, state, or local laws or regulations.

### 5.3. Geographic Limitation

Members are licensed to use the MARKS anywhere in connection with the place of business.

NAP's employees are licensed to use the MARKS in their assigned jurisdictions. When used by an employee outside its assigned jurisdiction, the MARKS may not be combined with content that causes confusion or deception as to the employee assigned jurisdiction.

### 5.4. Context of Use for the Term PERMITOR™

Members are licensed to use the MARKS only in the proper context of identifying a member of NAP. It is vitally important to the preservation of the MARKS that they be recognized consistently by the public as identifiers of NAP members. The MARKS must not be used generically to denote a vocation or a business.

The guidelines and policies concerning context of use are designed to assist the public in recognizing that the term PERMITOR™ means a registered collective membership mark which identifies a permit and licenses professional who is a member of the NATIONAL ASSOCIATION of PERMITORS™ and subscribes to its strict Code of Ethics. The definition of PERMITOR™ should appear at the bottom of the page on which the term PERMITOR™ is first used in any written material.

### 5.5. The Member Test

Compliance with the context of use limitation can be tested by substituting the word "member" for the term "PERMITOR™". If the meaning or intended message is unchanged and not compromised by such substitutions, the term PERMITOR™ is appropriately used. If not, the term PERMITOR™ should be replaced by another phrase such as "permit expediter", "permit runner" or other words, as may be appropriate.

To illustrate the Member Test, consider the following statement:

*John Doe is a lawyer, PERMITOR™, and insurance agent.*

Substituting "member" for "PERMITOR™" yields:

*John Doe is a lawyer, member, and insurance agent.*

The word “member” in the statement clearly does not further the speaker’s apparent purpose of describing Mr. Doe’s professional diversity. It is possible, of course, that the speaker did intend to state that Mr. Doe is a member of NAP as well as a lawyer and an insurance agent. However, there is a possibility that the listener would incorrectly understand the statement to mean that Mr. Doe is a lawyer, **PERMITOR™**, and insurance agent. Thus, use of the term **PERMITOR™** in the statement is not appropriate.

The same approach highlights the problem with webpages, social media profiles, letterhead, business cards, signs, and ads that include notices such as:

John Doe, Inc.  
Builders -- **PERMITORS™** -- Insurers

The likely intent of such notices is to advise would-be customers that the services offered include permit expediter. Even if the intent is to indicate membership, there is a possibility that such usage may cause the reader to view the term **PERMITORS™** inaccurately as a substitute for “permit expediter”, rather than an indicator of membership. Thus, use of the term **PERMITORS™** is not appropriate.

If the principals, partners, and corporate officers of Doe’s firm are all members, then the following usage would be acceptable:

John Doe, Inc., **PERMITORS™**  
Builders – Permit Expeditors – Insurers

*Being a **PERMITOR™** is a vocation*

Compliance with the Context of Use limitation in the case of oral communication requires forethought and continued awareness that the term **PERMITOR™** describe a vocation or profession.

For example, when asked what he does for a living, an unthinking member may answer, “I am a **PERMITOR™**”. The speaker means that he makes his living as a “member.” The response makes sense only if the listener assigns to the term **PERMITOR™** the meaning “building permits and business licenses expediter”.

In addition, because the term **PERMITOR™** may only be used to identify members of NAP, it is not permissible to use the MARKS in reference to non-members such as “non-**PERMITOR™**” or “non- **PERMITORS™**”. Such individuals should simply be referred to as non-members.



#### 5.6. Never modify PERMITOR<sup>™</sup> with a descriptive term

The term PERMITOR<sup>™</sup> may never be used in connection with a descriptive word or phrase. Because adjectives may suggest an improper vocational meaning and also tend to distort the consistent understanding and image of the MARKS, thereby undermining their identifying function, members and employees are expressly prohibited from using descriptive words or phrases in connection with the MARKS. This prohibition includes use of geographically descriptive terms like the names of cities, states, and places.

Wherever the MARKS are used – on business cards, flyers, websites, domain names, usernames, social media profiles, email addresses, or anywhere – they cannot be used adjacent to a descriptive word or phrase.

The following examples are all improper uses because they use a descriptive term in connection with a MARK:

Consult a professional PERMITOR<sup>™</sup>.

Doe County's leading PERMITOR<sup>™</sup>.

Your local PERMITOR<sup>™</sup>.

Your international PERMITOR<sup>™</sup>.

Commercial PERMITOR<sup>™</sup>.

[www.myPermitorfrank.com](http://www.myPermitorfrank.com)

[www.bestPermitor.com](http://www.bestPermitor.com)

[www.listitonPermitor.com](http://www.listitonPermitor.com)

[hometownPermitor@email.com](mailto:hometownPermitor@email.com)

Number1Permitor

PERMITOR\_dad

Members may never use geographic terms in connection with the MARKS.

### 5.7. Context of Use for the PERMITOR™ Logo

The context of use limitation for the PERMITOR™ Logo requires that it be used only in connection with the member's name or the member's firm name and address. Members and NAP's employees are not authorized to use the PERMITOR™ Logo in the absence of identification of the member, the member's firm, or NAP's employees.

However, a member or NAP's employee may distribute items or awards bearing the MARKS without other identification so long as the purchaser or recipient is a member or NAP's employee licensed to use the MARKS.

