

## Emergency Nurses Association

### Governance Policy

#### 2.04 State Council and Local Chapter Use of ENA Name and Logo

- To manage and regulate the proper use of ENA's name, logo and other trademarks by State Councils and Local Chapters
- To establish the terms and conditions under which the State Councils and Local Chapters may use ENA's names, logos and other trademarks
- To protect ENA's intellectual property
- To build, safeguard and promote ENA's brand, reputation and integrity

*Approved 12/18*

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#### Policy

- 1.1 ENA shall take all necessary and appropriate steps to preserve and protect the registration and usage of its intellectual property and all of its marks, whether registered or not.
- 1.2 The legal names of all State Councils and Local Chapters must (i) reflect the name of the region/area served; and (ii) comply with any naming conventions established by ENA in the Brand Guidelines, the ENA Brand Center or this policy.
- 1.3 ENA grants its State Councils and Local Chapters a royalty free, limited, revocable license to use the ENA name and logo ("ENA Marks") and the State Council/Local Chapter logos (the "Council/Chapter Marks") made available in the ENA Brand Center solely to indicate their affiliation with ENA and to signify their identity on all materials in accordance with the terms of this policy, the ENA Brand Center and the ENA Brand Guidelines, each as may be amended from time to time ("License").
- 1.4 In order to build a strong brand and unified organization, the State Councils and Local Chapters must use the Council/Chapter Marks provided by ENA and available in the ENA Brand Center and may not use any other logo or name in any manner whatsoever.
- 1.5 The Council/Chapter Marks, branding and style established by ENA in the ENA Brand Center and ENA Brand Guidelines for the State Councils and Local Chapters may not be altered, modified or changed in any manner by the State Councils or Local Chapters.
- 1.6 All State Council and Local Chapter correspondence, brochures, letterhead, mastheads, newsletters, marketing materials, publications, Web pages, or other materials or information produced, created, used or published by the State Council or Local Chapter, whether in printed or electronic form (collectively, "materials"), shall (i) through the use of name, identify the State Council/Local Chapter in a manner that clearly signifies its affiliation with the ENA; and (ii) bear the name and logos provided in the ENA Brand Center (e.g., the Council/Chapter Marks).
- 1.7 The State Councils and Local Chapters shall take all reasonable steps necessary to protect the ENA Marks and Council/Chapter Marks from unauthorized or inappropriate use, and shall have no right to assign, sub-license, or in any other manner transfer the right to use the ENA Mark or Council/Chapter Marks to any other party without ENA's prior written consent.

- 1.8 The State Councils and Local Chapters may not use the ENA Marks in a confusing manner or manner that would imply that the State Council's or Local Chapter's materials or activities are being conducted by ENA.
- 1.9 ENA shall have the right to reference the State Councils and Local Chapters in marketing, membership, and other materials, and to use the State Councils and Local Chapters names (and logos) for this purpose.
- 1.10 ENA may inspect all of a State Council/Local Chapter's use of the ENA Mark and Council/Chapter Marks and require that a State Council/Local Chapter (i) modify its use of the ENA Marks and/or Council/Chapter Marks in accordance with the ENA's instruction; or (ii) cease and desist any use of ENA's Marks or Council/Chapter Marks that ENA deems confusing or inappropriate. Councils/Chapters shall comply with any such requests as soon as practical, but in any event within no more than 15 days.
- 1.11 Except as expressly granted to the State Councils and Local Chapters under this policy, all rights, title and interest in and to the ENA Marks and Council/Chapter Marks shall at all times remain with ENA. The State Councils and Local Chapters shall not take any action that is inconsistent with the ENA's rights or that would impair ENA's rights. All goodwill and benefits accruing from use of the ENA Marks and Council/Chapter Marks shall inure to the benefit of ENA.
- 1.12 State Councils and Local Chapters shall not, at any time, seek to register the ENA Marks or Council/Chapter Marks in their own name.
- 1.13 The License shall terminate immediately in the event of the dissolution of a State Council or Local Chapter or revocation of its charter in accordance with the terms of ENA's bylaws and applicable polices.
- 1.14 State Councils and Local Chapters will notify ENA in writing promptly of any conduct by third parties of which they become aware that may be considered trademark infringement, trademark dilution, unfair competition, passing-off, or trade libel relating to the ENA Marks or Council/Chapter Marks. State Councils and Local Chapters shall not take any action on account of any such infringements or imitations without ENA's prior written consent.