



The Dow Chemical Company Trademark Use Guidelines

January 2006

Business
Guidelines

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Introduction

The Dow Chemical Company trademarks are well-known and identifiable in multiple market segments around the world. The strength of Dow trademarks and the creativity of Dow people are what sustain the worldwide acceptability of The Dow Chemical Company products.

Correct use of the Dow trademarks is essential to maintaining the marks and protecting their value to the company. All Dow employees are responsible for making certain that the company trademarks are used within these guidelines to ensure the continued preeminence Dow products have achieved in their respective market segments.

Incorrect use of a trademark, even in company correspondence, unwittingly contributes to its vulnerability. Such failure to use trademarks properly may result in their becoming generic. Examples of trademarks which became generic are aspirin, cellophane, kerosene, elevator, and escalator – all of which are now public property. These once powerful trademarks no longer serve the commercial needs of their original owners.

The following important rules of trademark use apply to all communication materials, including labels, advertising, literature, Internet and Intranet sites, trade show exhibits, promotional items, correspondence, etc. Because a particular usage is not discussed or expressly prohibited in these guidelines does not mean that it is approved by The Dow Chemical Company Trademark Department.

The guidelines discuss the most common questions and provide guidance for the use of Dow's trademarks. However, it is important to note that rules and requirements sometimes vary from country to country and from case to case.

Please direct any questions of use not covered in these guidelines directly to the Trademark Department in Indianapolis, Indiana, U.S.A. or visit our Intranet site at Dow Keyword: Trademark.

The use of "Dow" as a trade name and "DOW" as a trademark

In corporate literature, the term "Dow" functions in multiple capacities. The most common use is a shortened reference to the formal company name, The Dow Chemical Company. In this context, Dow is a trade name rather than a trademark, and the proper format is a capital "D" followed by a lower case "o" and lower case "w".

Example: Dow

This term can also function as a trademark. This is most common when referring to product brand names such as DOW™ Ethylene Oxide, or the DOW Diamond logo. In this context, the word DOW should be ALL CAPITAL letters.

Example: DOW

Distinctive use of trademarks in text – "ALL CAPS"

Trademarks should be set apart from other words in the surrounding text to inform the reader that this term has a special significance as a trademark. The trademark functions as an adjective and should be followed by the common generic term.

The standard written format of Dow trademarks is to use ALL CAPITAL letters for the trademark, followed by the common generic term. The generic term can be written in either upper and lower case letters or in all lower case letters.

Example: INSPIRE™ Performance Polymers (preferred)

INSPIRE™ performance polymers (acceptable)

Avoid unnecessary capitalization of common words used in the same context with the trademarks, which tends to make the trademark less distinctive.

**Trademark
notice symbols –
“TM,” “®,” or “*”**

1. Use the “TM” symbol on all trademarks except the DOW Diamond logo, which uses the Circle R “®.” The “TM” (in superscript) or the Circle R “®” trademark notice symbols used following the trademark are a formal notice to the reader that Dow is claiming trademark rights in the term. The Circle R “®” must only be used after a national trademark registration has been acquired for the country in question.

Dow's standard format is to use the “TM” symbol (in superscript) following all trademarks owned by Dow, or an affiliated company of Dow, along with the appropriate corresponding ownership footnote, with the exception of the DOW Diamond logo, which will be marked with a Circle R “®.”

Example: STYROFOAM™ Insulation

Example:



2. How often is the “TM” symbol used in a literature piece? The “TM” trademark notice symbol and the appropriate generic descriptor should be used with the trademark, as follows:
 - After the *most prominent use* of the trademark, such as when used in headings, titles, etc.;
 - Following the trademark the *first time the mark appears in each section of running text* in labeling, advertising copy, promotional material, literature pieces, electronic presentation materials, reports, and other printed or typed materials;
 - At least *every fifth time* the mark is used in text; and
 - The first time the mark is used on each page.
3. The asterisk “*”: The goal of these trademark standards is to move to a uniform treatment of trademarks throughout the Company, but not to create any required costs of revisions to existing materials. Currently, there is a large amount of printed material that uses the asterisk “*” as a trademark symbol. Therefore, any existing material using the asterisk “*” is acceptable. When new literature pieces are created or revised, the asterisk “*” should be replaced with the “TM” symbol.

