

REALM® COLLECTIVE AND CERTIFICATION MARKS

USE AND PROTECTION AGREEMENT

BACKGROUND

REALM® is not a trademark (or service mark) per se, but rather both a collective and a certification mark. Of course, all four types of marks serve a similar purpose – identifying a mark (i.e., a word, a logo or a combination of both) with the service, product, group or certification it represents – but the way each is used is critical to maintaining and protecting each mark’s type-status and associated rights.

The distinction between these mark-types bears importantly upon the use of the two REALM® marks, because while a trademark (or service mark, in the case of services) associates a product (or service) with the owner of that mark, a “collective” mark associates members with a particular group and a “certification” mark associates a common certification standard with a product, service or entity upholding that standard. Taken together, its collective and certification marks establish the REALM® brand: These marks distinguish REALM® membership and/or certification from other types of commerce in the public eye and serve as enduring emblems of the high quality accompanying such membership and certification.

In contrast, if a brand owner or licensee misuses its marks, fails to monitor and protect them, or allows others to use its marks without appropriate restrictions and quality control, those marks can be weakened – or even lost. To maintain the high quality of these REALM® marks, Members must use each mark type properly and should alert REALM LLC immediately upon recognition of suspected misuse or infringement of the valued REALM® brand. Each Member is responsible for ensuring the REALM® association and certification marks remain strong, valued and protected.

ACCEPTANCE OF TERMS TO USE REALM® MARKS

You, as a REALM® Member, acknowledge the above BACKGROUND and agree that you are responsible for proper use of the REALM® marks in all advertising and promotional materials (including online materials) you publish, as well as product packaging or in any other use for which you are responsible. You further agree to comply with all usage guidelines, below.

GUIDELINES FOR PROPER USE OF REALM® MARKS

The following guidelines demonstrate contrasts between proper and improper uses of REALM® marks:

- ***Use REALM® Marks as Adjectives, NOT Nouns or Verbs*** – REALM® marks should be used as adjectives followed by a generic term, and not as nouns or verbs.

Examples:

CORRECT: “REALM [adjective] applications [generic term] are easy-to-understand.”

Incorrect: “REALM [noun] is popular.”

Incorrect: “Why don’t you REALM [verb] that listing and find out if it’s still available?”

- ***Do Not Use REALM® Marks in the Possessive Form*** – Because REALM® marks are not nouns they should not be used in the possessive form.

Examples:

CORRECT: “We are increasing the advertising budgets for REALM events and certifications.”

Incorrect: “We are increasing REALM’s advertising budgets for events and certifications.”

- ***Do Not Use REALM® Marks in the Plural Form*** – REALM Marks should *NOT* be used in the plural form.

Examples:

CORRECT: “REALM members come from many corners of the globe.”

Incorrect: “Our members come from many REALMs.”

- ***Textually-Emphasize REALM® Marks*** – Distinguish REALM marks from surrounding text to emphasize their statuses as marks.

Examples:

CORRECT: “REALM [all-caps, as a minimum] membership offers many advantages.”

CORRECT (& better): “REALM® [bold-type, all-caps, “®” registered-mark symbol] certification is a must for high-end brokerages.”

Incorrect: “Even one realm [lower-case, no emphasis-font, no highlighting, no registration symbology] member can make a big difference.”

- ***Use the Proper Mark Notice Symbol***

As outlined above, “REALM®” signifies membership in good standing in the REALM® group, along with certification of adherence to REALM® standards. Representation of that membership and standard is signified by the proper placement of the “®” mark symbol, the symbol itself indicating mark registration with the U.S. Patent and Trademark Office. The “®” symbol should be placed in superscript immediately after the term, “REALM”, when referring to either type of mark: REALM®.

NOTE: the “®” symbol does not have to be used every time the mark is used in a given document or email exchange, but it should be used at least once in a prominent manner (i.e., toward the front of the communication or in another likely-to-be-seen location) to put others on notice of the mark’s registered status. Hence, the “[all-caps, as a minimum]” reference, above: The mark should always be in all-caps, but may or may not have a circled-R “®” symbol accompanying it, depending upon the context, discussed here and above.

Also, note that the guidelines you are agreeing to follow in this agreement (*REALM® Collective and Certification Marks – Use And Protection Agreement*, also known as the “**Mark Usage Agreement**”) comply with U.S. law. However, proper mark use, registration and symbology for other countries are governed by the laws of those countries, and members are responsible for compliance with those laws. Please contact REALM LLC for any questions regarding this issue.

- ***Do Not Allow Others to Use REALM Trademarks Without Approval of REALM LLC***

Allowing third parties to use REALM trademarks without proper approval can jeopardize the marks and expose both the REALM association and the individual REALM member to potential liability. If a third party requests a license or permission to use any REALM trademarks please refer them to REALM LLC at: info@realm-global.com.

Any questions you have regarding these responsibilities should be directed to info@realm-global.com.