

Policy

MTLAS P 1 MTU

2018-08-01

v01.00

MFCC Trademark Usage

MYANMAR FOREST CERTIFICATION COMMITTEE



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Myanmar Forest Certification Committee (MFCC)
Forest Compound, Bayintnaung Road, West Gyogone,
Insein Township (11011), Yangon
Myanmar

Tel: (+951) 3644430

Fax: (+951) 3644431

Email: timcertcom@gmail.com

Website: www.mfcc.com.mm

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1 Policy Background

1.1 Introduction

Myanmar Forest Certification Committee (MFCC) is the National Governing Body (NGB) of forest/timber certification schemes in Myanmar. Currently there are two schemes operating in Myanmar which MFCC oversees and manages. These are:

1. The Myanmar Timber Legality Assurance System (MTLAS);
2. The Myanmar Forest Certification Scheme (MFCS).

1.2 Scope

This document provides the policy for the use of the MFCC trademark with regards MTLAS only. A separate and unique policy will be applied to MFCC Logo Usage for MFCS related claims.

This policy is designed for use by MFCC staff and Certification Bodies monitoring MFCC trademark approval and use, and clients intending to use MFCC trademarks for off-product labelling.

1.3 Normative References

MFCC P 1 Implementation Arrangements
MFCC SOP 2 Complaints, Appeals and Disputes

1.4 Definitions

For the purposes of this document, the terms and definitions contained in PEFC ST 1001:2010, and ISO/IEC Guide 2:1996 Standardisation and related activities – General vocabulary apply.

<i>Claim</i>	Claims appear on a product, its packaging, or in related literature or advertising and convey explicitly or implicitly product characteristics or functions and can also be taken as saying something about origin, method of production, legal or environmental aspects etc. It can take the form of text, symbols, or graphics.
<i>On-product use</i>	Use of trademark and/or associated claims on product labels or packaging or consumer invoices.
<i>Off-product use</i>	Use of trademark and/or associated claims in brochures, leaflets, advertising, promotions, websites, company stationery, prospectuses and reports for the promotion of products.
<i>MFCC</i>	Myanmar Forest Certification Committee
<i>MFCS</i>	Myanmar Forest Certification Scheme. MFCS is contained in a range of documents including MFCC policies, Standard Operating Procedures, other supporting system documentation, and the MFCS Forest Certification Standard.
<i>MFCC Employees</i>	In this policy an MFCC employee can refer to full and part time employees, consultants and sub-contractors and volunteers.
<i>MTLAS</i>	Myanmar Timber Legality Assurance System. MTLAS is contained in a range of documents including MFCC policies, Standard Operating Procedures, other supporting system documentation, and the MTLAS Standard.

<i>MTLAS Timber produce</i>	Products manufactured and certified as compliant to the MTLAS.
<i>Trademark</i>	All trademarks registered by MFCC, including company name and the MFCC logo.
<i>Trademark Manual</i>	Design guidelines for trademark use covering any restrictions on colour use, font, logo dimensions, placement etc. as well as guidance on developing associated claims or text.
<i>Trademark Approver</i>	The designated MFCC employees that approves (or not) trademark usage applications.
<i>Trademark Usage Manual</i>	Design guidelines for trademark use covering any restrictions on colour use, font, logo dimensions and placement as well as guidance on developing associated claims or text.
<i>Trademark User</i>	An individual that wishes to use the MFCC trademark and/or make associated claims.
<i>Trademark User Register</i>	A list of all approved trademark users each with a unique identification number.

2 Policy Standards

2.1 Introduction

MFCC has developed a trademark and off-product claims approval process for use with marketing MTLAS verified products. Off-product claims will cover independent verification by MFCC through an acknowledged¹ Certification Body that a product is compliant with the MTLAS.

MFCC trademarks include the name Myanmar Forest Certification Committee and/or its abbreviation and the MFCC logo. Unauthorized use of the MFCC trademark(s) is prohibited and will be treated as a copyright infringement. MFCC reserves the right to take legal action against any party that reproduces or copies the MFCC trademark(s) in any form whatsoever without prior authorization from an MFCC trademark approver.