Ownership footnotes

While trademark notices are used to identify the trademark, they also lead the reader to a footnote that identifies the owner of the trademark. In our case, The Dow Chemical Company or an affiliated company of Dow. Following are the acceptable formats of trademark ownership footnotes for Dow.

1. **Standard text of the footnote for Dow:** The proper ownership footnote format for marks that are owned by The Dow Chemical Company is:

®™ Trademark of The Dow Chemical Company

If the literature piece contains an asterisk symbol, the footnote should appear as:

®™ *Trademark of The Dow Chemical Company

2. **Standard text of the footnote for Dow and affiliated companies:** The proper ownership footnote for multiple trademarks owned by Dow or a subsidiary, or an affiliated company of Dow is as follows:

®™ Trademark of The Dow Chemical Company ("Dow")
or an affiliated company of Dow

If the literature piece contains an asterisk symbol, the footnote should appear as:

®™ *Trademark of The Dow Chemical Company ("Dow")
or an affiliated company of Dow

3. **Modifications based on which symbols appear:** Although the above two examples are the preferred format for the ownership footnote, the line can be modified based upon the contents of the literature piece. For example:

- If the writing contains only trademarks owned by Dow and referenced with the "TM" notice symbol, then the Circle R "®" and asterisk "*" would not appear in the footnote.

Example: ™Trademark of The Dow Chemical Company ("Dow")
or an affiliated company of Dow

- If the DOW Diamond logo, which should be referenced with the "®" symbol is also present in the literature piece, then the footnote should be expanded.

Example: ®™Trademark of The Dow Chemical Company ("Dow")
or an affiliated company of Dow

- If only the DOW Diamond is present, then the appropriate footnote is:

® Trademark of The Dow Chemical Company

4. **Footnote when third-party trademarks also use the “TM” or Circle R “®” symbol:**
 - A. **Trademarks owned by other companies in general:** Care must be taken when referring to trademarks of other companies in reports, advertisements, and publicity materials. Those trademarks must be used distinctively with at least an initial capital letter and the correct descriptive term. Providing trademark notices for the identification of third-party trademark owners is optional. Therefore, the standard format is not to footnote third-party trademarks and not to place any trademark symbols after the trademarks, except, in certain instances, where The Dow Chemical Company has entered into agreements with third parties who may require a trademark notice. Please contact the Trademark Department when questions arise.
 - B. **Responsible Care®:** The Responsible Care mark is an example of a case where Dow is obligated to use a trademark notice symbol and ownership footnote for a third-party mark. The Dow Chemical Company is committed to the principles of Responsible Care, including the promise to provide the public with information regarding The Dow Chemical Company environmental, health, and safety procedures. Responsible Care is a registered service mark of The American Chemistry Council (ACC) in the United States. Use of the Responsible Care service mark must comply with ACC's trademark guidelines and must be designated with an “®” symbol. It should be marked and footnoted as follows:

Responsible Care® program

® Responsible Care is a service mark of
The American Chemistry Council in the United States
 - C. **When third-party marks use the same “TM” or “®” in the same copy, identify the specific mark owned by the party in the footnote:** When third-party trademarks are also listed or referenced with a trademark symbol within the same writing as Dow trademarks, then the footnote should identify which marks are owned by each party.

