Proper Trademark/Service Mark Use Guidelines

A trademark/service mark is lost when it becomes generic, i.e., when it has come to mean the product or service itself as distinguished from a certain brand of the product or service. If a trademark/service mark becomes generic, it can be used by anyone and no longer indicates to the public that the products or services upon which is placed are made by a particular company. Some famous examples of former trademark/service marks that have become generic are escalator, kerosene, aspirin, cellophane, and mimeograph. Since trademark/service marks are valuable property to the Federation of Fly Fishers, care must be taken to prevent their becoming generic.

To help guard against a trademark/service mark becoming generic, the following procedures should be observed on all business documents, advertising literature, publications, displays, packaging, labels, and correspondence.

1. A trademark/service mark should always be used in a manner which will distinguish it from the surrounding text. Capitalize trademark/service marks completely, or use initial caps with quotation marks, or as a minimum use initial caps. The generic product or service name should not be capitalized, only the trademark/service mark. If possible, other alternatives for distinguishing the trademark/service mark from the surrounding text include: italics, bolder-faced print or a different color or size print.

   EXAMPLES:  KODAK photographic film
               "Xerox" automobile coolant

2. Whenever possible, a trademark/service mark notice should follow the trademark/service mark. If the trademark/service mark has been registered in the U.S. Patent and Trademark/service mark Office, the registration notice ® or “Reg. U.S. Pat. & Tm. Off.” Should appear after the mark. Neither ® nor “Reg. U.S. Pat & Tm. Off.” should be used if the mark has not been registered for the product described. In such case, the letters “TM” or “SM” should follow the mark or an asterisk can be used to refer to a footnote stating, “A trademark/service mark of the Federation of Fly Fishers.”

   EXAMPLES:  FFF® logo baseball caps
               ALL FISH, ALL WATERS® brochures
               FFF & Fish Design*
               * a registered trademark/service mark of the Federation of Fly Fishers
               or  *Reg. U.S. Pat. & Tm. Off.

3. A trademark/service mark is a proper adjective and should, whenever possible, be followed by the common descriptive name of the product.

   EXAMPLE:  Mark          Generic Name
              FFF & Reel Design  logo shirts
The word “brand” in small print can also be used to reduce the possibility that the trademark/service mark will be thought of as the generic name of the product.

EXAMPLE: VANTAGE brand cigarettes

4. Trademark/service marks should never be used in the possessive form.

EXAMPLE:
Correct: The PILLSBURY brand products
Wrong: PILLSBURY’S products

5. Unless the trademark/service mark actually ends in “s” it should never be used in the plural form.

EXAMPLE:
Correct: Purchase PAN-CAKE make-up
Wrong: Buy several PAN-CAKES

6. Trademark/service marks are proper adjectives and should never be used as common descriptive adjectives. Also, a trademark/service mark is not a verb and should never be used as one.

EXAMPLE:
Correct: Powder your nose with CREAM_PUFF powder.
Wrong: CREAM_PUFF your nose

7. Since a trademark/service mark is a distinctive designation, it should never be altered in any way. Thus, additions and/or deletions of portions, prefixed, suffixed, letters or hyphens are bad practice because such use dilutes the mark’s distinctiveness due to the fact that the public receives the impression that the mark is just another word.


8. If it is not readily apparent who owns the trademark/service mark, for example, where the company letterhead is not being used, a notice of ownership should be given. This can be accomplished by placing an asterisk after the mark, which refers to a footnote stating that the trademark/service mark is the brand name for a product which is made by the company.

EXAMPLE: XEROX is a registered trademark mark for photocopiers manufactured by Xerox Corp.

9. Whenever you see a company trademark/service mark being improperly used in print by outsiders of used without company authorization, the Federation’s Legal Counsel should be notified immediately so that steps can be taken to correct the situation. If you have any questions regarding the correct uses for a trademark/service mark, call the Federation’s legal counsel for advice before you act.