

**REGULATIONS GOVERNING USE OF THE EUROPEAN UNION COLLECTIVE TRADEMARK
NO.018122889**



set up on November 19th, 2019

PREAMBLE

1. Owner of the Trademark

The applicant and owner of the Trademark is the EUROPEAN TELECOMMUNICATIONS STANDARDS INSTITUTE (hereafter "ETSI") having its head office located 650 route des Lucioles 06921 SOPHIA-ANTIPOLIS cedex, FRANCE.

ETSI is a not-for-profit association created in accordance with the French law of July 1st, 1901, and the decree of August 16th, 1901.

The objective of ETSI is to produce and perform the maintenance of the technical standards and other deliverables which are required by its members, to achieve a large unified European market for telecommunications, Information and Communication Technology (ICT), other electronic communications networks and services and related areas.

ETSI is composed of the ETSI Secretariat that provides support to its members and each member forms part of ETSI.

To the date of establishment of the present Regulations, ETSI counts more than 850 member organizations worldwide, drawn from 65 countries and five continents. Members comprise a diversified pool of large and small private companies, research entities, academia, government and public organizations.

The activities of ETSI shall contribute to the production and the promotion of new harmonized world-wide standards and furthermore shall build upon world-wide standards, existing or in preparation, including the following files:

- telecommunications, ICT, and other electronic communications networks and services;
- areas common to telecommunications, ICT, and other electronic communications networks and services, and information technology in co-ordination with CEN and CENELEC;
- areas common to telecommunications, ICT, and other electronic communications networks and services, and broadcasting (especially audio-visual and multi-media matters) in co-ordination with CEN, CENELEC and the EBU.

ETSI comprises a General Assembly, a Board, a Technical Organization, Special Committees, Industry Specification Groups, Coordination Groups and a Secretariat headed by a Director-General.

2. Legal representative of the owner

The Director-General is the legal representative of ETSI, who is appointed by the General Assembly.

3. Trademark



In the course of its activities, ETSI has filed the European Union collective trademark No. 018122889 on September 12, 2019.

The middle part of the Trademark symbolizes an 'S' for Standardization. The curved lines around the 'S' symbolize radio waves and a globe, to emphasize the worldwide importance of standardization. The curved lines become thinner and thinner as they meet their opposites, symbolizing how standardization aims to reduce the confusingly large number of variations that exist, into streamlined and standardized solutions.

This Trademark is first used by the ETSI Secretariat to raise visibility of ETSI and its activities. This can be done through event endorsements, joint papers with other organizations and any other promotion and advertisement.

This trademark may be used by ETSI members including Full and Associate members to indicate that they form part of ETSI.

The use of this trademark is subjected to the compliance of the present Regulations, which are systematically given to any ETSI member when the membership is confirmed.

ARTICLE 1 – DEFINITIONS

1. Trademark: the European Union collective trademark No. 018122889 filed on September 12, 2019 in the name of INSTITUT EUROPEEN DES NORMES DE TELECOMMUNICATIONS (ETSI) for classes 16, 35, 38, 41 and 42 as detailed in **Appendix 1**.
2. Regulations: the present regulations governing the use of the Trademark and its appendix.
3. ETSI: the EUROPEAN TELECOMMUNICATIONS STANDARDS INSTITUTE owning the Trademark, also known as INSTITUT EUROPEEN DES NORMES DE TELECOMMUNICATIONS in French.
4. Trademark User(s): Full members and Associate members of ETSI.
5. Full members: Full member status may be obtained by a legal person, be it an association, a company, a grouping, an organization or a public authority, which is established in a country falling within the geographical area of CEPT (called in French "Conférence Européenne des administrations des Postes et Télécommunications") and which commits itself to comply with ETSI Directives and other decisions taken by the General Assembly, to contribute to the work, to make use of the standards produced to the extent practicable and to support those standards for use as the basis for world standards and recommendations.
6. Associate members: Associate member status may be obtained by a legal person not eligible for Full membership, which commits itself to comply with ETSI Directives and other decisions taken by the General Assembly, to contribute to the work, to make use of the standards produced to the extent practicable, and to support those standards for use as the basis for world standards and recommendations.