Examples: ®™ The DOW Diamond and WOODSTALK
are trademarks of The Dow Chemical Company (“Dow”)
or an affiliated company of Dow

® Responsible Care is a service mark of
The American Chemistry Council in the United States
5. **Placement of the footnote:** Where the footnote appears depends on the type of literature piece. For written text pieces containing a single subject and less than five pages in length, the footnote should appear on the bottom of the last page of the text. Written text pieces that are greater than five pages in length should have the footnote on each page that has a trademark reference. For written pieces with multiple subject materials, such as the Intranet, Internet, or slide presentations, the footnote should appear as a footer on each page of the document.

Use of slogans within written text

Dow uses a number of slogans in its advertising and marketing material and may use slogans on some of its products.

Some trademark rights to the slogan may be acquired by using the slogan in commerce separate and apart from the trademark registration process. These marks are called "common law" marks and rights start to accrue when the slogan becomes distinctive and associated with a particular company.

When using an advertising slogan, the slogan should be treated and used in the same manner as a trademark. Do not use the slogan as running text in a sentence. Use slogans only for the products for which they were intended and use them consistently. For corporate-wide slogans – such as Living. Improved daily.TM – refer to the Corporate Identity Standards (Dow Keyword: Corporate Identity).

Grade designators

Sometimes a branded product line may include multiple products that have different compositions, forms, or characteristics. Specific products within a branded family of products may be indicated by the use of letters or numbers following the trademark that are commonly referred to as "grade designators." The letters and numbers may be keyed to certain properties or characteristics of that product, such as whether it is in a solid powder form or liquid concentrate. These letters or numbers are usually not part of the trademark. Consequently, the use of the "TM" symbol (in superscript) to provide notice of ownership follows the trademark and not the grade designator.

Incorrect: DOWFAX TG-2TM Solution Surfactant

Correct: DOWFAXTM TG-2 Solution Surfactant

Generic descriptors

A trademark (brand name) is not the generic name of a product or chemical. Rather, the trademark identifies the source or manufacturer (i.e., the brand name under which a product is sold). The trademark must be associated with the correct generic or descriptive name of the product. Generic or descriptive names should be used in a different format than the trademark itself. The Dow standard format is to use upper/lower case font and follow the trademark on:

- The *most prominent use* in headings, titles, etc. only if space permits;
- The *first use in running text*;
- At least once following *each fifth use* of the mark in running text; and
- The *first time* the mark is used on each page.

Where possible, all efforts should be made to format the text so that the generic descriptor remains on the same line as the trademark. However, if space does not permit, it may wrap to the subsequent line. Generic descriptors include *polymers, resins, emulsifiers, surfactants, catalysts, and solvents*, to name a few.

Example: DOWPERTTM Dry Cleaning Solvent

Trademark use examples

Examples:

- Where a product is co-branded, both trademarks should be marked with the "TM" symbol unless the brand has been registered together as a composite mark.

Incorrect: DOWEX UPCORE™ Ion Exchange Resins.
Correct: DOWEX™ UPCORE™ Ion Exchange Resins.
- Never use "The Dow Chemical Company" directly before a trademark. Doing so incorrectly implies that STYRON™ is not exclusively owned by The Dow Chemical Company.

Incorrect: The Dow Chemical Company STYRON™.
Correct: STYRON™ Polystyrene, a product of The Dow Chemical Company.
- Never use a trademark in the plural form or modify the spelling of a trademark.

Incorrect: Several UCARS™.
Correct: UCAR™ Proprietary Solvents.
- Never use a trademark in the possessive form.

Incorrect: BETAGUARD's utility.
Correct: The utility of BETAGUARD™ Sealant.
- Never use a trademark as a verb.

Incorrect: DOWCLENE that part.
Correct: Clean your parts with DOWCLENE™ solvent.
- Never use a trademark as a participle.

Incorrect: ROOFMATING.
Correct: Insulate your roof with ROOFMATE™ Insulation.
- Never compound a trademark by hyphenation with another word.

Incorrect: TRYMER-Insulation.
Correct: TRYMER™ Rigid Foam Insulation.
- Never abbreviate a trademark.

