

# EtherCAT Technology Group

## Member Logo Rules

### Preamble / Scope

The logo is a fundamental part of a company's corporate identity and represents a substantial intellectual property. When joining the EtherCAT Technology Group ("ETG"), the members provide, in accordance with the By-Laws of the ETG, their company names and company logos for the sole purpose of promoting the EtherCAT Technology. The By-Laws prohibit the usage for any other purpose. This document defines the framework and the conditions for the usage of company names and company logos of the members of the ETG. The usage of the trademark and logo "EtherCAT" and any other logo of the ETG is specified in the ETG Marking Rules.

### 1. Definitions

In context of these rules

- 1.1 **Member Logo** means the company logo provided by the Member in accordance with Section 9.3 of the ETG By-Laws.
- 1.2 **Member** means the Member providing the Member Logo.
- 1.3 **Using Member** means the Member using Member Logos.
- 1.4 **Member Logo Artwork** means the source files of Member Logos artwork suitable for high resolution printing.
- 1.5 **Member Logo Compilation** means a combination or bundle of Member Logos, in which all logos have an obvious and verifiable commonality, such as coming from the same country, continent, sector of industry and/or co-exhibitor at ETG booth.
- 1.6 **EtherCAT Technology** means Ethernet control & automation technology, specified in IEC 61158 and IEC 61784 (and its successors) as well as in the specifications issued by the EtherCAT Technology Group.
- 1.7 **Promoting the EtherCAT Technology** means to support the adoption and acceptance of the EtherCAT Technology among potential users and implementers of the technology. Even though Promoting the EtherCAT Technology will also increase the acceptance of EtherCAT products, in the context of these rules this promotion excludes EtherCAT product sales and marketing activities.

## **2. Member Logo Usage: General Rules**

- 2.1 According to the By-Laws of the EtherCAT Technology Group, during the term of its membership each Member directly grants the group and the other members the use of their company names and company logos for the sole purpose of promoting the EtherCAT Technology. Individual group members shall use a Member Logo Compilation only and shall not use single Member Logos for the given purpose.
- 2.2 Displaying the Member Logos shall refer to the membership of the Members to the ETG.
- 2.3 Within a Member Logo Compilation, no Member Logo may be singled out by size, position or other means. A Member Logo Compilation must at least comprise ten (10) Member Logos.
- 2.4 The usage of the Member Logos must be truthful and not misleading. The Member Logos may not be used to imply any relationship with or endorsement by the Member that is not true.
- 2.5 Using Members may not alter the Member Logos in any way, including but not limited to any changes to add additional text, adjust ration of elements within the logo or delete elements. Trademark references must appear if contained in the Member Logo.
- 2.6 Using Member may not use or register the Member Logo as a component of its company name, trade name or a similar designation of its business or enterprise or as a component of a domain name or a product name.
- 2.7 Member Logos may not be used as a design element of any other logo or trademark.
- 2.8 Member Logos must be used or reproduced in its entirety. No fragments or portions of the Member Logo may be used or reproduced.
- 2.9 The Member Logos may not be used in connection with any disparaging statements about the Member, its products or the EtherCAT Technology Group.
- 2.10 Member Logos may not be used on any materials that are in violation of any applicable laws or governmental regulations.
- 2.11 Membership in the ETG does not entitle to use any other logo owned or used by members of the ETG other than the Member Logo, such as product logos or logos of third parties.
- 2.12 The Using Member acknowledges the Member's rights in the Member Logo and that it will not acquire any rights in the Member Logo through its use except as stipulated in the By-Laws of the ETG and these rules.

### **3. Member Logo Artwork Handling**

- 3.1 The ETG, its offices and members acting explicitly on behalf of the ETG provide Member Logo Artwork to Using Members only upon on a detailed description of the intended usage.
- 3.2 Using Members may forward Member Logo Artwork only to third parties for the purpose of designing and/or producing brochures, publications, displays etc. on behalf of the Using Member. The Using Member is not entitled to grant further licenses in relation to the Member Logo.

### **4. Misuse of Member Logos**

- 4.1 In case a Member detects the misuse of its Member Logo by another member, it will report this to the Board of Directors of the ETG so that the Board of Directors can take appropriate action.
- 4.2 In case the misusing member does not comply with the corresponding orders of the Board of Directors, the Board of Directors may expel the member according to the By-Laws of the ETG.
- 4.3 Nothing of the foregoing shall restrain the Member from taking action against any misuse or unfair, misleading, diluting or infringing use of the Member Logo by the Using member or any third party.

### **5. Disclaimer**

- 5.1 The ETG, its officers and representatives disclaim all warranties against the Member Logos, including warranties against infringement of third party rights and any warranties that might be implied by applicable law.
- 5.2 ETG does not grant any indemnity against infringement or other claims arising from the use of Member Logos under these rules. Using Members use Member Logos at own risk and agree to indemnify ETG against all claims and liability that may arise from using any Member Logo.

(approved by ETG Board of Directors, Nov 12, 2010)