## 6. FORM OR USE LIMITATION

### 6.1. Form of Use for the Term PERMITOR™

The form of use limitation requires members and NAP's employees to use the MARKS in a manner that highlights them in relation to adjoining print by: (1) the use of capital letters; (2) the use of separating punctuation where appropriate; and (3) the use of the federal registration symbol " PERMITOR™ " adjacent to each of the terms.

The preferred format for written use of the MARKS is use of all capital letters with the federal trademark registration symbol. When the preferred format is not feasible, members and NAP's employees may use the MARKS with an initial capital letter "P." Members and NAP's employees are prohibited from having a MARK appear in all lowercase letters.

### 6.2. Preferred Form: PERMITOR™, PERMITORS™

### 6.3. Permitted Form (only when use of the "™" is not feasible): PERMITOR, PERMITOR

### 6.4. Permitted Form (only when use of all capital letters is not feasible): PERMITOR™, PERMITORS™

### 6.5. Permitted Form (when use of the "™" and all capital letters is not feasible): PERMITOR, PERMITORS

When PERMITOR™ or PERMITORS™ are used in the text of webpages, brochures, pamphlets, newsletters, or otherwise in the body of written material, all capital letters and the registration symbol "™" should be used in connection with at least the first use in each section of the body of the written material and in connection with each

subsequent appearance to the extent practical. Each following use in that section must at least contain initial capital letters. Furthermore, the first use in any written material should include the definition of **PERMITOR™**.

If all of the text in the body of the written material is in capital letters, the terms **PERMITOR™** and **PERMITORS™** should be made to stand out by the use of boldface type or by some other means sufficient to distinguish them from words of ordinary use and, in such instances, the registration symbol “™” should be used in connection with every appearance of each MARK. For example:

It will be of interest to your buyers and sellers alike that, as a **PERMITOR™**, you are bound by NAP’s strict Code of Ethics.

IT WILL BE OF INTEREST TO YOUR BUYERS AND SELLERS ALIKE THAT, AS A **PERMITOR™**, YOU ARE BOUND BY NAP’S STRICT CODE OF ETHICS.

**IT WILL BE OF INTEREST TO YOUR BUYERS AND SELLERS ALIKE THAT, AS A *PERMITOR™*, YOU ARE BOUND BY NAP’S STRICT CODE OF ETHICS.**

The terms **PERMITOR™** and **PERMITORS™** may be used in connection with, but not as part of, a corporate or business name provided such terms are separated from the business name by appropriate symbols or punctuation. Separating punctuation should be used even when the term appears on a separate line immediately below the firm name. The same rule applies to use of the MARKS in connection with a member’s name.

Proper Forms:

J.J. Jones, **PERMITOR™**

S.S. Smith -- **PERMITOR™**

S.S. Smith Realty, Inc,  
**PERMITOR™**

John Jones, **PERMITOR™**

Sarah Smith, **PERMITOR™**

S.S. Smith Realty Company  
**PERMITOR™**

Possessives should be avoided whenever possible. Where necessary, possessives are formed as follows:

<u>Singular</u>	<u>Plural</u>
PERMITOR™'S	PERMITORS™'

The examples below serve to illustrate the rules and requirements discussed above and to emphasize correct use of the MARKS by reference to some incorrect usages. The following examples are all improper uses because they hyphenate, reconstruct, expand, combine, abbreviate, or divide the MARKS:

PERM-I-TOR

PERMITORrific

Blue Ribbon Chain, P-E-R-M-I-T-O-R.

PERMITOR - Assistant

The following examples are all improper uses because they use the MARKS or parts of them to create or construct more complex designs or new terms:

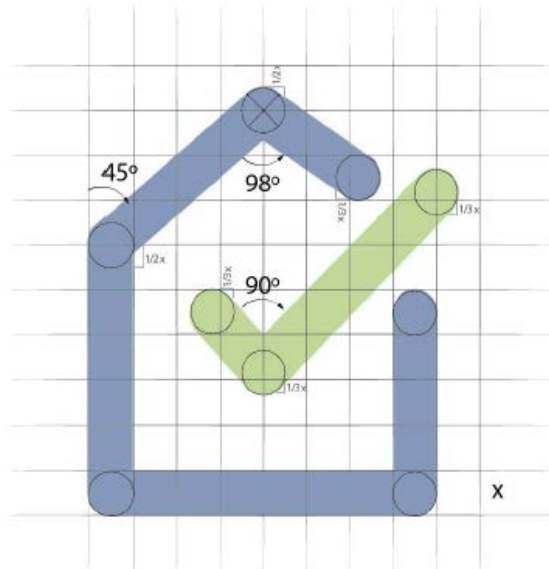
BOB's PERMIT-or licenses of Miami PERMITER

## 7. FORM OF USE FOR THE PERMITOR™ LOGO

The form of use limitation also applies to the PERMITOR™ Logo. The PERMITOR™ Logo consists of a check mark on a sharply contrasting house silhouette followed by the term PERMITOR™. The check mark of the logo and the term PERMITOR™ must be the same contrasting color.

Users of the PERMITOR™ Logo must adhere to the identification, color, spacing, and size requirements set forth by NAP. Such requirements are designed to assure that through uniform and consistent use, the public will continue to recognize the PERMITOR™ Logo as a distinctive mark and not simply a decorative symbol.

On a grid of measures "x" by each square side, the proportions of the logo must be  $9\frac{1}{2}x$  high and  $8\frac{1}{2}x$  wide.



These ratios have to be always the same to achieve a harmonious and balanced logo item on the scale needed. "X" can be replaced as needed but following any other mark's rule described on this manual.

