

AMERICAN MIDWIFERY CERTIFICATION BOARD (AMCB®)

TRADEMARK AND CERTIFICATION MARK USE POLICY

I. PURPOSE

This Policy establishes the rules and requirements for use of all AMCB trademarks, including trademarks, service marks, and certification marks. AMCB-authorized individuals and organizations should be familiar with and follow this Policy carefully to ensure that all uses of AMCB trademarks and certification marks are consistent with it.

II. AMCB CORPORATE TRADEMARKS

A. Mark Ownership.

The following organizational trademarks (“AMCB Corporate Marks”) are registered trademarks owned and controlled by AMCB:

AMCB®

American Midwifery Certification Board Corporate Logo/Seal®

AMCB retains all trademark and other ownership rights to use the AMCB Corporate Marks. AMCB may create and use additional marks, as it deems appropriate.

B. Prohibited Use of AMCB Corporate Marks.

No person, business or individual is entitled to use the AMCB Corporate Marks without the express permission of AMCB. Permission to use the AMCB Certification Marks, identified below, does not constitute permission to use the AMCB Corporate Marks.

III. AMCB CERTIFICATION MARKS

AMCB certifies midwives who have satisfied applicable credentialing requirements established by AMCB. AMCB has created certification marks for certificates to use and display to represent their status as AMCB-certified. These marks represent a standard of excellence in the field of midwifery, and are widely known and recognized by educators, employers, midwives, patients and others as such.

A. Mark Ownership.

The following certification marks and credentials (AMCB Certification Marks) are owned and controlled by AMCB LLC (AMCB):

CM[®]

CNM[®]

AMCB retains all trademark and other ownership rights concerning the AMCB Certification Marks. AMCB may create and use additional marks, as it deems appropriate.

B. Authorized Use of AMCB Certification Marks.

AMCB grants limited permission to use specific AMCB Certification Marks to qualified midwives who satisfy all applicable AMCB credentialing requirements. Consistent with applicable law and corporate policies, AMCB will ensure that the Certification Marks are displayed and otherwise used properly.

C. Persons Authorized to Use the Certification Marks/Certificant Responsibilities.

Use of the AMCB Certification Marks is limited strictly to those individuals who are AMCB certificant in good standing. Each AMCB certificant is authorized to use only the Certification Mark which represents the credential that she/he has obtained and continues to maintain.

Each AMCB certificant accepts and assumes sole responsibility for understanding and satisfying all applicable organizational and legal requirements related to the use and display of the AMCB Certification Marks. Among other requirements, each certificant is responsible for ensuring that the use of an AMCB Certification Mark in professional materials (e.g., business cards, letterhead, e-mail signatures, advertisements) is consistent with this Policy, and is not in conflict with any applicable laws. AMCB shall not be liable or otherwise responsible for any claims, complaints, suits or damages whatsoever, relating to a certificant's use of the AMCB Certification Marks.

D. Proper Use.

An AMCB certificant must use the appropriate Certification Mark only in conjunction with his/her name.

E. Non-Assignability and Non-Transferability of the Certification Mark.

Permission to use the AMCB Certification Marks is limited and personal to the AMCB certificant and may not be transferred to, assigned to, or otherwise used by, any other person or entity.

F. Violation Reporting Responsibilities.

An AMCB certificant has the responsibility to report the unauthorized use, misuse, or other violation of this Policy to AMCB in a timely manner, including any circumstances where the use of an AMCB Corporate or Certification Mark is related to an individual or organization that is not AMCB or an AMCB certificant, or where a Certification Mark is used improperly by a AMCB certificant.

G. Enforcement of AMCB Trademark Rights.

AMCB reserves the right to employ the full range of legal remedies and certification-related sanctions available under applicable laws and AMCB policies to protect the AMCB Corporate and Certification Marks from unauthorized or improper use.

H. Disciplinary Actions Related to Mark Misuse By a Certificant.

An AMCB certificant or candidate who acts contrary to the terms of this Policy or applicable law may be sanctioned by AMCB in accordance with the terms and conditions of the AMCB Disciplinary Policy.

I. Policy Violation Actions Concerning Third Parties.

Following receipt of information that an inappropriate or unauthorized use of the AMCB Certification Mark(s) by a third party individual, organization, or company may have occurred, AMCB, in its sole discretion and in consultation with legal counsel, will determine if responsive action(s) will be taken.