



## FogHorn Systems, Inc. Trademark Guidelines

These guidelines explain the usage of FogHorn’s trademarks, service marks, and trade names. It is important that you review these guidelines before you publish any content about FogHorn or FogHorn’s products. You are required to provide for review and approval from FogHorn any text about FogHorn prior to release to the public. The review process seeks to avoid potential legal issues arisen from the inappropriate use of FogHorn product names, services, or trademarks.

### Introduction

A trademark, trade name or service mark is an assurance to customers and prospects that they are buying genuine and quality products/services from a known company. FogHorn Systems, Inc. (“**FogHorn**”) uses and maintains a number of trade and service marks, all of which have been diligently promoted. This provides name-brand recognition to benefit you and your customers.

FogHorn regards the proper use of its trade and service marks as absolutely critical to the continued success of its commercial efforts. We have made significant investments in making our products, services and corporate identity known. So that our resellers, distributors, solution providers and colleagues may properly represent FogHorn and its products, we have prepared the following guidelines to ensure proper use of our trade and service marks. By adhering to these guidelines for the third-party use of FogHorn trade names, trademarks and service marks, you will be ensuring that the marketplace in which we are allied will continue to recognize the quality and value of FogHorn’s products and all independent products and vendors associated with us.

Failure to abide by the following guidelines will compel FogHorn to take appropriate action to protect its goodwill in the FogHorn trademarks and service marks, as is permitted under state and federal laws of the United States, or similar laws or other jurisdictions.

Most questions regarding the use of FogHorn’s trade and service marks will be answered by these guidelines. Whenever in doubt, however, please contact the Legal Department at FogHorn for clarification.

## **Trademarks, Service Marks and Trade Names**

For the purposes of these guidelines, we have used the following definitions:

**“Trademark”:** Any word, name, symbol, logo, or device (or any combination thereof) used by FogHorn to identify and distinguish its products from those manufactured or sold by others (e.g. FogHorn Lightning).

**“Service Mark”:** Any word, name, symbol or device (or any combination thereof) used by FogHorn to identify and distinguish its services from the services of others.

**“Trade Name”:** Any name used by a company to identify and distinguish its business (e.g. FogHorn is a trade name of FogHorn Systems, Inc.).

## **Use of FogHorn Trademarks, Service Marks and Trade Names**

Any party that uses FogHorn’s trademarks, service marks or trade names must comply with the guidelines as stated in this document and applicable state and federal laws of the United States, and/or similar laws of other jurisdictions.

No one may use any reference to being FogHorn “authorized,” “certified,” or “approved,” or make any representation which might lead someone to believe that they are FogHorn “authorized,” “certified”, or “approved”, or similarly recognized, **without specific written authority from FogHorn**. These guidelines do not constitute such written authority. Organizations that provide services such as training, user groups, or consulting may contact the FogHorn department responsible for these programs for further information.

## **Advertising and Printed Literature**

- FogHorn trade names, trademarks and service marks may appear prominently in any advertising materials in which they are used but must appear in **smaller** type size than the largest trade name(s), trademark(s) or service mark(s) of the advertiser.
- All usages of a FogHorn trade name, trademark or service mark must be accompanied by the appropriate symbol for trademark, service mark or registered trademark (™, ™, ®).
- Credit lines must be used to identify FogHorn trade names, trademarks and service marks and must be attributable to FogHorn Systems, Inc. Credit line requirements are outlined later herein.
- Any references to FogHorn and its products must be clearly defined, including identification of FogHorn as the source, and not vague or misleading to the audience.
- To use FogHorn logos please refer to the section on Use of Logos herein.
- FogHorn reserves the right to review and approve or reject any use of its trademarks, service marks or trade names.

## Web Sites

- You may not imitate FogHorn’s websites in any of your promotional or marketing materials.
- You may not use FogHorn as part of your domain name.
- When using FogHorn trademarks on your web site, you must appropriately designate them as trademarks or service marks the first time they are used and use the correct spelling of FogHorn. Moreover, you must provide the appropriate credit line as explained later herein.
- If you are selling a product that was “designed to integrate with FogHorn products” you must not imply that FogHorn in any way has tested or evaluated the product or that it endorses, produces or supports the product.

## Premiums and other Items

Premiums include such items as jackets, mugs, pens, T-shirts, hats, book covers and other promotional items, which may include FogHorn trademarks, service marks or trade names.

- **Always** consult FogHorn first for approval. You **must** have prior written approval from FogHorn for such usage and FogHorn must deem the usage appropriate.

## Seminars, Conferences, Meetings, Training, etc.

- When conducting an event to promote or provide training for FogHorn products or when referencing FogHorn or its products in an event, **you may not imply** that FogHorn is conducting, sponsoring, or associated in any way with the seminar, training, or event **without specific prior written authorization from FogHorn.**
- Your name must appear prominently as the sponsor of the event. Unless otherwise authorized in writing, we require the following disclaimer to appear in printed materials, advertisements and presentations:

*“This event/course/seminar/etc. is presented by <sponsoring organization> and is not in any way affiliated with or endorsed by FogHorn Systems, Inc.”*

## The Credit Line

All uses of FogHorn trade names, trademarks and service marks must be accompanied by a credit line at the end of the document, including notice of whether the mark is federally registered. This statement should appear in a type size of at least 6 points. The standard format to use is:

*“Lightning is a trademark of FogHorn Systems, Inc. Other third-party marks referenced herein are trademarks of their respective owners.”*

## **Use of Logos**

You may use only approved duplicates of the FogHorn logo or product logos, directly obtained from FogHorn. FogHorn will not approve the use of substitute materials, or approximations of our designs or materials that do not meet our graphic standards for quality.

- The logos may not be used in any manner that would imply that your company or any goods or services provided by your company are sponsored or endorsed by, or affiliated with, FogHorn.
- You may not display the logos in any manner which suggests that your product is a FogHorn product, nor in any manner which suggests FogHorn is a part of your product name.
- Do not imitate FogHorn's product packaging or the logos in any of your materials including advertising, product packaging and promotional materials.
- The logos cannot appear larger and/or more prominent than your trade name, service name, product name or trademark on any materials produced or distributed by your company.
- FogHorn reserves the right to object to unfair uses or misuses of its trademarks or other violations of applicable law.

## **Stating Compatibility**

You may promote your products as “designed for FogHorn Lightning” so long as you do not imply that FogHorn has tested or evaluated the product, or that it endorses, produces, or supports the product.

### **FogHorn Systems, Inc.**

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