The **PERMITOR**™ Trademark is shown above superimposed on a grid to illustrate the proper size relationships among elements. Such a grid illustration should be provided to sign companies, ad agencies and others retained by members or NAP's employees as an aid for large scale applications.

Members and NAP's employees are encouraged to request the PERMITOR® Trademark to the Association to ensure use of the proper form at [trademarks@PERMITOR.org](mailto:trademarks@PERMITOR.org)

*Use of an identifier is required with the **PERMITOR**™ Logo*

The term **PERMITOR**™ is called an "identifier" when it is used with the logo to form the **PERMITOR**™ trademark. Members must always include the **PERMITOR**™ identifier and NAP's employees must always include the **PERMITORS**™ identifier and also the term "NATIONAL ASSOCIATION of"; in both cases, the identifier has to be directly following the logo: the house silhouette with the check mark. NAP may use the logo without an identifier, but it has not authorized such use by members.

The identifier **PERMITOR**<sup>™</sup> would be 1½ X from the logo and for **NATIONAL ASSOCIATION of PERMITORS**<sup>™</sup>, would be 1X from the logo.

Identifier has to include “™” as a Trade Mark written with Arial Bold font and 25% **PERMITOR**<sup>™</sup> or **PERMITORS**<sup>™</sup> height. “™” is the same solid color that the house color.

The identifier **PERMITOR**<sup>™</sup> and **PERMITORS**<sup>™</sup> would be written with ENGRAVERS GOTHIC BT font. Same font would be used for relevant texts as titles, etc., in all Association’s documents.

The “**NATIONAL ASSOCIATION of**”, as part of the identifier, as well as for regular text on the Association’s documents, the typeface choose is CENTURY GOTHIC in any of its styles: regular, italic, bold and bold italic, for the maximum compatibility with ENGRAVERS GOTHIC BT (the typeface used for the identifier **PERMITOR**<sup>™</sup> as it appears following the logo) and because of its clear, clean graphic character. In the event that for any reason, the Association couldn’t use this corporate font, it would be substitute for the following fonts: VERDANA as first option or MYRIAD as a second option.

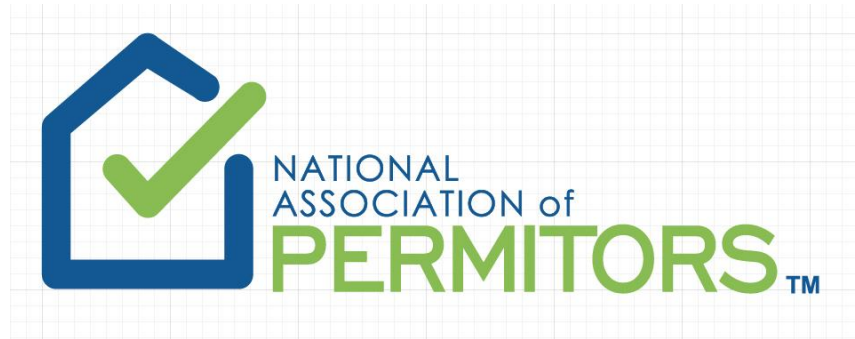
ENGRAVERSGOTHIC BT	■	ABCDEFGHIJKLMNOPQRSTUVWXYZ ABCDEFGHIJKLMNOPQRSTUVWXYZ 0 1 2 3 4 5 6 7 8 9
Century Gothic	■	<p>Regular</p> ABCDEFGHIJKLMNOPQRSTUVWXYZ abcdefghijklmnopqrstuvwxyz 0123456789
		<p><i>Italic</i></p> ABCDEFGHIJKLMNOPQRSTUVWXYZ abcdefghijklmnopqrstuvwxyz 0123456789
		<p><b>Bold</b></p> ABCDEFGHIJKLMNOPQRSTUVWXYZ abcdefghijklmnopqrstuvwxyz 0123456789
		<p><b><i>Bold Italic</i></b></p> ABCDEFGHIJKLMNOPQRSTUVWXYZ abcdefghijklmnopqrstuvwxyz 0123456789

### 7.1. Proper Forms

To be use only by members:



To be use only by NAP's employees:



### 7.2. Improper Forms:

(No identifier)



(Wrong identifier font)



(No logo)

PERMITOR

(Oversized identifier)



(Incorrect spacing)



(Incorrect spacing)



(No identifier of "National Association of")



(Missing the TM)



(Incorrect identifier Font)



(Incorrect identifier Font)



*The trademark must sharply contrast in color with the background*

An element of the **PERMITOR**™ Logo is a check mark and a house silhouette. These both elements must always be solid colors that contrasts sharply with the underlying paper stock or other material.

The check mark from the logo and the identifier **PERMITOR**™ or **PERMITORS**™ appear in a solid green color while the house silhouette and the identifier "NATIONAL ASSOCIATION of" appear in a solid blue color.

NAP has adopted its official colors pursuing as a means of making the appearance of the **PERMITOR**™ Trademark uniform and prominent. **PERMITOR**™ and the check mark in Green (P 154-7 U), and "NATIONAL ASSOCIATION of", the house silhouette and the "™" in Blue (P 107-8 U) have been standardized by Pantone, Inc. Any printer can purchase these colors from any licensed Pantone Matching System ink manufacturer. This is preferable to having a printer attempt to independently match the official colors.





