

**BOARD OF PARK COMMISSIONERS OF THE CLEVELAND METROPOLITAN
PARK DISTRICT (“CLEVELAND METROPARKS”)**

POLICY STATEMENT

SUBJECT: Trademark and Logo Usage Policy

EFFECTIVE DATE: November 17, 2022

I. PURPOSE

The Board of Park Commissioners of the Cleveland Metropolitan Park District (Cleveland Metroparks) owns brands, marks, names, and logos which are very important organizational assets. See the attached Exhibit A which includes all of Cleveland Metroparks’ list of trademarks.

The Cleveland Metroparks Trademark and Logo Usage Policy sets forth the authorized policies for using or referring to Cleveland Metroparks brands, trademarks, product and service names, logos and slogans.

II. CLEVELAND METROPARKS’S TRADEMARK RIGHTS

As the owner of its trademarks, Cleveland Metroparks has the exclusive right to use its trademarks, as well as the right to stop others from using its trademarks improperly or without authorization.

Identification of Cleveland Metroparks products or services is the sole permissible use of Cleveland Metroparks trademarks and logos. The following is a non-exhaustive list of impermissible uses of Cleveland Metroparks trademarks and logos:

- A. No Cleveland Metroparks trademark or logo may be incorporated into or used as part of a third party’s own logo, company name, product logo or otherwise.
- B. No Cleveland Metroparks trademark or logo may be used in any way that is likely to be confusing, misleading or deceptive as to the true identity or source of products, services, materials, courses or programs.
- C. No mark that is misleadingly similar in design or appearance to any Cleveland Metroparks mark or infringes on Cleveland Metroparks trademark rights may be used.
- D. No Cleveland Metroparks trademark or logo may be used in any manner that is likely to disparage, dilute or negatively affect Cleveland Metroparks reputation.
- E. No Cleveland Metroparks trademark or logo may be used in a way that is likely to imply that the user, its products, or its services are endorsed by, sponsored or affiliated with Cleveland Metroparks, without written permission from Cleveland Metroparks.

Cleveland Metroparks will pursue its legal rights against those who engage in any of the aforementioned activities or any other activities that infringe on Cleveland Metroparks trademark rights.

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III. PROPER USE OF TRADEMARKS AND SYMBOLS

Cleveland Metroparks trademarks and service marks shall be used so long as such references (a) are truthful, fair, and not misleading, and (b) comply with this Policy.

- A. When referencing Cleveland Metroparks, Cleveland Metroparks Zoo, Emerald Necklace, or Merwin’s Wharf entities, CLEVELAND METROPARKS, CLEVELAND METROPARKS ZOO, EMERALD NECKLACE, or MERWIN’S WHARF names may be used as proper nouns. Cleveland Metroparks, Cleveland Metroparks Zoo, Emerald Necklace, or Merwin’s Wharf names may, in that instance, be used as a trade name, and no trademark symbol is needed when referring to the company.

Correct: Today, Cleveland Metroparks announced the opening of the new Fort Hill Staircase.

Incorrect: Today, Cleveland Metroparks® announced the opening of the new Fort Hill Staircase.

- B. Trademarks may not be used in the plural or the possessive.

Correct: Cleveland Metroparks Emerald Necklace.

Incorrect: Cleveland Metroparks’ Emerald Necklace.

Trademarks must not be used in the possessive.

Correct: Cleveland Metroparks Emerald Necklace.

Incorrect: Cleveland Metropark’s Emerald Necklace.

- C. Cleveland Metroparks trademarks may not be shortened, abbreviated or made into acronyms.

Correct: “Cleveland Metroparks”

Incorrect: “CMP.”

IV. PROPER TRADEMARK ATTRIBUTION

- A. Include a trademark notice when referring to a trademark. Place an appropriate trademark notice symbol (®) adjacent to the first or most prominent reference to the trademark. Do not add a space between the trademark name and the symbol. The symbol should be in superscript or subscript. In the absence of those symbols, a parenthetical notation such as (R) is acceptable.

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Correct: Edgewater LIVE®

Incorrect: Edgewater LIVE ®

- B. Use the appropriate trademark symbol. When referring to Cleveland Metroparks trademarks, use the “®” symbol in accordance with the status of the particular Cleveland Metroparks product or service.
- C. Use the trademark legend. In addition to applying the appropriate symbol to the trademark being used, third parties must attribute all Cleveland Metroparks Trademarks in an appropriate trademark legend. The legend may be printed in small print; however, it must be large enough to be legible. Permissible locations to place the legend include, but are not limited to, the end of a document, on the back of a package or on the bottom of a web page.
 - 1. Use the following standard trademark legend in all material referencing any Cleveland Metroparks trademark:

“Cleveland Metroparks, [*insert all other trademarks, product names, service names, program names, etc., that are referred to or displayed in the document*] are registered trademarks of Cleveland Metroparks.”

