6. TRADEMARKS, LOGOS, COPYRIGHTED MATERIALS, AND PROPRIETARY INFORMATION AND DATA

Scope

This policy covers the use of the NIGP trademarks and logo, as well as copyrighted materials.

General

A. Trademarks and Servicemarks

1. Registration. NIGP shall register with the United States Patent and Trademark Office and all applicable state trademark offices, all trademarks and servicemarks that are proprietary to NIGP and that are eligible for registration. NIGP shall file such documents and perform such other actions that may be required or necessary to lawfully protect and enhance all marks registered in the name of NIGP.

2. Use by Chapters. NIGP shall permit NIGP Chapters and affiliated associations to use all NIGP marks pursuant to a nonexclusive, revocable license, on condition that the use of such marks is in accordance with policies as adopted from time to time by the NIGP Governing Board.

The Chief Executive Officer is authorized to revoke the right of a Chapter or affiliated association to use an NIGP mark in the event the Chief Executive Officer determines that the use of a mark by such Chapter, affiliated association, association or council is in violation of NIGP policy.

A member agency or employees of the agency or individual members may use the mark. The use of an NIGP mark by a Chapter or affiliated association, members or employees of members, or individual members is subject to the following additional conditions, the breach of which shall revoke the right of a user to use such mark as described herein:

- The mark shall not be used in any manner to indicate that the mark is the property of the user.
- No user shall sub-license a mark or otherwise permit the use of a mark by third parties.
Chapters and affiliated associations that use the mark shall indemnify NIGP, its members and employees of members against all claims arising from any use.

Chapters, affiliated associations, and licensed third parties shall furnish to NIGP, upon request, samples of their use of an NIGP mark.

Chapters, individual members and affiliated associations shall use only the official NIGP marks as supplied by NIGP and shall not alter the mark in any fashion.

B. **NIGP Logo and Letterhead**

The NIGP logo may be used on official stationery and publications of NIGP. Members may use the NIGP logo on business cards. The Institute’s logo may be used as a design element for various promotional items that are sold by NIGP and/or Chapters.

C. **Copyrighted Materials**

Copyright is automatically secured when original works of authorship are “fixed in any tangible medium of expression, from which they can be perceived, reproduced, or otherwise communicated.” (U.S. Copyright Law, Title 17, U.S. Code Section 102).

The right of copyright includes:

- The right to authorize others to reproduce materials
- The right to distribute copies
- The right to prepare a derivation work
- The right of performance
- The right to display works publicly

NIGP shall register with the U.S. Copyright Office the text of all materials and other works that are proprietary to NIGP and that are eligible for copyright protection. NIGP files all registrations and other documents and materials for copyright protection and shall do such other things that may be required or necessary to lawfully protect and enhance all copyrighted materials registered in the name of NIGP.

It is also the policy of NIGP to obtain releases from authors of any work published by NIGP so as to entitle NIGP to the benefits of copyright protection for such published work. In cases where individual authors have copyright protection with respect to their work, it is the policy of NIGP to copyright the compilation published by NIGP to entitle NIGP to copyright protection for such published compilation.
NIGP shall permit Chapters, affiliated associations, and NIGP members to obtain and use NIGP copyrighted material pursuant to the policy of NIGP as adopted from time to time by the Chief Executive Officer concerning costs and reproduction rights.

NIGP members may make one copy for their personal use of an article that appears in a NIGP publication with appropriate attribution. NIGP members and others who wish to reproduce multiple copies of any NIGP material shall request permission to reproduce material copyrighted by NIGP and pay any established fees.

Copyright protection also extends to material that appears on the NIGP Web site.

D. **Proprietary Information and Data**

1. The Institute regularly produces financial, management, and operational reports that are intended to provide analytical and trend data on the performance of the Institute. This information is provided to volunteer leaders in strictest confidence and shall not be shared with individuals other than those listed on the distribution list without the expressed permission of the Chief Executive Officer.

2. Through its management database, the Institute is capable of producing membership listings with a wide array of data fields based on selected demographics. These reports are the intellectual property of NIGP and are restricted to use by the NIGP staff with the following blanket exceptions or as exempted by the Chief Executive Officer or Governing Board Chair on a case-by-case basis:

   a. Lists provided to NIGP Chapters: Upon written request by an Officer of the Chapter to the Chief Executive Officer or designee, the listing shall be restricted to the geographic area reflected by the chapter membership.

   b. Non-NIGP affiliate third-party use of lists is restricted to private entities who participate in one of the NIGP Strategic Partner programs. The Director of Marketing shall authorize the list rental agreement on a case-by-base basis.

   c. Lists of registered attendees for the Annual Forum and Products Exposition: This list is provided to registered exhibitors for sole and expressed purpose of promoting products or services to be featured during the specific Exposition for which the exhibitor is registered. Any extended or multiple use of the list is considered a violation of NIGP’s property rights.
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d. Lists provided to NIGP Governing Board or Councils for the express purpose of providing communications to their constituents.

3. Member lists may only be used for distribution of official NIGP related communications or those of its Chapter affiliates. Messages from third parties are allowable only under the terms of the list rental agreement. Under no circumstances may the list be utilized for personal gain or use.

4. Where applicable federal, state/provincial, or local/municipal statutes, laws or regulations expressly prohibit the collection or dissemination of member data, these statutes, laws or regulations shall take precedence over any allowances stipulated in this section of the Manual. NIGP’s Privacy Policy allows members to opt out of member roster distributions.