**PANTONE P 154-7 U**

C: 53    R: 134  
M: 0     G: 190  
Y: 85    B: 74  
K: 0



**PANTONE P 107-8 U**

C: 100    R: 22  
M: 52    G: 84  
Y: 0     B: 145  
K: 25

While the use of the **PERMITOR**™ Trademark to be printed has to be used as with colors CMYK, same colors has to be used as a RGB while used on Internet (websites)

Although use of **PERMITOR**™, **PERMITORS**™ and the check mark in Green color, and the “**NATIONAL ASSOCIATION of**” and the house silhouette in Blue are mandatory, the **PERMITOR**™ Trademark may be printed or displayed in Black & White color when use of color is not possible.

The **PERMITOR**™ Trademark has to be use always on a white background. If the background has any other color but white that will make the Trademark not readable, the **PERMITOR**™ Trademark has to be all white to insure a high degree of contrast.

7.3. Proper Form (when used on black and white)



7.4. Improper Form when used on black and white (check mark or PERMITOR™ are solid black)



7.5. Proper Form (when used on a dark background)





7.6. Improper Form (when used on a dark background)



***The PERMITOR™ Trademark must appear separated from other objects***

To enhance the distinctiveness and recognizability of the PERMITOR™ Trademark, an “area of isolation” should be maintained around each use of the Trademark. This area of isolation is an amount of space equal to 10% of the total length with a minimum of 3/8 inches and a maximum of 3 feet. This space keeps the PERMITOR™ Trademark separate from other objects, such as typography, illustration, photography, borders, geometric shapes, or the edge of the printed piece. The PERMITOR™ Trademark must never be framed or outlined.

***The elements of the PERMITOR™ Trademark must remain readable and maintain the same relative proportions and spacing***

The size of the PERMITOR™ Trademark is often determined by the intended application, i.e. business cards, stationery, etc., and the manner in which the mark is to be reproduced. However, the elements of the logo, the PERMITOR identifier, and the ™ must remain readable and maintain the same relative proportions and spacing. The size of the registration symbol, “™”, may be increased as necessary to ensure its readability.

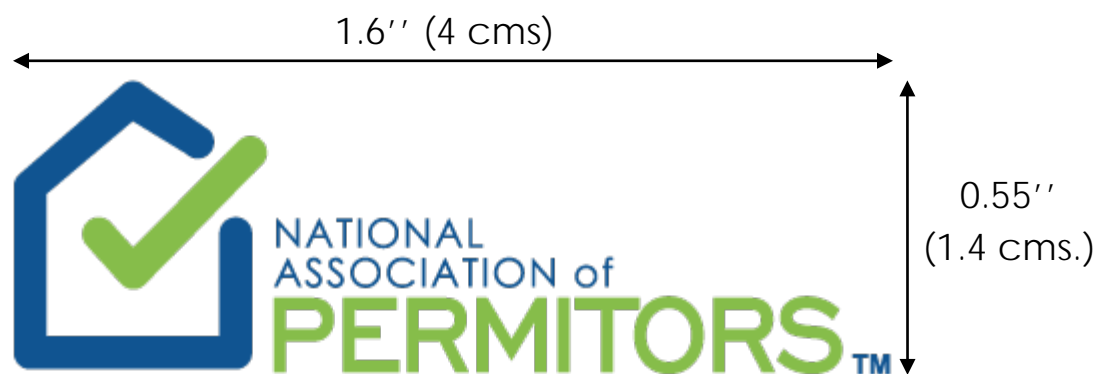
**Proper Form (increased size of ™)**



**Improper Form**



The logo should never be smaller than 1.57'' x 0.55'' for the NATIONAL ASSOCIATION of PERMITORS™ and 0.79'' x 0.18'' for PERMITOR™ trademark or, in both cases, 198 pixels wide by 48 pixels high (for a standard screen). If the PERMITOR™ Trademark is enlarged to more than three feet in width, then the registration symbol must be readable at a distance of 20 feet.



### 7.7. Improper Uses of the PERMITOR™ Logo

The examples below serve to illustrate the rules and requirements discussed above and to emphasize correct use of the PERMITOR™ Trademark by reference to some incorrect usages. The following example is improper because it redraws, reshapes, traces, tilts, intersects, photographically alters, or otherwise distort the PERMITOR™ trademark:



The following example is improper use because it uses an identifier other than one that is approved:



The following examples are all improper uses because they superimpose the PERMITOR™ trademark over a graphic pattern or design:



The following examples are all improper uses because they combine the PERMITOR™ Trademark with another symbol or device:



The following examples are all improper uses because they outline or frame the PERMITOR™ Trademark:



The following examples are all improper uses because they use effects for the PERMITOR™ Trademark



The following example is an improper use because it reduces the PERMITOR™ Logo to the point where either the identifier or the registration symbol is not legible:



## 8. USE OF THE MARKS WITH A MEMBER'S NAME

### 8.1. Use of the identifier PERMITOR™ with a Member's Name

Members are licensed by NAP to use one or more of the MARKS in connection with or in reference to themselves and their businesses. Use in connection with a member's name is acceptable as long as it is consistent with the guidelines and policies of this Manual.

For example, to comply with the Form of Use Limitation, the MARK must appear in all capital letters and be set off from the member's name by punctuation. To comply with the Context of Use Limitation, the MARK must never be used with a descriptive term or as a vocational description such as a permit expeditor, permit runner, permit consultant/advisor,...

