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Trademark Use & Licensing

- Policy
- Procedures**
- Operational Control

OWNER:	CEO, Equitable Origin LLC
SUBJECT:	Trademark Use & Licensing
DATE:	04/03/2014
EDITION:	Final_Working Final ¹ _Draft__
USAGE:	Public_X_Internal__
REVISION:	1

¹ Policies, procedures that are sufficient to govern practice but will evolve as revisions are informed by stakeholder feedback and experience gained through application.

FOREWORD

The mission of Equitable Origin LLC is to protect people and the environment by helping to ensure that oil and gas exploration and production is conducted to the highest social and environmental standards. Our vision is to create a new, economically viable paradigm for extractive industries, where nature is protected and local communities benefit socially and economically from production.

Equitable Origin has developed trademarks and other copyright material that are its intellectual property. Equitable Origin's trademarks are the primary tool to communicate the achievements of operators that have met the standards set by Equitable Origin and their commitment to responsible oil and gas production. It is essential that Equitable Origin's trademarks are used correctly, that their use does not mislead customers or the public about certification claims, and that they are not associated with quality aspects beyond those covered by Equitable Origin certification.

Equitable Origin has adopted this policy and the rules articulated here to protect the integrity of its intellectual property and authorize its legitimate use.

1. PURPOSE AND SCOPE

1.1 This policy applies to all operators of oil and gas exploration and production sites that have achieved certification to the EO100™ Standard; purchasers of EO Certificates and their downstream product retailers; Certification Bodies who are approved to audit to the EO100™ Standard; and consultants who are qualified to advise operators on the implementation of the EO100™ Standard. It describes licensed use by those parties of Equitable Origin trademarks as well as restrictions on fair use of Equitable Origin trademarks.

2. REFERENCES

- EO100™ Standard
- EOP-102 EO100™ Scope and Eligibility
- EOC-301b Equitable Origin Certification Agreement
- EOP-401 Certificate Trading Platform
- EOC-401f Buyer Participation Agreement
- Equitable Origin Style Guide

3. TERMS AND DEFINITIONS

Certified Site: Oil and gas exploration, production (early production or commercial production), or closure site that has achieved and maintained certification to the EO100™ Standard based on an audit conducted by an EO-approved Certification Body. Certified sites may consist of one Unit of Certifiable Production or a reasonable aggregation of UCPs as defined in

EOP-102 Scope and Eligibility.

Certified Site Operator: An oil and gas company that operates one or more Certified Sites.

Certificates Buyer: An organization or individual who has purchased EO Certificates on the EO Exchange.

4. PROCEDURE

4.1 License

4.1.1 Only organizations that have a signed, formal written agreement with Equitable Origin may use Equitable Origin Trademarks. The mechanisms by which each category of licensee may obtain written permission to use Equitable Origin's trademarks are detailed in each of the following sections. Violation of the terms of the governing agreement or this procedure may result in revocation of the license to use Equitable Origin trademarks. Equitable Origin reserves the right to take legal action against any party that reproduces or copies Equitable Origin trademarks without prior authorization.

4.2 Certified Site Operators

4.2.1 License to use trademarks as described in Section 4.1 of this procedure is granted in clause [XX] of the Certification Agreement between Equitable Origin and each Certified Site Operator.

4.2.2 Use of text trademarks:

4.2.2.1 Certified Site Operators may use text trademarks (non-graphic) only in a fair use setting provided notice is given.

- For example, operators may wish to include a narrative about their path to certification in a press release, annual report or CSR publication. In that case, it would be acceptable to use EO's text marks within the body of the text if notice is given.

4.2.2.2 Narrative claims in off-product promotional literature must provide accurate and comprehensive details that convey the scope and scale of their achievement. Close equivalents to the following must be used:

- *"Five of our production sites have achieved certification to the EO100™ Standard."*
- *"25% of our production sites are certified to the EO100™ Standard."*
- *"All of our operations in Grand North oil field are certified to the EO100™ Standard."*
- *"3 of our 4 well pads in Grand North oil field are certified to the EO100™ Standard."*
- *"50,000 BPD of our production is certified to the EO100™ Standard."*

- “Production at Company ABC sites certified to the EO100™ Standard accounts for 25% of our Brazilian output.”

4.2.2.3 Certified Site Operators may not imply through use of Equitable Origin’s trademarks or name that any operation, site, division, or function in the corporate group is Equitable Origin certified or is endorsed by Equitable Origin in any way other than for the specific Certified Site(s) that have achieved certification to the EO100™ Standard.

