



Policy 8.1 Trademark and Logo Usage

Policy

BCEN® marks, logos, and certification program marks (collectively the “BCEN Marks”) are trademarks or registered trademarks of BCEN. By making use of any BCEN Marks, individuals agree to be bound by the terms of this Policy. Permission granted to individuals by this Policy is conditional upon and subject to compliance with the terms of this Policy. If at any time, BCEN determines, in its sole discretion, that use of the BCEN Marks is not in compliance with this Policy or otherwise threatens to harm the BCEN Marks, BCEN may immediately terminate an individual’s right to use the BCEN Marks. Individuals must comply with all requests of BCEN to cease and desist use of the BCEN Marks or legal counsel will be consulted.

Any and all uses of the BCEN Marks must be in compliance with any and all BCEN requirements, guidelines, and quality control standards, as established or amended by BCEN.

BCEN must preapprove any proposed use of the BCEN Marks by any third party. BCEN reserves the right to audit any and all use of the BCEN Marks and to require correction for any inappropriate use. Any user of the BCEN Marks grants BCEN the permission to access, review, and audit any materials that make use of the BCEN Marks.

Individuals agree not to incorporate any BCEN Marks, or potentially confusing variations of any BCEN Marks, as part of their personal trademark, service mark, or other commercial or product designation they use. Individuals must agree not to file any application to register or claim any interest in any mark or any other logo, name, trademark, service mark or commercial or product designation confusingly similar to any BCEN Mark.

BCEN Marks and terminology may not be used to imply sponsorship, endorsement, or approval of BCEN without prior approval of the BCEN Board of Directors or BCEN Executive Director. BCEN Marks shall not be used to misrepresent, imply or suggest that BCEN endorses sponsors or recommends any specific individual, or any of specific products or services. Any uses not expressly permitted hereunder are prohibited. To request permission to use the BCEN Marks, individuals, or organizations, should contact the BCEN office in writing via email, fax or letter.

BCEN Certification Marks

BCEN grants limited rights to use certification program marks for personal use to individuals that have successfully completed certification requirements and have been notified by BCEN in writing that he/she has achieved a BCEN certification (“Certified Individuals”). Upon receiving a BCEN certification, BCEN grants non-exclusive rights to use the certification program mark for which the Certified Individual has been awarded certification, only on promotional, display and advertising materials to publicize the Certified Individual’s BCEN certification or to promote his/her products or services corresponding to BCEN certification. Any other use of BCEN certification program marks is prohibited. Without limiting the foregoing, BCEN certification program marks shall not be used to misrepresent BCEN certification status or an individual’s qualifications.

Ownership

BCEN reserves and retains all rights, titles and interests, including, without limitation, all trademark and other intellectual property rights, in and to the BCEN Marks. Nothing contained in this Policy is intended nor should be construed to grant any ownership rights in or to the BCEN Marks.

BCEN considers misrepresentation and/or noncompliance with use of the BCEN Marks a serious ethical issue that requires investigation.

Procedure

1. BCEN receives notification via the reporting structure delineated in Policy 8.3 that an individual or organization is using a BCEN Mark without proper permission or approval.
2. BCEN will determine whether or not permission was granted to the party for usage.
3. If it is determined that permission was granted for use of BCEN Marks, notification will be sent by email and/or certified mail, fax, or letter along with a copy of this policy asking the party to confirm in writing that they agree to adhere to the policy.
4. If it is determined that permission was not granted for use of BCEN Marks, notification will be sent by email and/or certified mail informing him/her of the charge and asking him/her to cease and desist using any BCEN Marks. The individual is also instructed to respond to in writing to BCEN within 30 days agreeing to the request.
5. If usage continues or no response is received after 30 days of BCEN notification, legal counsel will be notified. The individual shall be considered in default and admitting to the allegations. BCEN shall notify the individual of default specifying the form of discipline, if any, to be imposed and informing the individual of his/her right of appeal.

Approved: June 2016

Next Review: June 2019