It has become customary in some areas for one member to address another member as, for example, "PERMITOR™ Jones." Such use as a letter salutation or signature is acceptable. For example:

#### Proper Use

Dear PERMITOR™ Jim:

Dear PERMITOR™ Jones and Mr. Doe:

Sincerely, PERMITOR™ Smith

A non-member is never permitted to use the term PERMITOR™ adjacent to his name on a business card or anywhere else, even if he is employed by or affiliated with a firm that is permitted to use the term PERMITOR™.

Association executives and staff may use the MARKS to identify their positions. For example: John Smith, President, NATIONAL ASSOCIATION of PERMITORS™.

### 8.2. Use of the PERMITOR™ Logo with a Member's Name

As with the terms PERMITOR™, the PERMITOR™ Trademark may also be used in connection with a member's name as long as such use complies with the policies and guidelines regarding display of the PERMITOR™ Logo as set forth in this Manual.



## 9. USE OF THE MARKS WITH A MEMBER'S FIRM NAME

### 9.1. Use of the identifier PERMITOR<sup>™</sup> with a Member's Firm Name

Members are licensed by NAP to use one or more of the MARKS in connection with or in reference to themselves and their businesses by using them adjacent to, but not as a part of, a member's firm name. The MARKS may never be incorporated into the legal name of a member's business.

As used throughout this Manual, "firm name" means the local name by which a member's business is distinguished from other firms by the state licensing authority, and the public.

When selecting a firm name, members are strongly encouraged to utilize the words "Building", "Construction" or similar terms that indicate the nature of their business. When these words are used in the firm name, the terms PERMITOR<sup>™</sup> and PERMITORS<sup>®</sup> are more clearly and easily perceived as indicators of membership and professional commitment.

The following examples show the proper use and placement of the MARKS in connection with a member's firm name and are permitted:

#### Proper Use

Government Services, Inc., PERMITOR<sup>™</sup>

Smith, Ltd, PERMITOR<sup>™</sup>

Construction plans, PERMITOR<sup>™</sup>

The following examples show the improper use and placement of the MARKS in connection with a member's firm name and are prohibited:

#### Improper Use

Government PERMITOR<sup>™</sup>, Inc

Smith PERMITOR<sup>™</sup>, Ltd

Construction PERMITOR<sup>™</sup> plans

In the case of firms that are affiliated with a franchise organization or independent offices owned by a conglomerate, the individual firm name serves to distinguish one franchise or conglomerate office from another of the same franchise or conglomerate. Members who work for such firms may use the MARKS in connection with their firm name. However, franchise organizations, conglomerates, and networks are not authorized by NAP to use the MARKS, and members are prohibited from sublicensing such right to them.

If a member's firm is a franchisee or an independent office of a conglomerate, then it would be proper for the MARK to follow the member's firm name, such as: Franchise Company, member's Firm Name, **PERMITORS™**, or member's Firm Name, **PERMITORS™**, Franchise Company.

While the term **PERMITOR™** may be used in connection with a firm name, they may not be used in conjunction with a description of the firm's other lines of business or any other occupation or vocation of the member, even if the other occupation or vocation is part of or related to the member's business.

For example, if a member is also involved in construction or insurance businesses, it is proper to use the MARKS as follows:

#### Proper Use

Jones, Inc., **PERMITOR™**  
Real Estate Broker/Builder  
Smith Expeditor, **PERMITOR™**  
Real Estate Brokerage-Insurance

However, it is improper to use the MARKS as follows:

#### Improper Use

Jones, Inc., **PERMITOR™/Builder**  
Smith Expeditor  
**PERMITOR™** - Insurance

Use of words such as "Builder" or "Insurer" in conjunction with the terms **PERMITOR™** may mislead the reader into thinking that the term **PERMITOR™** is an ordinary descriptive word which identifies an occupation or vocation.

## 9.2. Use of the PERMITOR<sup>SM</sup> Trademark with a Member's Firm Name and Logo

The PERMITOR<sup>SM</sup> Trademark may be used adjacent to a member's firm name and logo as long as the firm logo does not detract from, or compete with, the distinctiveness or identifiability of the PERMITOR<sup>SM</sup> Trademark. The PERMITOR<sup>SM</sup> Trademark may not be used in connection with or adjacent to a franchisor or a conglomerate name or logo.

Companies or individuals who are affiliated with a PERMITOR<sup>SM</sup> but who are not themselves members of NAP may not use business cards with the PERMITORS<sup>SM</sup> Trademark imprinted thereon. This strict prohibition on use of the PERMITOR<sup>SM</sup> Trademark on business cards of non-members applies even if the PERMITOR<sup>SM</sup> Trademark is used immediately adjacent to the name of the firm or member with whom the salesperson is affiliated. Any use of the PERMITOR<sup>SM</sup> Trademark on the business cards of non-member salespeople has been interpreted by NAP as implying that salesperson is, in fact, a member. Therefore, such use is prohibited.

Decorative or script typefaces of copy adjacent to the PERMITOR<sup>SM</sup> Trademark are not recommended because they compete with and detract from the PERMITOR<sup>SM</sup> Trademark. In particular, ENGRAVERS GOTHIC BT, the typeface used for the identifier "PERMITOR" in the Trademark, should never be used in adjacent copy. The following examples are improper uses because they use ENGRAVERS GOTHIC BT typeface for the term or copy adjacent to the PERMITOR<sup>SM</sup> Trademark:

The image shows the PERMITOR logo (a blue house icon with a green checkmark) followed by the word "PERMITOR" in green and "LICENSES" in black, all in a bold, sans-serif font.The image shows the PERMITOR logo (a blue house icon with a green checkmark) followed by the word "PERMITOR" in green and "EXPEDITOR SERVICES" in black, all in a bold, sans-serif font.