Incorrect: BETA-B.
Correct: BETABRACE™.
- Never use a trademark as a descriptive adjective to modify any words other than the proper descriptive name of the product sold by The Dow Chemical Company.

Incorrect: STYRON plant.
Correct: The plant that manufactures STYRON™ Polystyrene.
- DO NOT combine or use a word trademark with other design elements, logos, or devices, unless the combined mark has received approval for use from the Trademark Department.
- Never use "Dow's" before a trademark.

Corporate identity guidelines

1. **Dow's most valuable asset:** The DOW Diamond logo is the Company's most valuable asset. Its value as a corporate logo and trademark will increase if it is used properly and consistently in identifying The Dow Chemical Company and its licensed subsidiaries. It unites the corporation, its divisions, and subsidiaries under one global umbrella. By providing a uniform symbol wherever visual identification occurs, the DOW Diamond projects the quality and professionalism that Dow has come to represent.

These standards for corporate identity will provide the consistency and direction that will help Dow achieve its long-term vision.

Proper use of the DOW Diamond is emphasized in these guidelines. However, it is also important to present the product trademarks of the Company correctly. These product trademarks are a specific indicator of the source or sponsorship of the products produced by the Company.

2. **Correct use of The Dow Chemical Company signature:** The company policy for using The Dow Chemical Company signature dictates that it must always be used with the letters "T," "D," "C," and "C" in upper case, and the other letters in lower case. Use of the company name in all upper case letters (e.g., THE DOW CHEMICAL COMPANY) is not permitted.

Incorrect: THE DOW CHEMICAL COMPANY

Correct: The Dow Chemical Company

3. **Isolation area:** The DOW Diamond must always be surrounded by abundant free space. The space from all points of the Diamond is to be at least equal to the height of the letter "D" in DOW (shown in illustration below as "X").



The Diamond must be unencumbered and disassociated from all other logos and text.

The DOW Diamond should appear prominently (generally no smaller in width than 7/8 inch or 22.2 mm) at least once on the front or back of all corporate and business unit communication materials and labels.

4. **Color of the DOW Diamond:** The desired color to be used globally for the DOW Diamond is Dow Red – Pantone® 185. A red DOW Diamond with white letters **must** be used in business cards, letter head, standard external business envelopes, notepads, Internet/Intranet web pages, external signs on Dow property, and Dow flags.



DOW Diamond on contrasting background: In some other applications, a red, black, white, or gold DOW Diamond with a contrasting background (that gives maximum prominence to the Diamond) may be used. Refer to individual sections within the Corporate Identity Standards (Dow Keyword: Corporate Identity) for approved color standards to be used for the DOW Diamond.



Red DOW Diamond on white background



Black DOW Diamond on white background



White DOW Diamond on black background

5. **Color matching:** To ensure a uniform Dow Red reproduction, a Pantone® 185 color swatch should be attached for supplier use in color matching. Color swatches on coated or uncoated stock can be ordered from the Dow Corporate Identity Office, 2020 Dow Center, Midland, MI 48674, Phone: 1-989-636-2789, Fax: 1-989-638-9405, e-mail: cmknochel@dow.com.

Pantone® and PANTONE MATCHING SYSTEM® are registered trademarks of PANTONE, Inc.

6. **Treatment of the DOW Diamond:** To maximize its effectiveness, the DOW Diamond is to remain consistent in color, shape, and typestyle. Reproduction-quality or electronic artwork for the DOW Diamond is available (see Reproduction Material section of Corporate Identity Standards). The graphic design and appearance of the DOW Diamond are not to be altered. The examples on the following pages illustrate incorrect uses of the DOW Diamond and must be avoided in all circumstances.

Text references to the DOW Diamond: When referring in words to the DOW Diamond, the word "DOW" should be capitalized as well as the initial letter "D" in the word "Diamond." The text reference appears like this: the DOW Diamond.

7. **What NOT TO DO:** It is important to apply the DOW Diamond correctly to ensure that the visual impact and overall integrity are not compromised or diluted. These examples illustrate a number of incorrect uses, although this is not intended to be a complete list.

