



Guidelines for Third Party Use of Government of Newfoundland and Labrador's Brand Signature

The Government of Newfoundland and Labrador's brand signature is a registered trade-mark under the *Trade-marks Act*, R.S.C. 1985, c. T-13. It is a prohibited mark granted pursuant to Section 9(1)(n)(iii) of the Act.

Use of Government of Newfoundland and Labrador's Brand Signature General Information

The Government of Newfoundland and Labrador is pleased to receive requests from third parties for permission to use the brand signature on collateral, marketing, promotional materials and websites. While it would like to accommodate all requests, the Government of Newfoundland and Labrador is passionate about and committed to protecting and developing the brand identity of the Province of which the brand signature is the key visual identifier.

The following guidelines have therefore been developed to govern the licensing and use of the brand signature by third parties. The Government of Newfoundland and Labrador shall not be obligated to license or approve for use any or all requests received. As a result of implementing these guidelines, some requests may be rejected simply because use of the brand signature implies endorsement or involvement by the Government of Newfoundland and Labrador in a project or endeavour. Written permission **must** be received from the Government of Newfoundland and Labrador before using the brand signature on all materials – print, broadcast, electronic, etc. Oral representations shall not be acceptable.

Prior Permissions. Please be advised that if permission was granted in the past to use government trade-marks for a particular purpose, then such does not extend to the use of the brand signature and that such use is prohibited except in accordance with these guidelines. Holders of prior permissions are required to obtain permission to use the brand signature in the manner set forth in these guidelines.

The brand signature must always be used in accordance to the graphic standards. These are summarized in the graphic standards manual which can be obtained online or by contacting the Department of Business (contact

information below). The graphic standards outline the proper usage of the brand signature in regards to colour, font style, size, placement, etc. If the standards are not adhered to, the Government of Newfoundland and Labrador reserves the right, in its sole discretion, to revoke its approval or permission to use the brand signature.

Any permission on use provided by the Government of Newfoundland and Labrador in accordance with these guidelines shall be in writing and is revocable and non-exclusive and shall contain such terms and conditions as is deemed by the Government to be appropriate in the circumstances.

Approval Process

To request approval, please complete the attached permission form and forward to the Department of Business:

Director, Brand Development
Department of Business
Government of Newfoundland and Labrador
P.O. Box 8700
St. John's, NL A1B 4J6
t 709.729.3254
f 709.729.3306
brand@gov.nl.ca

Every effort will be made to respond within five business days, however, there may be occasions when additional time is required. Please note that the brand signature can not be used until written approval has been granted by the Province.

The approval to use the brand signature is limited to the information provided in the request. If the anticipated use changes before or after the Government of Newfoundland and Labrador grants its approval, the request must be updated accordingly. No unauthorized use shall be permitted and may result in the revocation of any approvals given.

Trade-mark Basics

What is a trade-mark?

A trade-mark is a word, name, symbol, design or device (or a combination of these) that is used to identify the goods or services of an organization and to distinguish those goods and services from the goods and services of others in the marketplace. Trade-marks represent not only actual goods and services, but the reputation of the owner of that trade-mark. A trade-mark assures consumers

of consistent quality with respect to those goods or services and aids in their promotion. As such, they are considered to be valuable intellectual property.

Why is it important to use marks correctly?

Rights to a trade-mark can last indefinitely if the owner continues to use the mark to identify its goods and services. If trade-marks are not used properly, they may be diminished or lost and one of the organization's most important assets may lose all of its value. Rights may be lost not only because of a trade-mark owner's improper use of the mark, but through improper use of the trade-mark by the public. Consequently, the Government of Newfoundland and Labrador is committed to ensuring its trade-marks are used appropriately and only in accordance with the permissions accorded to such third-party usage.

Eligibility Criteria for Third Party Usage

While the Government of Newfoundland and Labrador may agree to grant permission to a third party to use its brand signature, third parties must acknowledge that the brand has considerable goodwill and value to the Government. The Government of Newfoundland and Labrador will only grant permission in cases where clear terms are agreed to including scope of permitted use and duration of use and the graphic standards which must be followed. The Government of Newfoundland and Labrador has outlined the following criteria to prevent usage that falsely represents or implies that Government endorses products, services or organizations.

Permission **may** be granted to a third party in the following circumstances:

1. The third party is a municipal, provincial or federal government.
2. The Government of Newfoundland and Labrador (Government) has provided endorsement of an event, organization, product or service by contributing financial or other means of support.
3. The third party has won the right to or has been selected to represent the province on a national or international basis through a sanctioned process.
4. The third party is a branch of Government either an agency, board or commission (this does not refer to government departments or branches that are using the brand signature already as the key visual identifier) or is an affiliated organization and wants to recognize Government's involvement in its operations.
5. The third party is recognized as the official Provincial organization or association representing an industry sector or a particular interest group.
6. The third party has entered into a partnership with Government whether it is a strategic alliance, a joint initiative, a co-operative program etc.
7. The third party has obtained a licensing agreement with the Government of Newfoundland and Labrador to produce materials with the brand signature for wide distribution.

8. The third party has been contracted by the Government of Newfoundland and Labrador to produce promotional, collateral, signage and other materials on its behalf.

and written authority has been provided to the third party in accordance with these guidelines.



Request for Third Party Usage of Provincial Brand Logo

Date:	
Company Name:	
Contact Information:	
Reason for Request:	
Description of Application of Logo:	
Requested Time Period for Usage:	
Additional Comments:	

Submitted by: _____ Date: _____

Approved by: _____ Date: _____

Director, Brand Development
Department of Business