## 10. USE OF THE MARKS BY NAP'S EMPLOYEE

### 10.1. Use of the identifier PERMITORS™ with a NATIONAL ASSOCIATION of PERMITORS™' employee

NAP's employees may use the term PERMITORS™ after "NATIONAL ASSOCIATION of"

### 10.2. Use of the PERMITOR™ Trademark with a NAP's employee Name and Logo

A NAP's employee may use the NATIONAL ASSOCIATION of PERMITORS™ Logo adjacent to its name in connection with the title of its publications, services, activities, or functions if the employee's name immediately precedes, follows, or is otherwise prominently included in the title of the publication or service.

Any questions regarding a trademark license should be directed to NAP's Legal Affairs Department or e-mailed to [trademarks@PERMITOR.org](mailto:trademarks@PERMITOR.org).

## 11. SPECIFIC USES OF THE MARKS

Member may request special permission to use the logo in connection with their Member logos or in architectural uses by obtaining written authorization from NAP. Such requests should be directed to: [trademarks@PERMITOR.org](mailto:trademarks@PERMITOR.org).

### 11.1. MARKS May be Used on Merchandise

PERMITOR™ may distribute or sell merchandise carrying the Trademark to the general public as long as such merchandise includes the member's name or firm name.

NAP has implemented a trademark licensing program under which approved manufacturers and merchants may sell items bearing the MARKS without the name of individual members, their firms, or NAP's employees. These manufacturers and merchants have submitted their products for approval by NAP and have entered into a written agreement with NAP. Such products include a notice that the product is licensed by NAP.

It is acceptable for a member to wear an article of clothing or accessory displaying a MARK even if that article does not include the member's name or firm name. For example, wearing a t-shirt that only uses the PERMITOR™ Trademark is using the MARK directly in connection with the member, so such use complies with the rules regarding proper use of the MARKS.

#### 11.2. News Releases May Use the AP or UPI Style

Most newspapers follow either the Associated Press (AP) Style Book or the United Press International (UPI) Style Book in preparing news items for publications. These style books do not call for use of full capitals or a federal registration symbol “™” for registered marks. Therefore, it is permissible for a NAP’s employee or member to follow the AP or UPI guidelines when using a MARK in a news release.

News releases should include the definition of the term **PERMITOR™** at the bottom of each page.

#### 11.3. MARKS May Not be Used as Directory Headings

The term **PERMITOR™** should never be used as a subject heading in any directories, such as the “Yellow Pages” phone directory, since such usage is tantamount to suggesting that the term **PERMITOR™** identifies a vocation or line of service rather than membership in NAP. Any use of the MARKS in a directory should include the definition of the term **PERMITOR™**.

#### 11.4. MARKS May Not be Used in Institutional Advertising

“Institutional Advertising” refers to television, radio, and other media advertising, the benefit of which inure to a multitude of firms or offices which are not commonly owned or not commonly managed and which may be found in more than one state. The advertising is generalized in the sense that it does not mention the member name nor does it provide specific address or telephone information with regard to each member or NAP’s office benefitted. An example is a national television ad promoting the services of franchisees of a particular franchise organization. Uses of the MARKS in Institutional Advertising that benefits offices of members as well as offices of non-members is strictly contrary to the exclusive rights of NAP in the MARKS, so it is prohibited.

NAP’s Legal Documents provide for the licensing of the MARKS to individual members or NAP’s employees. By special provision of the Legal Documents, firms whose principals, partners, and corporate officers hold **PERMITOR™** membership are entitled to use the MARKS in connection with, but not as part of, their firm name. No authority is given to members or their firms to sublicense the right to use the MARKS to parent corporations, franchise organizations, or networks. Thus, it is impermissible and inappropriate for a franchisor organization or a conglomerate to use a MARK in connection with newspaper, radio, or television ads. Only if a franchise requires that all of its franchisees be members of NAP, the franchise is allowed to use the MARKS in its institutional advertising.

Members whose offices are owned by or affiliated with conglomerates or franchise organizations have an obligation in furtherance of proper and authorized use of the MARKS to exert their influence in support of NAP's prohibition on the use of its MARKS in Institutional Advertising.

Ads prepared by franchises or conglomerates that do not use the MARKS but provide space for insertion of the local firm name, address, and one or more of the MARKS are acceptable. For example, a franchise television ad may close with specific firms listed by local name and address with one or more of the MARKS used in connection with each firm whose principals, partners, or corporate officers hold **PERMITOR™** membership in NAP.

#### 11.5. MARKS May be Used in Connection with Political Activities

NAP authorizes individual members to use the terms **PERMITOR™** and **PERMITORS™** in connection with activities in support of specific candidates in specific elections as long as the definition of **PERMITOR™** and the identification of those conducting the activity as members are included on all materials related to the members' advocacy, unless not reasonably practical; and all such use of the MARKS ceases immediately after the election.

The support of any government candidates through fundraising committees or election committees involves compliance with the government laws and may require careful coordination with NAP. There may also be tax law implications. The same is true of lobbying activities. Accordingly, members and NAP's employees are encouraged to seek competent legal counsel before implementing any activities in these areas.

