


TRADEMARK USAGE POLICY



Effective December 14, 2015

The trademarks of Suma America, Inc. (hereafter "Suma," "we," "our," or "us") are the principal means by which we identify ourselves, our products, and services to our members and the public, and by which the public, in turn, has come to recognize our organization, products, services and activities.

Suma's success is, and will be, due in part to favorable recognition we have achieved under our trademarks such as: SUMA, the SUMA stylized rectangular logo () , GIANTMIX, RECORDMIX, OPTIMIX, and the Suma green color as used with mixers and agitators for biogas and liquid manure. Please help promote and protect our valuable trademarks by following these trademark guidelines.

Materials to which these guidelines apply

The guidelines apply to all written, printed, and recorded Suma communications and materials that make use of our trademarks. These materials include: media materials, marketing materials, commercial materials, advertising materials, products and product documentation, product packaging, print and electronic publication, technical collateral, sales and training material, and our website.

Properly Identify all Suma trademarks

Please identify properly all Suma trademarks, as outlined below.

Notice

A trademark notice (®, ™, or SM) tells the public that someone claims the word(s) or logo as a proprietary commercial designation - a trademark. The notice communicates that the word does not merely describe or name the product, it identifies and distinguishes a particular brand and source of the product. Using the notice thereby strengthens our trademark rights.

(1) Types of Trademark Notices:

® - indicates a trademark registered with the U.S. Patent and Trademark Office (merely applying to register a mark does not mean it is registered.).

™ - indicates a trademark that is not registered, but that the owner claims trademark rights to the mark (includes pending applications to register a trademark).

SM - indicates a trademark used in connection with a service (i.e., a service mark) that is not registered (also includes pending applications to register a service mark).

(2) Use the Correct Notice Symbol with each Trademark:

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Insure that the proper notice is used with each Suma trademark. If you cannot ascertain the proper notice for that particular mark, use the ™ notice. When in doubt, never use the ® notice, for using it with an unregistered mark may impair our ability to register and protect the mark later.

(3) Trademark Notice Placement:

- Place the notice just after the trademark, without any space in between. Example: “Suma™ agitators.”
- Place the notice before the common noun that should follow the trademark, as it distinguishes the trademark from the common name of the product or service. Example: “Suma™ brand mixers.”
- Use the notice with the trademark’s first and/or most prominent appearance. After you have used the notice in this manner, you need not use it each time the mark appears thereafter. If a document is more than one page in length, it is recommended that you use the appropriate trademark notice with the trademark’s first appearance on each page.

Attribution

Each document produced by Suma and its partners should contain a trademark attribution section listing all Suma trademarks that appear in the document, and identifying Suma as the owner of the marks. Attribution serves to indicate and reinforce our ownership of the trademarks that appear in the document.

The attribution should include all trademarks that appear in the document and should indicate whether each mark is a registered, (unregistered) trademark or a service mark. The following is an acceptable format:

The [any registered Suma trademark that appeared in the document] are registered trademarks, [any unregistered Suma trademarks that appear in the document] are trademarks, and [Suma service marks that appear in the document] are service marks of Suma America, Inc.

Proper Use of Suma Trademarks

Proper trademark use in text is largely a matter of treating each trademark as a distinct commercial designation indicating a particular product’s brand or source, not as the common name for the generic product type.

Where a trademark is used as a noun, the public may come to recognize it as the product’s common name, rather than an indication of the source of a particular brand of that product. A common name is the antithesis of a trademark - it does not distinguish the products of a particular company, nor indicate a product’s source, and any company in the market may use it fully. Thus, when a trademark becomes recognized as a common name, it no longer serves any value as a marketing tool. Any company can pass off its products under the former trademark.

In the past, once valuable trademarks such as cellophane, aspirin, nylon, escalator, and thermos, have lost their trademark significance and have, instead, become common names for products.

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These marks' owners lost the considerable benefits of exclusive use of these terms by failing to use them properly.

In addition, a trademark's consistent use and visual appearance helps nurture the trademark's public appearance and recognition.

Do's and Don'ts

- (1) Do use the trademark as an adjective (a brand name or product source) describing a noun (the common product type). When you use a trademark in text, follow it with an appropriate common term.
- (2) Do not use a trademark as a noun.
- (3) Do not place an article or possessive pronoun before a trademark unless a common noun follows the trademark. Placing an article (e.g., 'the', 'and') or possessive noun (e.g., 'your' or 'her') before a trademark without attaching a generic term encourages the public to view the trademark as a noun, and thus a common noun.
- (4) Do not pluralize a trademark. Pluralization implies that the trademark is a noun, and thus a common term.
- (5) Do not hyphenate a trademark. Hyphenation can blur a trademark's boundaries and reduce distinctiveness. It also implies that the mark is a noun, and thus a common term. Never place a hyphen after a trademark. Instead, add and hyphenate a generic term after the mark, or reword the sentence to avoid hyphenation.
- (6) Do not combine trademarks. Joining or combining separate trademarks can blur each mark's boundaries and reduces distinctiveness.
- (7) Do not add an apostrophe to a trademark. Making a trademark possessive implies that the trademark is a noun, and thus a common term.
- (8) Do not use a trademark as a verb. Using a trademark as a noun implies that it is a product's common name. Similarly, using a trademark as a verb suggests that it is the common term for a process or action.
- (9) Never alter, modify, edit or change a trademark. Consistent use of a trademark is the best means of nurturing the public recognition. Please pay particular attention to a trademark's precise mix of capital and small letters, and the presence or absence of spaces between words.

SUMA America, Inc.

855 N. Wood Dale Rd., Suite A

Wood Dale, IL 60191

USA