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## Omega Psi Phi Fraternity, Inc.

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### OMEGA PSI PHI FRATERNITY, INC.

### TRADEMARK AND LOGO USAGE POLICY

**Adopted by the Supreme Council**

**January 22, 2015**

Omega Psi Phi Fraternity, Inc.'s ("Omega Psi Phi" or the "Fraternity") brands, marks, names, and logos are among its most important and valuable corporate assets. Omega Psi Phi has registered numerous trademarks and service marks with the United States Patent and Trademark Office ("PTO") relating to its marks, names and logos, including those listed in the attached *Schedule A*. Omega Psi Phi also has registrations currently pending before the PTO, and has numerous other marks protected by state and federal common law. Omega Psi Phi vigorously protects its intellectual property rights, including instituting legal action when necessary.

This Trademark and Logo Usage Policy is applicable to Omega Psi Phi, to all Omega Psi Phi chapters, affiliates and members worldwide, advertising agencies, vendors and licensees, and serves as notice to third parties and sets forth authorized policies for using or referencing Omega Psi Phi brands, product and service names, logos and slogans.

### OMEGA PSI PHI 'S TRADEMARK RIGHTS

As owner of its trademarks, Omega Psi Phi has exclusive rights to the use or license its marks, and the right to stop others from using its marks improperly or without authorization.

The identification of Omega Psi Phi members, programs, products or services is the sole permissible use of Omega Psi Phi trademarks and logos. The following is a non-exhaustive list of impermissible uses of Omega Psi Phi trademarks and logos:

- No Omega Psi Phi trademark or logo may be incorporated into or used as part of a third party's own logo, company name, product logo or otherwise.
- No Omega Psi Phi 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 membership, programs, products, services, materials or courses.
- No mark that is misleadingly similar in design or appearance to any Omega Psi Phi mark or infringes on Omega Psi Phi trademark rights may be used.

- No Omega Psi Phi trademark or logo may be used in any manner that is likely to disparage, dilute or negatively affect Omega Psi Phi 's reputation.
- No Omega Psi Phi trademark or logo may be used in a way that is likely to imply that the user, its products, or its services, or its programs are endorsed by, sponsored or affiliated with Omega Psi Phi Fraternity, Inc. or its chapters, without written permission from Omega Psi Phi.

Omega Psi Phi will pursue its legal rights against those who engage in any of the aforementioned activities or any other activities that infringe on Omega Psi Phi's trademark rights.

## **MEMBERS, CHAPTERS AND AFFILIATES OF THE FRATERNITY**

Please be advised:

**No individual Fraternity member, chapter, or members who have affiliated for any purpose own any of Omega Psi Phi's trademark or intellectual property rights, and no such persons may authorize the use of the Fraternity's intellectual property for any purpose.**

The use of Fraternity marks and logos is approved *for internal communications only* for the Fraternity, chapters and districts.

All other uses of the Fraternity's marks or logos require prior written approval from the Fraternity. This includes, for example (without waiver or limitation) placement of any mark or logo on any building, public object, site marker, event notice or publication, hat, t-shirt, or other promotional item. Any such use, without prior written approval, will be in violation of federal trademark law and other state and federal rights, and may be subject to legal action by the Fraternity.

When submitting requests for approval of events, chapters or districts should also specify:

1. Each Fraternity mark or logo which it is requesting to use; and
2. Each specific, intended manner of use for the mark or logo.

### **Misuse of Trademarks by Others**

If you learn of any uses of any logos, icons, or images that are confusingly similar to the Omega Psi Phi trademarks or logos, please notify us by sending an e-mail to:

[Executivedirector@opph.org](mailto:Executivedirector@opph.org).

Please also notify us if you become aware of any use of an Omega Psi Phi trademark that violates any of the rules described in this Policy, including failure to identify Omega Psi Phi trademarks as belonging to Omega Psi Phi Fraternity Incorporated. If possible, please provide a copy of the article or other medium in which the trademark violation appeared.

## THIRD PARTY USE OF OMEGA PSI PHI TRADEMARKS

Only authorized vendors or business affiliates of the Fraternity may utilize Omega Psi Phi's trademarks and logos, and only for specific, approved uses. Anyone wishing to design, manufacture, market, advertise, distribute or sell any item or product imprinted with or featuring Omega Psi Phi's trademarks or logos must be certified by Omega Psi Phi as a vendor, and execute a written license agreement with the Fraternity. Unauthorized or improper use of Omega Psi Phi trademarks may infringe on Omega Psi Phi's trademark rights.

Without waiver or limitation, third parties must use Omega Psi Phi trademarks and logos within the following limitations and parameters:

1. Except as provided within this Policy, Omega Psi Phi's third party affiliates may not use any Omega Psi Phi trademark as part of their own logo or company name or in third party advertising, product packaging, Web site or other promotional materials. As such, neither domain names of, nor metatags in, third party Web sites may use or include Omega Psi Phi trademarks or logos without Omega Psi Phi's advance written consent.
2. A licensed third party shall not use any other trademark or service mark in close proximity to any of the Omega Psi Phi trademarks or combine marks in either case so as to effectively create a unitary composite mark, without the prior written approval of Omega Psi Phi, at its sole discretion.
3. Prior to publication or release, written approval by Omega Psi Phi must be received by all third parties of advertising and/or marketing collateral or other materials that use Omega Psi Phi trademarks or logos.
4. Without Omega Psi Phi's advance written consent, third parties may not hyperlink or deeplink to Omega Psi Phi Web pages, unless the third party provides clear and unmistakable notice that the end user is exiting that Web site and entering the Omega Psi Phi Web site.