#### 11.6. The Same Rules Apply to Use of the MARKS on the Internet

The policies and guidelines set forth in this Manual apply to all uses of the MARKS – including use on the internet and in social media. Therefore, NAP's employees may only use the MARKS in their domain name or username if used properly in connection with their name or sponsored activities; and members may only use the MARKS in their domain name or username if used properly in connection with the member's name or firm name.

The Limitation on Form requires NAP's employees and members to use separating punctuation, all capital letters, and the registered "™" symbol. This Limitation is relaxed when it is not possible or feasible to use the required form in domain names or usernames.

The following examples are all proper uses of **PERMITOR™** by a member named Jane Smith:

Proper Uses:

JanesmithPermitor  
JsmithPermitor  
SmithPermitor  
jane\_smith\_Permitor  
Permitorjanesmith  
Permitorjsmith  
Permitorsmith

The following examples are all improper uses of **PERMITOR™** because they each include a descriptive work or phrase in connection with the MARK:

Improper Uses:

ChicagoPermitor  
YourchicagoPermitor  
your\_chicago\_Permitor  
cyberPermitor  
virtualPermitor  
Permitor\_mom  
Permitorsolution  
localPermitor  
top\_chicago\_Permitor  
number1Permitor

The same rules set forth in this Manual regarding use of the **PERMITOR™** Trademark also apply to use of the **PERMITOR™** Trademark online—including use as icons for apps and social media profiles. Therefore, a member may use the **PERMITOR™** Trademark as an icon for an app or a social media profile if the app or profile is provided in connection with the member's business and the **PERMITOR™** Trademark appears adjacent to the member's name or firm name. A NAP's employee may use the **PERMITOR™** Trademark as an icon for an app or profile if the app or profile is provided in connection with the NAP's employee's publication or services and the **PERMITOR™** Trademark appears adjacent to the NAP's employee's name. Acronyms and abbreviations are not permitted.

## 12. TRADEMARK PROTECTION PROGRAM

NAP has established a comprehensive Trademark Protection Program that is designed to ensure that the MARKS are used only by or in reference to members of NAP and Member Boards and that all uses of the MARKS are proper in form and context. NAP maintains the MARKS through registrations with the U.S. Patent and Trademark Office, monitors the internet for proper use, and creates new ways to bring awareness to association staff, members, and the general public.

The goals of the Trademark Protection Program are to preserve the federal trademark registration, create and increase the value of goodwill, and maintain the original intended purpose and meaning of the MARKS. In order to achieve these goals, misuses of the MARKS must be recognized, identified, and corrected.

### 12.1. Member Boards Are Also Responsible for Trademark Protection Program

NAP Bylaws require each Member Board to cooperate and coordinate with NAP in any and all attempts to halt or prevent any unauthorized or improper use of the MARKS. Member Boards are responsible for ensuring that their members use the MARKS in compliance with the license set forth in the NAP Constitution and Bylaws and the policies and guidelines set forth in this Manual. To achieve this, each Member Board should assist in familiarizing its members with the policies and guidelines in this Manual by conducting education sessions for current members and by covering this topic in new member orientation.

Under NAP's Trademark Protection Program, Members have two specific responsibilities:

- First, a Member must be familiar with this Manual so it can recognize misuses of the MARKS by its members or by non-members.
- Second, a Member must accept reports of trademark misuses and take steps outlined here to rectify the problems.

In many cases, a simple letter from the Member Board explaining the violation to the person misusing the MARKS will result in cooperation and compliance by such person.

### 12.2. Misuse by a Member

When a Member Board learns that one of its members is misusing a MARK, the Member Board should conduct an initial investigation to obtain as much of the following information as possible:



- A description or copy of the alleged misuse;
- The person or firm responsible for the use;
- The contact information of such person or firm;
- The date of the use and where it appeared; and
- Whether the use is continuing.

Upon receipt of this information, the Member Board should contact the member to describe the registered status and special meaning of the MARK and request that the misuse cease promptly. Members should also be reminded that their right to use the MARKS is limited to use in connection with their real estate business and must adhere to the policies and guidelines set forth in this Manual. Members often respond positively to such written reminders and correct their misuse. A sample letter that can be sent by a Member Board regarding a member's misuse of a MARK is available at the end of this Manual.

A copy of all correspondence sent or received by the Member Board relating to a misuse of the MARKS should also be sent to NAP's Trademark Protection Coordinator at [trademarks@PERMITOR.org](mailto:trademarks@PERMITOR.org). If the matter cannot be resolved locally or if an impasse develops, NAP may assume primary responsibility for obtaining compliance.

### 12.3. Unauthorized Use by a Non-Member

Non-members are never authorized to use the MARKS in reference to or in connection with their businesses or themselves. One should recognize, however, that certain uses of the MARKS are not unauthorized uses but rather permissible nominal uses, such as when newspapers, magazines, or radio or television programs use the MARKS to accurately and properly identify an individual as a member of NAP or in reference to a Member Board. Such nominal uses should be reviewed to be sure the MARKS are used in the proper form and context.

When a Member Board learns that a non-member is using a MARK, it should send a letter to the unauthorized user explaining that the MARK is a federally registered collective membership mark owned by the NATIONAL ASSOCIATION of PERMITORS.™ that is reserved for the exclusive use by or in reference to members of NAP, and demanding that the unauthorized use cease promptly. A sample letter that can be sent by a Member Board to a non-member misusing a MARK is available at the end of this Manual.