7. ETSI Directives: users of the trademark must comply with ETSI Directives downloadable through the following link https://portal.etsi.org/directives/40_directives_apr_2019.pdf
8. ETSI IPR Policy: ETSI regulations about Intellectual Property Right set forth in Annex 6 of the ETSI Rules of Procedure and their subsequent versions and evolutions, downloadable through the following link: <https://www.etsi.org/images/files/IPR/etsi-ipr-policy.pdf>

ARTICLE 2 – PURPOSE

1. The Regulations have been created in order to define the conditions as well as the allocation and use procedures of the Trademark by the Users.
2. Besides ETSI, the Users are the only ones authorized to use the Trademark in compliance with the conditions and terms of use defined in the Regulations.

ARTICLE 3 – TRADEMARK OWNERSHIP

1. The Trademark Users acknowledge the full and legal ownership of the Trademark by ETSI.
2. The authorization to use the Trademark shall not be regarded as a transfer of ownership of the Trademark.

ARTICLE 4 –RIGHT OF USE

1. The Trademark Users authorized to use the Trademark are the Full members and Associate members belonging to the categories mentioned in paragraph 2 below, whose application for membership of ETSI has been approved by obtaining consensus among the members via online poll organized four times per year, or in case consensus was not reached, by decision of the ordinary General Assembly meeting.
2. Categories :
 - Administrations;
 - Other Governmental Bodies;
 - National Standards Organizations;
 - Network Operators;
 - Manufacturers;
 - Users;
 - Service Providers;
 - Research Bodies;
 - Universities;
 - Consultancy Companies/Partnerships;
 - Others, provided they comply with Article 3 of ETSI Directives.
3. The Regulations do not grant an exclusive right to use the Trademark.
4. The right to use the Trademark is granted on an *intuitu personae* basis. It is strictly personal and it cannot be assigned or transferred, by any way whatsoever.

5. In case of transfer of ownership of the Trademark User, the right to use the Trademark may be withdrawn unless it is decided otherwise by ETSI.

ARTICLE 5 – TRADEMARK USER COMMITMENTS








1. Trademark Users are authorized to use the Trademark in an appropriate manner on, or in relation to, standard-compliant equipment and/or services, provided they comply with the conditions described in ARTICLE 7 below.
2. Trademark Users shall make the necessary efforts to maintain the integrity of the Trademark.

ARTICLE 6 – TRADEMARK USER RESPONSIBILITY

The Trademark User is solely responsible for any direct or indirect consequences that could result from its use of the Trademark.

In case ETSI would be liable because of the non-conform use of the Trademark by a Trademark User, the Trademark User shall support all the resulting costs instead of ETSI.

ARTICLE 7 – CONDITIONS OF USE

1. The Trademark must never be used :
 - a. in possessive form. For example, one would not refer to “’s features” but rather to “...the features of the ™ technology” or “the ™ technology’s features”.
 - b. in plural form. For example, one would not refer to “s” but rather to “ systems”.
 - c. as a verb. For example, one should not engage in “-standardizing”.
2. The Trademark represents the standard of ETSI, the symbols of ETSI’s goodwill worldwide. The Trademark should be treated with respect as valuable assets. Accordingly, the Trademark should not be used as the object of puns.
3. The Trademark must be used with the symbol “TM” placed immediately after the Trademark. The symbol can be placed either in superscript or subscript.
4. In conjunction with the symbol TM, the following legend must be used: “ is a trademark of ETSI”.
5. Trademark Users shall not use ETSI acronyms as names for their equipment or services.
6. Trademark Users shall not use, or make application for the registration of the Trademark either alone or in combination with other trademarks, logos, acronyms or the like, because this would dilute the distinctiveness of the Trademark.

7. Trademark Users shall not use the Trademark for certification purposes.
8. Trademark Users shall use the Trademark only in the form supplied by ETSI and shall not use it in a modified form.
9. When used on a website, any hyperlink associated with the Trademark shall only point to ETSI website, i.e. www.etsi.org.