- Do not distort, stretch, or manipulate the DOW Diamond (use official reproduction art).



- Do not place the DOW Diamond on a visually competitive background or photograph.



- Do not create a shape around or confine the DOW Diamond.



- Do not encumber or invade the DOW Diamond in any way (see "Isolation area").



Lorem ipsum dolor sit amet consectetur adipiscing
elieiwosp easerohdu Esed diam nonummy nibh euismod
tincidunt ut laoreet dolore magna aliquam erat volutpat.

- Do not use the DOW Diamond as a word in a sentence.

The existing corporate logo, the  Diamond,

- Do not add any words or graphics to the existing DOW Diamond.



- Do not use the DOW Diamond at an angle.



- Do not use a DOW Diamond with low resolution or jagged edges.



- Do not re-color or use any color combinations on the DOW Diamond other than those listed as approved standards.



- Do not use the DOW Diamond to identify any hazardous material transportation tank cars.



- Do not change the typeface of the DOW Diamond.



- Do not use the DOW Diamond in repetition as a pattern.



- Do not place photography, illustrations, text, or graphics across any part of the DOW Diamond.



- Do not use any shape or design element other than the official DOW Diamond.



8. Notice of ownership – use of the Circle R “®” symbol with the DOW Diamond: Use the Circle R “®” and the accompanying trademark ownership footnote line with the DOW Diamond. The symbol must be shown in the same color as the Diamond.

The DOW Diamond may be used without an accompanying trademark reference line on the following applications:

- Business cards
- Business letterhead
- Building signs
- Flags and banners
- Apparel and promotional items

The DOW Diamond may be used on business cards and business letterhead without the Circle R “®” symbol because of space requirements.

Use of Dow trademarks by third parties (license agreements)

Some uses of Dow trademarks are allowed without a license while others require the prior approval and a formal license agreement. Authorization for the use of any existing or newly proposed trademark of The Dow Chemical Company or joint use of a third party trademark with The Dow Chemical Company trademarks must have the prior approval of the Trademark Department.

- **Distributors:** Use of the trademark by distributors and retailers with whom Dow has an ongoing commercial relationship for the purpose of selling authentic Dow products requires prior consent but does not require a formal license agreement.
- **Sponsors:** Use of the logos or trademarks indicating merely that Dow is the sponsor of an event does not require a license agreement. However, sponsors must comply with the Dow Corporate Identity Standards (Dow Keyword: Corporate Identity) and these guidelines.
- **Repackagers:** If a third party takes ownership of the goods and then repackages them into smaller containers for sale to consumers, and the label for the repackaged products contains Dow trademarks, then a trademark license would be required.
- **Toll manufacturers:** If a third party is performing a manufacturing step on behalf of Dow or a Dow affiliate, and the product will be returned to and be sold by Dow, then no trademark license is required.

In most other cases, approval for third-party use of Dow trademarks will be given only with a formal executed license agreement. License agreements allow The Dow Chemical Company to control the authorized use of its marks and the manner in which they are used. They also allow the company to maintain quality and control over the goods being produced under that brand name.

Use of trademarks on apparel and promotional items

The use of Dow trademarks on apparel and promotional items increases brand equity and increases the recognition of trademark brand equity. Maintaining the same quality and integrity of such items is important to the image and lifelong value of the trademark. Apparel (e.g., caps, shirts, jackets, etc.) and promotional items (e.g., coffee cups, pens, bags, etc.) must be ordered and produced only by a supplier approved and authorized by the Purchasing Department of The Dow Chemical Company. Any questions regarding promotional items should be directed to the Communications Purchasing Department, Phone: 1-989-636-8036, e-mail: tastelle@dow.com.

Use of the DOW Diamond on apparel and promotional items

The Corporate Identity Standards shall be followed to all specifications for using the DOW Diamond on apparel and promotional items.

