

GUIDELINES TO PROPER TRADEMARK USE

A trademark includes any word, name, symbol, or device, or any combination used, or intended to be used, in commerce to identify and distinguish the goods of one manufacturer or seller from goods manufactured or sold by others, and to indicate the source of goods. Essentially, a trademark is a brand name. A trademark is followed by the TM symbol.

A service mark is the same as a trademark, except it identifies and distinguishes the source of a service rather than a product.

A registered trademark is registered with the United States Patent and Trademark Office (USPTO). It is followed by the [®] symbol.

According to the USPTO, registered trademarks provide advantages, such as:

- constructive notice to the public of the registrant's claim of ownership of the mark;
- a legal presumption of the registrant's ownership of the mark and the registrant's exclusive right to use the mark nationwide on or in connection with the goods and/or services listed in the registration;
- the ability to bring action concerning the mark in federal court;
- the use of the U.S. registration as a basis to obtain registration in foreign countries; and
- the ability to file the U.S. registration with the U.S. Customs Service to prevent importation of infringing foreign goods.

Hence a registered trademark holds more protection than a trademark.¹

FORMATTING OF REGISTRATIONS AND TRADEMARKS

In addition to the guidelines set forth in the standard License Agreement(s), advertisements are reviewed for the proper formatting of registrations and trademarks. This entails depicting the correct marking on USPS trademarks. This marking is either the trademark or registered trademark symbol.

The representations of the registrations and trademarks are as follows:

- Registered – ® = Alt + 0174 (or left parenthesis R right parenthesis)
- Trademark – TM = Alt + 0153 (or left parenthesis TM right parenthesis)

Once the symbols are added to registrations and trademarks, they must be properly formatted. To Superscript in Microsoft Word, highlight the words and/or symbol. Choose Format, Font, Superscript and then click OK. The registered trademark symbol (®) must be manually superscripted; the trademark symbol automatically superscripts. When denoting trademarks, registered trademark and trademark symbols must not be double-superscripted.

RIGHT: USPS[®]
WRONG: USPS®

The registered trademark symbol should be superscripted.

RIGHT: Suite^{Link™}
WRONG: Suite^{Link™}

¹ The definitions and information in this section was obtained from the United States Patent and Trademark Office Web site.

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When writing Product names, such as Suite^{Link™}, only “Link” should be superscripted. To check for double-superscripting, highlight the trademark symbol and choose Format, Font and Superscript. If Superscript is checked, click to remove.

However if Superscript fonts are not available, all other format elements must be maintained. For example, Suite^{Link™} becomes SuiteLink(TM). Under no other circumstances is this permissible. Advertisements that do not follow this guideline will not be approved.

PROPER USE OF TRADEMARKS

The proper use of trademarks is also noted in advertisement review. For documents two pages or less, trademark or registered trademark symbols should be denoted once in the most prominent place, such as the headline or tagline. If documents are more than two pages, including but not limited to, brochures or pure textual material in a booklet, trademark or registered trademark symbols should be used as often as needed to ensure those reviewing, editing, interpreting and/or reading the material understands the USPS® is the owner of the trademarks.

On Web pages and slide presentations, registered trademark and trademark symbols should be noted on the first occurrence on every page registrations and trademarks appear.

PRODUCT NAMES

Licensees should not spell out the text representation of trademarked Product names, such as NCOA^{Link®}, DSF^{2™} and CASS[™]. The text representation should not be spelled out immediately following or preceding the Product name.

The spelled out text representation of the trademarked product name dilutes the trademark. The spelled out text representation is considered simply a description of what the product is or what the product does.

For example if Licensees and/or their customers use the term “DSF^{2™} (Delivery Sequence File Second Generation)”, DSF² is no longer a Product name. It is merely a generic term which stands for Delivery Sequence File Second Generation.

Licensees may argue that separating the Product name from the clarified text representation presents a disservice to customers because customers will not understand what the product is, which can also serve as a potential disadvantage to Licensees. However the USPS believes more knowledgeable mailers will understand the functions of the products, particularly combined with descriptive phrases or sentences that does not include the spelled out text representation. Less experienced mailers will most likely contact the sales representatives or Licensees for questions concerning the Products and change-of-address processing.

NCOA^{Link®}, DSF^{2™}, CASS[™], etc, are trademarked Product names. Short descriptors of the Product names can be written in parentheses following the trademark, for example, DSF² (Identifies Deliverable Addresses and Specific Address Attributes). On the first reference of trademarks, use the short keyword definitions. On subsequent references, these definitions are optional.

Licensees that spell out the text representation of Product names in advertisements will be out of compliance, thus the advertisements will not be approved.

A listing of trademarks can be found at <http://ribbs.usps.gov/files/NCOALINK/TRADEMARKS.PDF>. It includes the most common trademarks used by Licensees in their marketing materials. The list is

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updated as new Product names become trademarks, yet it is not a comprehensive listing of all of the USPS owned trademarks.

ADDITIONAL RULES ON REGISTRATIONS AND TRADEMARKS

Below are further rules on registrations and trademarks:

- **Trademarks should be used as an adjective modifying a noun.**

RIGHT: My company is licensed to provide the NCOA^{Link}[®] service.

WRONG: My company is licensed to provide NCOA^{Link}[®].

- **Do not use the possessive tense with trademarks.**

RIGHT: These United States Postal Service[®] Products require a license.

WRONG: The United States Postal Service's DSF²[™] Product requires a license.

- **Do not make trademarks plural.**

RIGHT: Our company is conveniently located near two Post Office[™] locations.

WRONG: Our company is conveniently located near two Post Offices.