A copy of all correspondence sent or received by the Member Board relating to a misuse of the MARKS should also be sent to NAP's Trademark Protection Coordinator via email to [trademarks@PERMITOR.org](mailto:trademarks@PERMITOR.org). If the matter cannot be resolved locally or if an impasse develops, NAP may assume primary responsibility for obtaining compliance.

#### 12.4. Misuse by the Media

It is the duty of each Member Board to notify editors, publishers, and broadcasters of their improper uses of the MARKS in television, radio, and print media. The media must be reminded periodically that the MARKS identify members of NAP and that the term PERMITOR<sup>®</sup> is not synonymous with “real estate broker,” “broker,” or “real estate agent.” The media must also be advised of the registered status of the MARKS and requested to use initial capital letters to distinguish the terms PERMITOR<sup>™</sup> and PERMITORS<sup>™</sup> from words of ordinary use.

In the event a Member Board discovers a misuse of the MARKS in the media, it should send a letter to the media outlet providing notification of the misuse and seeking a correction to be issued. A sample letter that can be sent by a Member Board regarding a misuse by the media is also available at the end of this Manual.

A copy of all correspondence sent or received by the Member Board relating to a misuse of the MARKS should also be sent to NAP’s Trademark Protection Coordinator via email to [trademarks@PERMITOR.org](mailto:trademarks@PERMITOR.org). If the matter cannot be resolved locally or if an impasse develops, NAP may assume primary responsibility for obtaining compliance.

#### 12.5. Unauthorized Use by a Franchise or Conglomerate Organization

In the event a Member Board discovers a franchisor or conglomerate organization to be using the MARKS in conjunction with its franchise or other business activities, the Member Board should notify NAP so NAP can address the unauthorized use. All relevant documentation or other materials explaining and evidencing such use should be forwarded to NAP’s Trademark Protection Coordinator at [trademarks@PERMITOR.org](mailto:trademarks@PERMITOR.org).

#### 12.6. Unauthorized Use on Merchandise, Publications, or Services

In the event a Member Board discovers a product, publication, or service bearing the MARKS and is unsure whether the producer of such product, publication, or service is authorized to use the MARKS pursuant to this Manual, the Member Board should notify NAP so NAP can resolve the matter. All relevant documentation or other materials explaining and evidencing such use should be forwarded to NAP’s Trademark Protection Coordinator at [trademarks@PERMITOR.org](mailto:trademarks@PERMITOR.org).

#### 12.7. Obtain Written Assurance of Compliance

In many cases, the Member Board's initial communication to misusers of the MARKS will achieve the desired result: the misuser will agree to correct or terminate the misuse

and provide the Member Board with a written assurance of compliance. In other cases, however, the misuser may refuse to comply, ignore the Member Board's requests, or promise, but never deliver compliance.

If the misuser agrees to comply with the Member Board's request, the Member Board should confirm the agreement in writing and thank the misuser for the prompt cooperation. If the misuser agrees to comply, but refuses to provide a written confirmation of compliance, the Member Board should make a detailed record of the situation (i.e., name of misuser, date, time of day, summary of the discussion noting verbatim assurances of compliance given and the proposed timetable for compliance).

A copy of all correspondence sent or received by the Member Board relating to a misuse of the MARKS should also be sent to NAP's Trademark Protection Coordinator at [trademarks@PERMITOR.org](mailto:trademarks@PERMITOR.org).

#### 12.8. Enforcement Action

If a Member does not receive a written confirmation of compliance from the misuser within one month of the date that the Member's first letter was sent, the Member should request assistance from NAP's Trademark Protection Coordinator who will work with NAP's Legal Affairs Department to obtain written compliance from the misuser.

In addition to investigating complaints received from Member, NAP's Trademark Protection Coordinator receives and responds to misuses reported by members, the public, and trademark monitoring services. Because NAP believes that voluntary compliance is the most beneficial and cost-effective way of protecting and maintaining the MARKS, it has implemented a written cease and desist process to encourage compliance by misusers. However, if compliance or a satisfactory agreement cannot be reached, NAP will initiate a complaint against a member with her Member Board or take legal action as necessary.

#### 12.9. File Complaint with the Member

A member's failure to adhere to NAP's rules regarding proper use of the MARKS constitutes a violation of that member's duties of membership in the Member. If a member refuses to comply with NAP's requests to correct a misuse, the Member Board's Grievance Committee or NAP may file a complaint against the member for violation of a membership duty.

If the Member's Professional Standards Committee finds a violation, then the member may be disciplined consistent with Section 14 of the Code of Ethics and Arbitration

Manual, including but not limited to possible suspension or termination of membership or MLS privileges.

#### 12.10. NAP May Initiate Legal Action

If a misuser refuses to comply with NAP's request for compliance, NAP may initiate legal action. Such action could take the form of a trademark infringement lawsuit filed in state or federal court. NAP has been successful in obtaining court orders against infringers ordering that they cease and desist misuse of the MARKS and, in many cases, pay NAP damages relating to the infringement and costs associated with the lawsuit, including attorneys' fees.

In addition to other legal actions NAP may pursue, NAP may file a Uniform Dispute Resolution Policy (UDRP) complaint against an individual or company that is misusing a MARK in a domain name. When registering a domain name, every website operator agrees to arbitrate disputes regarding the domain name via the UDRP process. Information about the UDRP process is available on the Internet Corporation for Assigned Names and Numbers website at: <http://www.icann.org/en/help/dndr/udrp>. NAP has had success using the UDRP process whereby infringers have been ordered to cease use and transfer ownership of the infringing domain name to NAP.