

***iterations*, L.L.C. and MG TAYLOR CORPORATION  
TRADEMARK DOs AND DON'Ts**

June 23, 2000

*iterations*, L.L.C. ("*iterations*") and MG Taylor Corporation ("MG Taylor") have invested a great deal of time, energy, and resources in trademarks and service marks, and in intellectual property in general. We ask that you help *iterations* and MG Taylor in protecting their intellectual property by using the following "DOs and DON'Ts" when referring to our trademarks and service marks.

- **DO use these trademarks and service marks in distinctive print or punctuation.**

Your goal should be to make the marks stand out from any surrounding text, so that a reader will immediately know that the marks are not simply words but instead have a distinct commercial significance. Feel free to use anything that calls a reader's attention to the uniqueness of the mark, such as ALL CAPITAL LETTERS, **BOLD PRINT**, *ITALICS*, underlining, or "enclosure with quotation marks." However, try to be consistent within each separate document; choose a distinctive print for the marks and stick with that print for all marks referenced throughout a document.

- **DO use a trademark notice when referring to these trademarks and service marks.**

There are three (3) different trademark notices: ®, TM, and SM. A "®" means that the mark has been registered with the USPTO. Section I of the accompanying list sets forth all of the trademark and service mark registrations currently owned by *iterations*; please make sure to use the "®" in connection with those marks.

A "TM" or "SM" means that the mark is NOT registered with the USPTO, either because an application to register has not been filed with the USPTO or because an application to register has been filed but has not completed the entire registration process. "TM" stands for "trademark"; use a "TM" in connection with the brand name for a product or other tangible good (such as shoes, software, furniture, or books). Alternatively, "SM" stands for "service mark," and should be used in connection with the brand name for services (such as consultation services, educational seminars, or architectural or interior design services). Sections II and III of the accompanying list sets forth trademarks and service marks owned by *iterations* that are not currently registered with the USPTO; please make sure to use "TM" or "SM" in connection with those marks.

What if you're not sure whether to use a "®," "TM," or "SM"? When in doubt, go with "TM."

For example, when we combine the "Dos" about using distinctive print and trademark notice, we would refer to the KNOWHERE® Press series of books or the DesignShop® furniture products. Alternatively, we would cite NavCenter™ environment, the "Rapid Deployment Solutions<sup>SM</sup>" seminars or the PatchWorks<sup>SM</sup> business consultation services.

- **DO pay attention to the goods or services for which a trademark or service mark has been registered.**

In granting registrations for trademarks and service marks, the USPTO requires that we specify the goods or services that are designated by those marks. For example, look at the accompanying list of trademarks and service marks. Notice that the KNOWHERE® mark has been registered for a variety of goods and services provided by MG Taylor (such as software, books, business consultation services, and architectural services). However, the KNOWHERE® mark has not been registered for other goods and services which MG Taylor may or may not be currently providing.

When referring to software, books, business consultation services, architectural services, or any of the other goods and services for which the KNOWHERE® mark has been registered, use the "®" notice. On the other hand, because the KNOWHERE® mark has not been registered for, as one example, retail store services, you should refer to MG Taylor's stores as KNOWHERE<sup>SM</sup> stores.

What if you don't know whether an *iterations* trademark or service mark has been registered, so you're not sure whether a "®," "TM," or "SM" would be correct? Again, when in doubt, go with "TM." Remember, it's better to have some form of trademark notice (so people will know that a particular word or phrase is an *iterations* mark) than no trademark notice at all.

- **DO use a trademark or service mark as an adjective.**

A trademark or service mark should always be combined with the generic name for the product or service. That way, the trademark will not become a generic name for all similar products and lose its trademark status.

This can be confusing. Think about going to the photocopier to make a copy of a document. You're making a photocopy, not a "XEROX"; in fact, your photocopier may not even be a XEROX photocopier! What if you get a paper cut from that copy? You would reach for a bandage, not a "BAND-AID."

In MG Taylor terms, we do not conduct a “DESIGNSHOP”; instead, we conduct DESIGNSHOP® events. Similarly, we do not sell “WORKWALLS”; we sell WORKWALL® units.

Just think some of the words that used to be trademarks until they became the generic name for all similar products: aspirin, refrigerator, escalator, styrofoam. We cannot let the same thing happen to our trademarks and service marks. Remember, a trademark or service mark is not the name of the product or service, but rather is the brand or indicator under which the product is sold or the service rendered.

- **DON’T change trademarks or service marks, or use them as verbs, nouns, in the possessive, or in the plural.**

This rule complements the rule about using trademarks and service marks as adjectives. When we change a mark or use it as a noun or in one of these other improper manners, we risk having the mark become a common term devoid of any trademark significance.

For example, don’t say “I went to knOwhere for two Designshops and we workwalled a new ValueWeb for my company.” Instead, you should say, “I went to the KNOWHERE<sup>SM</sup> store for two DESIGNSHOP® events, and we used WORKWALL® units to create a new VALUE WEB<sup>SM</sup> model for my company.”

When combining one mark with another mark in printed materials, be sure to place the appropriate symbol (TM, SM, or ®) next to the appropriate mark in order to avoid confusion and misidentification of the status of the marks. Also, look at the final rule below about the difference between MG Taylor and the MG TAYLOR® mark.

- **DON’T use punctuation or abbreviations with a trademark or service mark, unless the mark contains such punctuation or abbreviations.**

This is another way that a valid trademark or service mark can lose its trademark significance.

For example, NAVIGATION CENTER and NAVCENTER are trademarks and service marks of *iterations*; “navctr” is not. On the other hand, it’s okay to put hyphens in the TAKE-A-PANEL® mark, because that is the way MG Taylor has adopted and used that mark. Similarly, we can abbreviate the MG TAYLOR® mark to MGT® because *iterations* owns both of those marks.

- **DON'T use words like “original” or “genuine” in connection with these trademarks or service marks.**

Use of words like “original” or “genuine” with *iterations'* marks implies that other companies can legitimately use our brand names to describe their own goods or services. Because *iterations* owns these marks, any such use by another company would be unlawful and would infringe upon *iterations'* rights.

- **DON'T use the ®, TM or SM symbols when talking about MG Taylor as a company.**

This can be confusing. The full legal corporate name of MG Taylor is MG Taylor Corporation. However, *iterations* also owns several trademark and service mark registrations for the MG TAYLOR® mark. If you are referring to MG Taylor as a company, use the full legal corporate name or “MG Taylor” in regular print. But if you are talking about specific products branded with the MG TAYLOR® mark, you should use distinctive print and the ®, TM or SM symbols.

For example, we would say, “MG Taylor Corporation has a long history of providing its clients all of the tools, processes, and environments necessary for the knowledge-intensive workplace. Continuing that tradition, MG Taylor is proud to introduce the newest additions to its MG TAYLOR® line of office furniture products.”