

TRADEMARK GUIDELINES
OF
OPEN DESIGN ALLIANCE
As of September 15, 2022

This document sets forth the Trademark Guidelines for use of the Open Design Alliance (the “ODA”) trademarks, service marks, service or trade names, logos, and other designations of the ODA (collectively, the “Marks”). No party may use the Marks without the ODA’s prior approval, except that Members of the ODA may use the Marks as permitted by the Membership Agreement and the Membership Rules and Policies. Any permitted use of the Marks must also comply with these Trademark Guidelines. Any undefined capitalized terms that appear herein shall have the meanings given to them in the Membership Rules and Policies. The ODA has the right, in its sole discretion, to amend these ODA Trademark Guidelines without notice at any time and from time to time.

1. Each Member must supply the ODA with suitable specimens of any and all proposed uses of the Marks by the Member for written approval by the ODA prior to any use by the Member. A Member shall fully correct and remedy any deficiencies in its use of the Marks and/or the quality of any Development Tools or Documentation used in conjunction with the Marks, upon notice from the ODA.
2. Members may use the Marks solely on advertising, marketing including, but not limited to, Internet-based marketing, such as the Member's website and other social media, and collateral materials, for the promotion of the Development Tools, Documentation or Derivative Works, and in no other manner and for no other purpose.
3. Members’ names and their marks must appear on any materials where the Development Tools, Documentation or Derivative Works are used, provided they are not placed next to or combined with any of the Marks.
4. The Marks may not be used in any manner that expresses or might imply the ODA’s affiliation, sponsorship, endorsement, certification, or approval, other than as expressly contemplated by a Membership Agreement or the Membership Rules and Policies.
5. Members shall not use the Marks in association with its own name or marks, or any third-party trademarks in a manner that might suggest co-branding or otherwise create potential confusion as to source or sponsorship of the Development Tools, Documentation or Derivative Works or ownership of Marks.
6. Members may not use any of the Marks, or a confusingly similar mark, as their company name, trade name, product name, service name or domain name.
7. Members may not use any of the Marks, or any confusingly similar mark, to identify services or products provided by a third party.
8. Members may not use the Marks in a manner that is defamatory, obscene, or misleading, that infringes the intellectual property rights of any third party, or that is otherwise objectionable.
9. Members may use the Marks only as provided by the ODA electronically or in hard copy form. Except for size subject to the restrictions herein, the Marks may not be altered in any manner, including proportions, colors, elements, etc., or animated, morphed, or otherwise distorted in perspective or dimensional appearance.
10. The Marks may not be combined with any other symbols, including words, logos, icons, graphics, photos, slogans, numbers, other design elements, trade names, business names, domain names, service names, logos, trade dress, or other trademarks.

11. The Marks may not be used in any of Members' other materials.
12. The Marks may not be used as a design feature in any materials.
13. The Marks must stand alone. A minimum amount of empty space must surround the Marks separating them from any other object, such as type, photography, borders, edges, and so on. The required area of empty space around the Marks must be $1/2x$, where x equals the height of the Mark.
14. The Marks must include the appropriate ® or ™ symbol at least at the first and most prominent mention on each visually-distinguishable page of material.
15. Each use of the Marks must include the following notice on the materials where the Marks appear: *"Open Design Alliance" and the Open Design "ODA" logo are registered or common law trademarks of Open Design Alliance in the United States and other countries.*
16. Members may reference ODA in their Membership Applications, but only in one of the following formats:
 - Based on the ODA Platform
 - Based on the ODA Platform from the Open Design Alliance
17. The Marks may be accessed in the member area of the ODA website, www.opendesign.com.