2.2 Conditions for MFCC Trademark Use

MFCC will not permit any on-product use of MFCC trademark(s) or associated claims. This includes (but not necessarily confined to) packaging, product labels or hang tags, stamps and consumer invoices.

MFCC Trademark use and associated claims are permitted 'off-product' – marketing collateral such as leaflets, banners, websites, as well as press releases, company reports, business to business letters and presentations, invoices and bills of lading. All use of the MFCC trademark and associated claims must be clearly associated with a specific product or product range that has been independently verified by an MFCC acknowledged Certification Body.

2.3 Procedures for MFCC Trademark Use

Applications for trademark use will be made and carried out directly to/through MFCC. Contact details can be found on the MFCC website: www.mfcc.org.mm.

Any organisation/person that wishes to make use of MFCC trademark and/or associated claim will be invited to sign a separate licensing agreement with MFCC. On receipt of a signed licensing agreement, the MFCC trademark approver will issue a Trademark Manual to the customer.

For each agreement a trademark user must be identified in advance (for inclusion on MFCC's Trademark Users Register). A customer may request the removal or addition of names from the Trademark Users Register on application in writing to the MFCC trademark approver.

The customer will apply in writing to the MFCC trademark approver for provisional approval of any proposed trademark use and/or associated claims (before extensive production is started).

MFCC's trademark approver will issue the trademark user with a Trademark Use and Claim Approval Form and assign a unique number for every separate application. This form will be used for provisional and final approval.

This provisional stage requires a description of the intended use at a minimum². Provisional approval is also required for all reprints of previously approved trademark use and/or associated claims. If in a language other than English or Myanmar, submissions will be in the original language with an English or Myanmar translation³.

The MFCC trademark approver will reply in writing within five days either to give provisional approval or to specify the changes that need to be made.

Following provisional approval applicants will send a draft of the proposed usage containing all artwork and text.

¹ See MFCC Policy 5 Certification Body Requirements.

² Provisional approval is also required for all reprints of previously approved trademark use and/or associated claims.

³ It will be at MFCC's discretion to request an authorised translation or not. Related costs will be paid by the applicant.

If final approval is granted the MFCC trademark approver will issue the trademark user with the final signed Trademark Use and Claim Approval Form (the same form as submitted for provisional approval). Approval is required even if the artwork and text has already been previously approved for another use.

Every single sheet of artwork and text attached to the Trademark Use and/or Claim Approval Form must be stamped, dated and signed by the MFCC trademark approver to be considered valid.

2.4 *Trademark Abuse*

Certification Bodies are responsible for controlling and monitoring all use of the trademark(s) under a licensing agreement.

All affected uses of the trademark(s) must be removed within 24 hours of notification if:

- there is a breach of trademark approval conditions;
- the certified status of material is withdrawn;
- certification is suspended.

Removal must be verified by the Certification Body to MFCC CEO as soon as possible.

2.5 *Approved Claims*

The claim may read: "The wood in [name of product/product range] has been independently verified by MFCC as compliant to the Myanmar Timber Legality Assurance System".

Wherever the MFCC trademark(s) are used, the correct copyright symbol (©, ® or ™) must also be reproduced in accordance with guidelines in the MFCC Trademark Pack.

2.6 *Conformance*

To ensure conformance to this policy MFCC will distribute this policy to operators and retailers dealing with and receiving MFCC MTLAS produce.

MFCC will also make this policy publically available on the MFCC website.

To ensure conformance to this policy Certification Bodies will:

- cover this policy in operator training;
- integrate this policy in applicable Certification Body and client agreements;
- audit compliance.

2.7 *Trademark Usage Fees*

There is currently no charge for the MTLAS off-product trademark use. However, MFCC reserves the right to introduce a trademark usage fee.

3 Document History

Date of Issue:	Version	Approval date:	Requested by:	Nature of Change	Approved by: