



Trademark Usage Guidelines for Resellers

Electromotive, Inc.'s trademarks, service marks, and other branding are valuable corporate assets that play an important role in promoting Electromotive and its products and services - and, as a result, contribute to your success as a Reseller. These Trademark Usage Guidelines ("Guidelines") describe how to properly acknowledge and preserve the trademark rights of Electromotive. These Guidelines are binding on all Electromotive resellers, whether VARs or AITs.

These Guidelines apply to all trademarks, services marks, product names, logos, trade names, tag lines, and other branding which Electromotive uses. For simplicity, all these types of branding are referred to as the "Marks" in these Guidelines. The Marks currently used by Electromotive are listed on Exhibit 4 to your Reseller Agreement. From time to time, Electromotive may adopt additional Marks or cease using certain Marks, and the status of certain Marks may change from unregistered to registered. Please review the Electromotive website on a regular basis for the current status of the Marks.

If you have any questions concerning the information in these Guidelines or any particular usage you plan to make of any of the Marks, please contact the Electromotive Marketing Department at (703) 331-0100 before displaying the Mark(s) in question or taking other action that might affect them.

Approved Use

You may use the Marks solely to refer to Electromotive and its products and services in connection with your efforts to sell Electromotive products, so long as the Marks are used properly in accordance with these Guidelines. Use of the Marks not in accordance with these Guidelines or of trademarks that are confusingly similar to any of the Marks may constitute an infringement of Electromotive's rights and breach of your Reseller Agreement.

You may also refer to your company publicly as an "authorized reseller of Electromotive products."

Proper Attribution to Electromotive

All of the Marks must be properly attributed to Electromotive. Trademark ownership is attributed in two ways, with the use of a trademark symbol (*i.e.*, TM, SM, or ®) after the trademark, and with a trademark legend, usually placed at the end of a document directly after the copyright notice.

Similarly, you must avoid any use of the Marks which suggests they may belong to your company or a third party.

- Do not incorporate the Marks into, or use the Marks as part of, your own product or company trademarks or names. Your own distinctive trademarks must be used to identify your company, products, and services.
- Do not use the Marks in a manner which is likely to cause confusion as to the source of goods or services or which may indicate a sponsorship, affiliation, or endorsement which does not exist.
- Do not use the Marks to identify products or services that are not manufactured or distributed by Electromotive.

Trademark Symbols

The appropriate trademark symbol must be used when making reference to any of the Marks. The appropriate symbol for each of the Marks is indicated on Exhibit 4 to your Reseller Agreement. If a product or trademark is not listed, please contact the Electromotive Marketing Department at (703) 331-0100.

The standard trademark symbols have the following meanings:

- ® indicates a trademark registered in the United States.
- ™ indicates a trademark that is currently unregistered in the United States.
- ℠ indicates a service mark that is currently unregistered in the United States.

Wherever possible, the symbol should be placed directly after the trademark, in a superscript and in a size smaller than the mark itself. If you are unable to use the symbols due to the software you are using, please use parenthetical versions as follows: (R), (tm), or (sm).

The trademark symbol does not need to be included in every use of a Mark, but it must always be used:

- With the first use of a Mark in the text of each document.
- With all prominent uses of a Mark (*e.g.*, title pages, headings, etc.).

Trademark Legends

The Marks must be properly identified as originating from Electromotive by including a brief legend attributing ownership to Electromotive. The following legend should be used on all materials that reference any of the Marks:

Electromotive, [list the Marks referenced in the materials], are trademarks or registered trademarks of Electromotive, Inc.

In addition:

- The trademark legend must be clear in order to avoid any confusion as to who is the owner of each Mark. Do not use the brand name “Electromotive” in the legend; use the corporate name “Electromotive, Inc.”
- The Marks should be specifically credited, not referred to generically as “...all other trademarks are owned by their respective companies” or using similar language.
- Do not include any other statements in the legend that in any way suggest that you have or are claiming any rights in a Mark.
- Do not reference an Electromotive Mark and your or another company's trademark in the same trademark legend.

The legend is usually placed at the end or bottom of marketing materials. The legend may be in a smaller font than the text of the document, but it must be legible. Generally, 6 point font is the minimum acceptable size.

Proper Usage of the Marks

The Marks are adjectives (brand indicators) which modify nouns (generic product names). Please adhere to the following practices when using the Marks:

- The first or most prominent use of any Mark in text must be as an adjective, followed by the generic term for the applicable product. For example, “TEC^{3r}™ engine control units” or “XDi2™ ignition systems.”
- Keep the Marks distinct from surrounding text and use consistent Electromotive lettering, font, and design format.
- Do not make the Marks possessive through the use of apostrophes.
- Do not pluralize the Marks.
- Do not abbreviate or combine the Marks with other words or components.
- Avoid confusion by clearly separating and identifying the Marks from other companies’ names and trademarks.