



## Policy & Procedures for the Protection of CREP® and USREPS® Brands

*Approved by the Board of Directors 12/07/2016*

### **Purpose**

To establish a policy to protect the CREP® and USREP® brands by providing guidelines for the proper use of “brand elements” by CREP Members and the general public.

### **Overview**

The brand identity of CREP is central to its mission and may be its most valuable asset. It is the public face of both CREP and the USREPS. As such the organization must take affirmative steps to strengthen the brand and protect the CREP and USREPS brands from improper and unauthorized use that would necessarily make it harder for the organization to achieve its mission and thereby diminish the value of its brands.

### **What Is A Brand And What Are “Brand Elements”?**

A brand is the collection of things - elements - which, together, identify a business or organization and distinguish that business or organization from others. There can be any number of “brand elements” which may include things as different as colors, sounds, odors and shapes. The most common brand elements are trade names, trademarks, copyrights and, more recently, domains (Uniform Resource Locators).

### **Brand Element: Trade Names**

A **trade name** describes a business or organization; it is different from a trademark. The tradename of CREP is the Coalition for the Registration of Exercise Professionals and it is a nonprofit California corporation. USREPS is not a separate legal entity but is an alternative name used by CREPS.

### **Brand Element: Trademarks**

A **trademark** is a word, phrase, symbol, design, shape or color that identifies and distinguishes the source of the goods of one party from those of others. A service mark is a word, phrase, symbol, and/or design that identifies and distinguishes the source of a service rather than goods. Trademark law recognizes both registered and unregistered trademarks. The term “trademark” is used to include both trademarks and service marks. Registered trademarks are optimally accompanied by the ® symbol and unregistered trademarks by the ™ symbol. Attached to this policy is a catalog of the registered trademarks of CREP.

Trademark law also recognizes certain special types of registered trademarks. These are **collective membership trademarks** and **certification trademarks**. A collective membership

trademark is a trademark owned by an organization (such as an association), used by its members to identify themselves with a level of quality or accuracy, geographical origin, or other characteristics set by the organization. A certification mark is a mark used in commerce by a person other than its owner and indicates the existence of an accepted product standard and a claim that the manufacturer has tested the product to verify compliance with that standard. Those CREP trademarks that are collective membership trademarks or certification trademarks are identified as such in the catalog and are subject to special rules.

### **Brand Element: Copyrights**

Copyrights protect the right of the creator of an original work to exclusively make copies, license, and otherwise to exploit a literary, musical, or artistic work, whether printed, audio, video, or even electronic (e.g., software) work. Copyrights in the original works created by employees of an organization are presumed to be owned by the organization and in works created by others are acquired under contract. As in the case of trademarks, the law recognizes registered and unregistered copyrights and both are optimally accompanied by the © symbol.

### **Brand Element: Domains**

Domains are common communications addresses shared by networks of computers. Top level domains (TLD's) like .com, .net, .org and other TLD's are registered to organizations and individuals by authorized businesses called "registrars." A list of CREP's domains is set out in the attached catalog.

### **General Rule Regarding CREP Brands and Brand Elements**

In order to maintain a brand, the brand owner must take affirmative steps to strengthen the brand and protect it from improper and unauthorized use. In order to achieve these goals, CREP has adopted the following guidelines regarding the branding elements.

#### **- Trade Name Guidelines**

When referring to CREP - the organization - the first reference should state the full legal name of the organization while, thereafter, CREP may be used.

#### **- Trademark Guidelines**

Rules for Standard Trademarks. CREP's prior consent is required to use CREP's registered and unregistered trademarks in advertising, promotion or sales materials. In order to obtain CREP's consent, a limited use license is required, which restricts use of such registered and unregistered of CREP to that consistent with its mission and prohibits commercial use to promote and sell products of others, otherwise suggests CREP's approval, sanction or support of any person, organization or goods, services or event. All such licensed use must be accompanied by the following statement: "Trademarks used herein are the registered and unregistered trademarks of the Coalition for the Registration of Exercise Professionals. All rights reserved thereby."