In the event that the terms of an individual license and this Policy conflict, the terms of the individual license agreement shall govern.

## GUIDELINES FOR PROPER TRADEMARK ATTRIBUTION

### 1. Include a trademark notice when referring to a trademark.

Place an appropriate trademark notice symbol (® or ™) adjacent to the first and 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 (TM) is acceptable.

Correct: Omega Psi Phi® Fraternity Membership Manual  
 Incorrect: Omega Psi Phi Membership Manual

### 2. Use the appropriate trademark symbol.

When referring to Omega Psi Phi trademarks, use the "™" or "®" symbol in accordance with the status of the particular Omega Psi Phi program, product or service. Refer to the Fraternity webpage entitled "[Omega Psi Phi Trademarks](#)" to determine the correct symbol for the particular trademark being used.

### 3. Use the trademark legend.

In addition to applying the appropriate symbol to the trademark being used, third parties must attribute all Omega Psi Phi 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.

Use the following standard trademark legend in all material referencing any Omega Psi Phi trademark:

"Omega Psi Phi, [*insert all other trademarks, product names, service names, program names, etc., that are referred to or displayed in the document*] are trademarks or registered trademarks of Omega Psi Phi Fraternity, Incorporated in the United States and other countries."

## DISCLAIMER

This document does not express all of Omega Psi Phi's rights to or restrictions to the use of its intellectual property, or the actions it may take to protect and enforce its intellectual property rights. No information contained in this Omega Psi Phi Trademark and Logo Usage Policy is intended to serve as legal advice. If you have questions regarding your legal rights or duties, please consult your own attorney.

*Adopted by unanimous vote of the Supreme Council at a duly organized meeting on January 22, 2015, Atlanta Georgia.*

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Kenneth E. Rodgers,  
Grand Keeper of Records and Seal

\_\_\_\_\_  
Date

**Addendum  
To  
Omega Psi Phi Logo and Brand Use Policy**

**TIPS AND GUIDANCE FOR PROPER USAGE**

## **PROPER USE OF TRADEMARKS AND SYMBOLS**

You may refer to Omega Psi Phi, members, programs, products and services by their associated Omega Psi Phi trademarks and service marks, so long as such references (a) are truthful, fair, and not misleading, and (b) comply with this Policy

### **1. Use trademarks only as adjectives.**

Because trademarks are adjectives rather than nouns or verbs, a trademark may not be used alone. Always use a trademark as an adjective immediately preceding the noun applicable to the product.

Correct: The Easter Egg Hunt is a common Omega Psi Phi® program.

*Incorrect: The easter egg hunt is common to Omega Psi Phi®.*

### **2. When referencing Omega Psi Phi as an incorporated entity, the Omega Psi Phi name may be used as a proper noun.**

An exception to the "use as an adjective only" rule exists where the reference to Omega Psi Phi is a reference to the corporate entity. The Omega Psi Phi name may, in that instance, be used as a trade name; no trademark symbol is needed when referring to the company.

Correct: Today, Omega Psi Phi announced its new mentoring program.

### **3. Trademarks may not be used in the plural or the possessive.**

Because trademarks are not nouns, they must never be used in the plural.

Correct: Talent Hunt® programs.

*Incorrect: Talent Hunts.*

Trademarks must not be used in the possessive.

Correct: The Talent Hunt® application is available ...

*Incorrect: Talent Hunt®'s application ...*

**4. Omega Psi Phi trademarks may not be shortened, abbreviated or made into acronyms.**

Correct: "Talent Hunt® Program of Omega Psi Phi®."

*Incorrect: "TH." and "THP of OPP."*

**5. Use Only The Approved Master Artwork.** The Omega Psi Phi logos are single, standalone pieces of artwork. When reproducing the logos, use only the master artwork provided by Omega Psi Phi. Do not alter or distort the appearance of the logo in anyway, for example, by adding your own design elements or colors or changing the font. The logo must always look sharp, clean, and well produced.

**6. Allow A Minimum Clear Space Around The Omega Psi Phi Marks or Logo.** Always allow for a minimum clear space around the Omega Psi Phi logo. Never violate the clear space with any graphic elements, words or charts.

**7. Maintain Legibility.** Never reproduce the marks or logo in a manner that causes them to become illegible or blurry, which may happen if the logo is reproduced too small.

**8. Do Not Use Omega Psi Phi Marks and Logos As A Decorative Device.** Do not use any Omega Psi Phi marks and logos for purely decorative purposes in any marketing collateral, packaging, or web site without the express written permission of Omega Psi Phi.