ARTICLE 8 – TRADEMARK DEFENSE

1. Trademark Users undertake to signal without delay to ETSI any infringement to the Trademark which it becomes aware, including counterfeit, unfair competition and parasitism.
2. Trademark Users cannot take the decision to engage any action to defend the Trademark; it is the exclusive prerogative of ETSI.
3. Damages received thanks to legal action in defending the Trademark will benefit to ETSI only, not to the Trademark User.
4. Trademark Users cannot claim any damages or financial compensation.

ARTICLE 9 – SANCTIONS

1. In case the Trademark User does not use the Trademark in compliance with the present Regulations, and if ETSI is made aware of such misuse, the Trademark User will receive a reminder with obligation to stop and delete all inappropriate use of the Trademark.
2. In case the Trademark User does not comply with this obligation, it may completely lose the right to use the Trademark at the discretion of the Director-General.

ARTICLE 10 – TERMINATION


1. The Trademark User has no longer the right to use the Trademark when its membership is terminated. In accordance with the ETSI Directives, membership may be terminated by dissolution, abolition, resignation, or expulsion.
2. The Trademark User may be expelled from membership by the Director-General, and has no more right to use the Trademark, if :
 - a. It did not comply with the present Regulations.
 - b. It has not paid all of its member contribution.
 - c. It has committed any other substantial breach of its obligations as a member as defined in ETSI Directives.

ARTICLE 11 – APPLICABLE LAW AND JURISDICTION

The Regulations are subject to the French law and French courts, whatever the place of use of the Trademark.

APPENDIX 1

DETAILS OF THE TRADEMARK

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| Graphic representation |  The logo for ETSI (European Telecommunications Standards Institute) features the word "ETSI" in a bold, blue, sans-serif font on the left. To its right is a stylized graphic consisting of several concentric, overlapping blue arcs that form a shape resembling a signal or a stylized letter 'G'. |
| Form of trademark | Figurative trademark |
| Type of trademark | European Union collective trademark |
| Trademark Office | European Union Intellectual Property Office |
| Filing number | 018122889 |
| Filing date | September 12th, 2019 |
| Owner | INSTITUT EUROPEEN DES NORMES DE TELECOMMUNICATIONS (ETSI) 650 route des lucioles 06921 SOPHIA-ANTIPOLIS cedex FRANCE |
| Nice classification | 16, 35, 38, 41, 42 |
| Detailed goods and services | <p>CLASS 16: Printed products including technical documents related to technical standards related to the field of telecommunications, information technology and sound and video broadcasting; books, reviews, magazines, newspapers, brochures; technical writing or drawing books; index cards [stationery]; photographs [printed]; instructional and teaching materials [except apparatus]; printed documentation related to technical standards related to the field of telecommunications, information technology, audio and video broadcasting, and their combination.</p> <p>CLASS 35: Study and development of technical standards necessary for the realization of a European and global market for information and communication technologies; statistical studies; professional representation services in the field of telecommunications and information technology.</p> <p>CLASS 38: Communications and telecommunications services; telephone and computer terminal communications; telecommunications consultancy services and consultation; consultancy and assistance in the field of telecommunications, in the field common to telecommunications and information technology, in the field common to telecommunications and sound and video broadcasting, or combinations thereof.</p> <p>CLASS 41: Publication services of technical standards in the field of telecommunications, in the field common to telecommunications and information technology, in the field common to telecommunications and sound and video broadcasting or their combination; arranging and conducting of colloquiums, conferences, congresses and seminars; training.</p> <p>CLASS 42: Study, development of technical standards, namely creation and approval of technical standards in the field of telecommunications, in the field common to telecommunications and information technologies, in the field common to telecommunications and sound and video broadcasting, or their combination; technical consulting services and professional representations in the field of telecommunications and information technology; creation and approval services (validation and certification) of technical standards in the field of telecommunications, in the field common to telecommunications and information technologies, in the field common to telecommunications and sound and video broadcasting, or their combination; professional consultancy services related to the preparation of plans (not related to the direction of affairs); consultancy relating to software, hardware, use of computer software and hardware; testing of materials and/or apparatus; preparation and consultancy services (engineering) related to technical standards in the field of telecommunications, in the field common to telecommunications and information technologies, in the field common to telecommunications and sound and video broadcasting, or their combination; planning services, namely development and preparation of technical standards in the field of telecommunications; study and development of technical standards necessary for the realization of a unified European telecommunications market.</p> |