Members of CREP (and their bona fide associated organizations) have a limited license to use CREP's registered and unregistered trademarks - other than CREP's collective membership

trademarks and certification trademarks - to (i) indicate their Membership in CREP or their association with a Member of CREP; (ii) identify individuals employed by or connected with any Member or organization that is associated with a Member who is then listed in the United States Registry of Exercise Professionals (USREPS); or (iii) to offer support for the mission of CREP and/or USREPS and its public initiatives. All such permitted use must be accompanied by the following statement: “Trademarks used herein are the registered and unregistered trademarks of the Coalition for the Registration of Exercise Professionals. All rights reserved thereby.” Notwithstanding the foregoing, use of CREP’s registered trademarks and unregistered trademarks by Members and those associated with Members require the prior, written consent of CREP to the extent that such use: (i) is in a document or a video published or disseminated by a person or persons who are not Members or persons associated with Members, including any print or online magazine or television programming; (ii) is on a website not controlled by a Member or persons associated with Members, or links to such a website; (iii) identifies individuals not then listed in the United States Registry of Exercise Professionals (USREPS) together with individuals who are then listed in the United States Registry of Exercise Professionals (USREPS) without distinguishing between them.

Special Rules for Collective Membership Trademarks. CREP’s collective membership trademarks may be used only by Members, organizations and individuals who are authorized by CREP, in writing, to do so. These Members, organizations and individuals must meet the criteria set forth in the registered trademark at the time of authorization and thereafter and all use must cease when they no longer meet such criteria. CREP’s collective membership trademarks may be used in directories of Members, organizations and individuals who then meet the criteria set forth in the registered collective membership trademark but if, and only if, directories that do not exclusively identify such Members, organizations and individuals, clearly distinguish between those who meet such criteria and others who do not, and such directories otherwise comply with the guidelines for standard trademarks.

Special Rules for Certification Marks. CREP’s certification trademarks may be used only by Members, organizations and individuals who are authorized by CREP, in writing, to do so. These Members, organizations and individuals must meet the standards set forth in the registered certification trademark and by Members and organizations associated with Members to identify such organizations and/or individuals and their affiliation with the Member or organization associated with the Member and all use must cease when they no longer meet all such standards. CREP’s certification trademarks may be used in directories of Members, organizations and individuals who then meet the criteria set forth in the registered certification trademark but if, and only if, directories that do not exclusively identify such Members, organizations and individuals, clearly distinguish between those who meet such standards and others who do not, and such directories otherwise comply with the guidelines for standard trademarks.

#### - **Copyright Guidelines**

CREP holds the copyright in all audio, visual, written or electronic materials created by or for it, including its websites (and all USREPS websites). All persons, including Members, organizations associated with Members and individuals should: (i) if practical (because of

space or other limitations) place the following statement on all such works “© 201\_ Coalition for the Registration of Exercise Professionals. All rights reserved thereby.” or, if CREP trademarks are used: “© 201\_\* Coalition for the Registration of Exercise Professionals. Trademarks used herein are the registered and unregistered trademarks of the Coalition for the Registration of Exercise Professionals.”; (ii) NOT copy, republish, reprint or otherwise exploit and copyrighted work without the prior, written consent of CREP.

\* Year of creation/revision.

- **Domain Guidelines**

Members of CREP may, on their principal websites, create hyperlinks to the websites of CREP, including [www.usreps.org](http://www.usreps.org). All other persons must obtain the prior, written consent of CREP, before creating any link to CREP’s websites.

Changes to this Policy; Legal Changes: CREP reserves the right to make changes to this policy which changes shall be immediately effective upon issuance. In the event that any portion of this policy conflicts with any applicable law, rule or regulation, it shall be automatically changed to comply therewith.



## Catalog of Registered Trademarks

### Standard Trademark

“CREP” (US4622597 & 4622598)

“USREPS” (US4622472 & 4622473)

“UNITED STATES REGISTRY OF EXERCISE PROFESSIONALS” (US4557714 & 4561642)

“COALITION FOR THE REGISTRATION OF EXERCISE PROFESSIONALS” (US4540890 & 4540891)

### Collective Membership Trademarks

“FIND ME AT USREPS USREPS.ORG” & design (US5037809)



### Certification Trademarks

NONE

### Domains

www.USREPS.COM

www.USREPS.ORG

www.USREPS.NET

www.REPSUS.COM

www.REPSUS.ORG

www.REPSUS.NET