Color alternatives for the DOW Diamond are:

1. Standard Red Pantone® 185, white letters on contrasting background
2. Black logo on contrasting (light-colored) background
3. White logo on contrasting (dark-colored) background
4. Gold logo on contrasting background

Generally, trademarks other than the DOW Diamond may appear in any contrasting color on apparel and promotional items. For questions about other uses of the DOW Diamond, please refer to Dow's Corporate Identity Standards (Dow Keyword: Corporate Identity), or contact the Trademark Department.

Trademark infringement

Trademark infringement occurs when goods or services of another party bear a trademark that so resembles a mark already owned by Dow that consumer confusion as to the source of the goods is likely. This may occur where a third party creates a product to compete with a well-established Dow product then adopts a trademark that sounds similar to Dow's established trademark for this same product. The purchaser may be aware of the Dow trademark and have the impression that there is some affiliation, association, or endorsement of this product by Dow. Trademark infringement constitutes a form of unfair competition, and it is imperative to correct all instances in order to preserve Dow's trademark rights.

The most valuable method for policing trademark infringement and misuse of Dow's trademarks is Dow's network of employees, licensees, and distributors. We rely heavily on our employees internationally and are grateful for their diligence in policing the Company's trademarks.

1. What TO DO if trademark infringement is suspected:

- Document the name and location of the establishment in which the suspected goods or services were found;
- Note the name or type of goods or services along with the price of the goods or services;
- State whether there were labels or tags on the items that indicate the source of the goods (i.e., the manufacturer, distributor, etc.);
- State the approximate number of goods offered for sale;
- If the suspected infringement is service oriented, a copy of the advertisement or brochure offering the service would be very helpful;
- Forward all information to the Dow Trademark Department in Indianapolis, Indiana, U.S.A.

2. What NOT TO DO if trademark infringement is suspected:

- *DO NOT* confront the seller or supplier of the suspected infringement. By calling attention to the supplier or seller, the most probable event would be that the seller would remove the item/service from distribution temporarily, only to reappear at a later time.

3. If a third party claims we are infringing its trademark:

- *DO* contact the Trademark Department immediately.
- *DO NOT* engage in any conversation or communication with the third party.

List of The Dow Chemical Company trademarks and corresponding generic descriptors

For a complete listing of Dow trademarks worldwide, refer to the pivot table maintained on the Trademark Intranet site (Dow Keyword: Trademark).

Copyrights distinguished from trademarks

A trademark can be described as a brand, whereas a copyright controls the right to reproduce, publish, and display an original expression of an author. This right is granted by the federal government to protect and encourage the original expression of authors or artists in the form of words, pictures, music, etc. Original books, brochures, bulletins, catalogues, prints, labels, commercial package designs, photographs, advertisements, movies, video tapes, sound recordings, computer software, and instruction booklets that are prepared by or for The Dow Chemical Company have copyright rights that attach and are owned by The Dow Chemical Company. These rights prohibit the reproduction or copying of an entire work, or a substantial part of the work, without the consent of the copyright owner. Copyright does not protect or prevent others from using ideas, data information, inventions, processes, or methods disclosed in the work. Only the form of expression is protected by copyright.

A copyright notice is not legally required to protect an authored work. However, in instances where The Dow Chemical Company wants to offer further protection to a copyrighted work that is being publicly distributed, sold, or placed for sale, it is strongly recommended that a copyright notice, as prescribed by copyright law, be placed on every copy of the work when first published, revised, or reproduced, whether by The Dow Chemical Company or another party with the consent of The Dow Chemical Company. An example of the appropriate copyright notice is as follows:

©2005 The Dow Chemical Company

With the advent of the Internet, it is important to remind all Dow employees that *NO* copyrighted material should be downloaded on a company computer from the Internet. For more information, please visit our Intranet site on copyrights (Dow Keyword: Copyright) or contact the Trademark Department.



Living.
Improved daily.™