V. USE OF CLEVELAND METROPARKS LOGOS

Cleveland Metroparks logos may only be shown independently. A logo may not be used in the context of a written description. Additionally, Cleveland Metroparks logos shall only be used in accordance with the Cleveland Metroparks Style Guide, and as may be amended from time to time, available on the employee portal.

VI. THIRD PARTY USE OF CLEVELAND METROPARKS TRADEMARKS

- A. Affiliates of Cleveland Metroparks, licensees, and other third parties are limited to specific, approved uses of Cleveland Metroparks trademarks. Affiliates may not use any Cleveland Metroparks trademark as part of their own logo or company name or in third party advertising, product packaging, website or other promotional materials.
- B. Non-affiliate third parties must use Cleveland Metroparks trademarks within the parameters outlined below. Unauthorized or improper use of Cleveland Metroparks trademarks may infringe on Cleveland Metroparks trademark rights.
 - 1. Cleveland Metroparks trademarks may not be used in third party company or product names without a written trademark license agreement.

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2. A licensed third party shall not use any other trademark or service mark in close proximity to any of the Cleveland Metroparks trademarks or combine marks in either case so as to effectively create a unitary composite mark, *without the prior written approval of Cleveland Metroparks*; provided, however, nothing herein shall prevent such licensed third party from preparing and distributing marketing materials in which the Cleveland Metroparks Trademarks and the licensed third party’s marks appear on the same page or slide as discrete marks. Notwithstanding the foregoing, each use of Cleveland Metroparks trademarks is subject to Cleveland Metroparks pre-approval, such approval may be withheld at its sole discretion.
3. Prior to publication or release, written approval by Cleveland Metroparks must be received by all third parties of advertising and/or marketing collateral or other materials that use Cleveland Metroparks trademarks.
4. Neither domain names nor metatags in third party websites may use or include Cleveland Metroparks trademarks without Cleveland Metroparks advance written consent.
5. Additionally, without Cleveland Metroparks advance written consent, third parties may not hyperlink or deeplink to Cleveland Metroparks webpages, unless the third party provides clear and unmistakable notice that the end user is exiting that website and entering the Cleveland Metroparks website. The sole circumstance under which deeplinking is permissible is when a need for information on Cleveland Metroparks products, programs, services or technologies exists on the third party website.
6. Proper references to Cleveland Metroparks products or services by third parties is permissible. To refer to Cleveland Metroparks products and services, third parties may use Cleveland Metroparks trademarks but only if used properly and accompany the trademarks with the appropriate trademark symbol and legend. For further guidance, please refer to Section 2 of this policy entitled “Proper Use of Trademarks and Symbols.”

C. THIRD PARTY USE OF CLEVELAND METROPARKS LOGOS

Cleveland Metroparks logos may be used only when licensed from Cleveland Metroparks. If a company or individual has a valid written license agreement in effect with Cleveland Metroparks, that company or individual must use the logo in accordance with the specifications described in the license agreement. Those guidelines are license specific, and will not be addressed in this general Policy. In the event that the terms of an individual license and this

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Policy conflict, the terms of the individual license shall govern. A logo licensee whose license does not describe limitations on use of the logo should follow the guidelines found in Section 2.

References:

Federal Trademark Act (also known as the Trademark Act of 1946 and the Lanham Act). 15 U.S.C. §§ 1051–1127.

Trade name registration. Ohio Rev. Code Ann. §§ 1329.01–1329.10.

Trademark registration. Ohio Rev. Code Ann. §§ 1329.54–1329.99.

Rules of practice in trademark cases. 37 C.F.R. §§ 2.1–2.189.

Assignment and recording of trademark applications and registrations. 37 C.F.R. §§ 3.1–3.85.

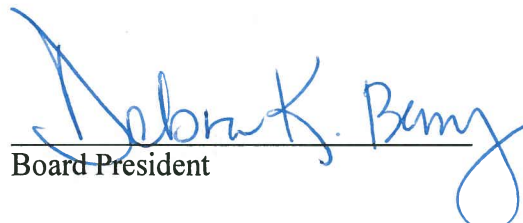
Classification of goods and services under Trademark Act. 37 C.F.R. §§ 6.1–6.4.

Replaces and Supersedes: Trademark and Logo Usage Policy, November 30, 2017

Approved:



Chief Executive Officer-Secretary



Board President

11/17/22
Approval Date

November 2022
Review Date

EXHIBIT A



CLEVELAND METROPARKS

CLEVELAND METROPARKS Logo



CLEVELAND METROPARKS ZOO

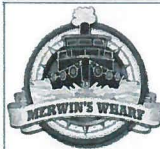


EDGEWATER LIVE



EMERALD NECKLACE

MERWIN'S WHARF



RED LINE GREENWAY



WILD WINTER LIGHTS

WILD WINTER LIGHTS

