

SAMPLE EMBLEM MEMO

[date]

MEMORANDUM FOR: Barbara Fredericks
Assistant General Counsel
for Administration

THROUGH: Victor E. Powers
Director, Office of Organization
and Management Support

FROM: [name and title of program unit contact/advocate for outside use]

SUBJECT: Request for Permission to Use Official ITA Emblem

This is a request for permission by an outside organization, namely *[name of outside entity]* to use the ITA emblem. *[provide one or two paragraphs on nature of outside organization and their proposed use of bureau emblem and timeframe for use.]*

Generally

The use of an official seal, emblem, insignia or logo by an outside organization is governed by Department Administrative Order 201-1, Approval and Use of Seals, Emblems, Insignia and Logos. Specifically, Section 5.04 of the DAO states that:

.04 Permission to use Department seals, emblems, insignia, and logos may not be granted to outside organizations without the written approval of the head of the operating unit that originated the seal, emblem, insignia, or logo, and the concurrence of OGC/Admin, which will review the request for any possible appearance of endorsement, conflict of interest, and related issues. In addition, OGC/Admin will ensure the Department's trademark interests are being protected. Use of the Department seals by outside organizations is governed by the provisions in DAO 201-17.

a. Requests to use a Department seal, emblem, insignia, or logo (collectively referred to as "symbol") shall meet the following criteria:

1. use of the symbol by the outside party must satisfy some interest of the Department;
2. the use may not cause embarrassment to the Department;
3. there must be no conflict with trademark rights; and
4. there can be no endorsement of or favoritism toward the entity using the symbol or other appearance of impropriety.

b. To support the need for complete and considered review, all requests to use Department seals, emblems, insignia and logos shall include the following information:

1. a specific description of how the Department seal, emblem, insignia, or logo will be used, including the location of the symbol, the size and proximity of the symbol to the seal, logo, emblem, or banner of other organizations, agencies, businesses or corporations. (When available, the request shall be accompanied by a draft document that clearly demonstrates where the Department symbol will be placed. This draft shall be representative of the final product that will bear the Department symbol.);
2. a specific description of the Department interest(s) that will be satisfied, supported, or fulfilled through the requested use of the symbol;
3. a description of the Department's relationship, if any, to the requesting party; and
4. a brief statement explaining why the use of the symbol in the given circumstance would not result in embarrassment to or a perception of favoritism or endorsement by the Department.

Proposed Use of the ITA Emblem

[Description of how and duration of time ITA emblem will be used.

Provide the following:

A specific description of how the ITA Emblem will be used, including the location of the emblem, the size and proximity of the emblem to the logo or banner of other organizations, agencies, businesses or corporations. When available, the request shall be accompanied by a draft document (representing the final product), which clearly demonstrates where the Department seal will be placed. Attach copy of mockup if possible.]

Determinations

Attached is a mockup showing how the ITA emblem will be used by *[name of outside organization]*. We have reviewed this proposed use in light of the provisions of DAO 201-1, Section 5.04 and have made the following determinations:

In Satisfaction of Agency Mission

We have determined that the proposed outside use of the ITA emblem furthers the agency's mission because...

No Embarrassment to Department

We have determined that the proposed outside use of the ITA emblem is not likely to cause embarrassment to the Department because...

No Conflict With Trademark Rights

We have determined that there are no trademark related issues, such as trademark infringement or dilution, relevant to this outside use of the ITA emblem, since the emblem is not being used in a way that would suggest that it was the property of the outside organization, nor is it being used in any other way that would cause harm to the agency’s trademark rights in the emblem. To this end, we have reviewed and approved of *[name of outside organization]* proposed use, shown in the mockup, and will request that the outside organization use the following notice in conjunction with their use of the emblem:

“The ITA® or ™ emblem is a [registered?] trademark of the International Trade Administration, used with permission.

Note: To determine if the emblem is a registered trademark, and whether or not to use the ® or ™, consult with a trademark counsel in General Counsel’s General Law Division at 202-482-5391. For example, it might read as follows: “The NOAA® emblem is a registered trademark of the National Oceanic and Atmospheric Administration, used with permission.”

No Endorsement or Favoritism Issues

Further, there does not appear to be any appearance of endorsement or favoritism issues with respect to this proposed use, nor does there appear to be any other appearance of impropriety, because...

Recommendation

Accordingly, permission is sought under the DAO 201-1 to enable *[name of outside organization]* to use the ITA emblem as it has proposed. If you approve, please sign below where appropriate. Please be assured that this permission does not extend beyond this individual use.

Barbara Fredericks Date
Assistant General Counsel for Administration

Attachments:
(Please list)