

Subject: IntelliDriveSM Service Mark and Logo Usage Requirements

Preface You have requested to use the IntelliDriveSM service mark owned by the U.S. Department of Transportation, Research and Innovative Technology Administration (RITA), Intelligent Transportation Systems/Joint Program Office (ITS/JPO). The IntelliDriveSM Trademark and Logo Usage Requirements are applicable to all organizations and to third parties making reference to IntelliDriveSM. The IntelliDriveSM Trademark and Logo Usage Requirements set forth the authorized legal policies for using or referring to IntelliDriveSM. By following these guidelines, you help U.S. DOT protect and strengthen the IntelliDriveSM identity.

1. Introduction

The strength of IntelliDriveSM the image depends, in large part, upon the consistency of the proper use of all of the IntelliDriveSM service mark. Accordingly, the use of IntelliDriveSM should always be consistent with these guidelines.

These guidelines constitute a user friendly system that can be used by IntelliDriveSM partners and licensees, advertising agencies, etc. when referring to IntelliDriveSM in promotional, advertising, instructional or reference materials, or on their web sites.

2. Where to Find More Information

If you have questions or would like further information regarding the IntelliDriveSM service mark or the IntelliDriveSM Trademark and Logo Usage Requirements, please contact the RITA, Office of the Chief Counsel at:

U.S. Department of Transportation
Research and Innovative Technology Administration
Office of the Chief Counsel
1200 New Jersey Avenue, SE
Washington, DC 20590

Attn: Robert M. Kern – Intellectual Property Law Room E35-333

Email: Robert.Kern@dot.gov Office phone: 202-366-4367

3. Why Protect Trademarks?

Properly used, a trademark can be legally protected indefinitely. However, if it is used improperly, a trademark can become diluted or fall into generic use and lose its protected status. Words such as aspirin and zipper were once trademarks that became generic because their owners did not protect them properly.

The ITS/JPO does not want its service mark added to the list of trademarks that have become generic. The responsibility for protecting the service mark occurs every time the service mark is used by third parties and our licensees - whenever the service mark is published, including in presentations, books, marketing materials, or advertisements. Trademark rights are acquired by the proper and continuous use of the service mark IntelliDriveSM. Because correct use of our service mark is important to ITS/JPO, we have drafted the following guidelines.

5. Use of Service Mark Symbols and Legends

A. Rules of Proper Service Mark Use

Third parties may refer to IntelliDriveSM technology and services by the associated term IntelliDriveSM, as long as such references are (i) truthful, fair, and not misleading and (ii) the use adheres to the guidelines set forth herein, which may be modified from time to time at ITS/JPO's sole discretion.

- Service marks are adjectives - not nouns or verbs. Accordingly, IntelliDriveSM may not be used alone, as a noun. Rather, as often as possible, a service mark

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should be used as an adjective immediately preceding the generic noun that describes the product in question.

Examples of Correct Uses (Trademarks as adjectives):

IntelliDriveSM technology

IntelliDriveSM development tools

Examples of Incorrect Uses (A service mark as stand alone noun):

The IntelliDriveSM is operational.

- No Possessives
As adjectives, service marks are not to be used in possessive form. For example, one would not refer to "IntelliDriveSM features" but rather to "...the features of the IntelliDriveSM technology" or "the IntelliDriveSM technology's features."
- No Plurals
As adjectives, trademarks are not to be used in plural form. For example, one would not refer to "IntelliDrivesSM" but rather to "IntelliDriveSM products" or "IntelliDriveSM tools."
- No Verbs
Since a service mark is not a verb, it must never be used as a verb. For example, one should not use "IntelliDriveizeSM".
- No Puns
The IntelliDriveSM service mark should be treated with respect as a valuable asset of the transportation community. Accordingly, the IntelliDriveSM service mark should not be used as the object of puns or humor.
- Always spell and capitalize the service mark exactly as shown here:
IntelliDriveSM.
- Do not shorten or abbreviate the IntelliDriveSM service mark.
- Always use IntelliDriveSM in the ways it is intended for use. Do not use IntelliDriveSM for goods and services for which they were not originally intended. IntelliDriveSM is not a certification mark or mark identified with a certified standard of quality as in the Energy Star® voluntary labeling program.

B. Proper Trademark Attribution

Trademark ownership is attributed in two ways, with the use of a trademark symbol ([SM] or SM) after the service mark, and with a trademark legend, usually found at the end of a document in legible print. Following are rules for use of its trademark symbols and legends:

Trademark Symbols

- Which Symbol Do I Use?
A service mark ([SM] or SM) is a mark used on or in connection with goods or

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services provided and should always refer to the full service mark name: IntelliDriveSM. If you are not sure which symbol you should use, please contact the RITA Office of the Chief Counsel.

- Where Do I Place the Symbol?

The symbol is placed immediately after the service mark name, either in superscript or subscript. If you don't have the appropriate symbol keys in your word processing software, then using the symbols in parenthetical form is also permissible, (i.e., (SM) or [SM]).

- When Do I Use the Symbol?

Follow these rules to determine when use of a service mark is required:

1. Most Prominent Uses: A service mark symbol is required for all prominent uses of the mark, e.g., on promotional brochures, data sheets, press releases and educational material, except where space or style criteria prevent compliance with this requirement.

2. First Use in Text: A service mark symbol is required upon the first use of the mark in any text or body copy, even though the symbol may have already been used in the headline or other prominent use.

Trademark Legends

The IntelliDriveSM service mark used in a particular piece must be attributed with an appropriate trademark legend. The legend may be presented in "mouseprint" but must be large enough to be legible. It generally appears at the end of a document or on the bottom of a first page but it may be placed elsewhere, e.g., the front inside cover of documentation, or the bottom of a web page.

ITS/JPO expects you to use a standard trademark legend that does not change except to add the marks that are referenced in the text. The following is the standard ITS/JPO Legend to be used in all material referencing IntelliDriveSM:

"The IntelliDriveSM Logo is a service mark of the U.S. Department of Transportation".