4.2.3 Use of graphic trademarks.

4.2.3.1 Certified Site Operators are licensed to use the following trademark:



- on-product (Certified Site(s) covered by the certification) in the form of flags, banners or similar.
- off-product (promotional literature) as long as it is accompanied by text describing the scope and scale of the certification such as that described in 4.1.2.3.

4.3 Certificates Buyers and Downstream Product Retailers

4.3.1 License to use trademarks as described in Section 4.2 of this procedure is granted in clause 5 of EOC-401f Buyer Participation Agreement between Equitable Origin and each Buyer.

4.3.2 Use of text trademarks:

4.3.2.1 Certificate Buyers may use text trademarks (non-graphic) only in a fair use setting provided notice is given.

- For example, buyers may wish to include a narrative about how EO Certificates fit into their business’ CSR strategy in a press release, annual report or similar publication. In that case, it would be acceptable to use EO’s text marks within the body of the text if notice is given.

4.3.2.2.3 Narrative claims in off-product promotional literature must provide accurate and comprehensive details that convey the scope and scale of participation in the EO System.

- Claims may not state or imply that an individual product or products *contain* certified responsibly produced oil and gas

products. Claims must instead clearly be *in support of* responsibly produced oil and gas products. Acceptable claims may include such statements as:

- *“ We support responsibly produced oil and gas through the purchase of EO Certificates,”* or
- *“Supporting EO Certified™ responsible production.”*
- Claims about specific offset quantities must be accurate and verifiable in accordance with the methodology described in the Conversions section of the Equitable Origin Website and the rules laid out in the EOP-401 Certificate Trading Platform protocol.
- Claims made about the purchase of EO Certificates and/or relating to the business or brand’s support of responsible production are valid for 12 months following the relevant certificate purchase. Businesses that wish to continue making claims in support of responsibly produced oil and gas must buy EO Certificates for each successive 12-month period for which they wish to make claims.
- Retailers marketing branded products manufactured by purchasers of EO Certificates may, with Equitable Origin’s written permission, claim their support off-product. Claims must clearly state the scope of the retailer’s participation in the EO System and be publicly verifiable. Acceptable language includes close variants of the following:
 - *“Our procurement policy gives preference to manufacturers who support EO Certified™ responsible oil and gas production.”*
 - *“Our petroleum-derived inputs are supplied exclusively by manufacturers that support EO Certified™ responsible production.”*

4.3.2.4 Certificate buyers and downstream product retailers may not imply through use of Equitable Origin’s trademarks or name that its brand or products are Equitable Origin certified or endorsed by Equitable Origin in any way.

4.3.3 Use of graphic trademarks.

4.3.3.1 Certificate Buyers are licensed to use the following trademark:



- on-product (branded goods) on packaging, labels, and similar.
- off-product (promotional literature) as long as it is accompanied by text describing the scope and scale of participation in the EO System described in 4.3.2.3.

4.3.4 Retailers of house-label products, who may have bought EO certificates for themselves or asked their manufacturer to do so on their behalf, may make both on- and off- product claims as described above.

4.4 Qualified Consultants and Approved Certification Bodies

4.4.1 Qualified Consultants and Approved Certification Bodies who wish to promote services related to the implementation of the EO100™ Standard to potential certified site operators may request written permission from Equitable Origin to use its main brand identity trademarks on their website and in promotional materials for those services. Acceptable language includes close variants of the following:



- *“We are an Equitable Origin™ Approved Certification Body authorized to conduct audits to the EO100™ Standard in Colombia and Ecuador.”*
- *“We are an Equitable Origin™ Qualified Consultant. We can provide guidance on implementing the EO100™ Standard.”*

4.4.2 Qualified Consultants and Approved CBs may not use the certification and product labeling logos described in Sections 4.2 or 4.3 above or imply that their company, products, or services are certified or endorsed by Equitable Origin beyond the limits defined by their respective qualification.

4.5 Trademark Specifications – All Licensees

4.5.1 When used online, the trademark (text mark or logo) shall have a hyperlink to the Equitable Origin website embedded in the mark.

4.5.2 When used in print, the trademark shall, at its first instance in the document, be accompanied by the URL of the Equitable Origin website, either in close proximity to the trademark or in a footnote on the same page in which the trademark appears.

4.5.2 Licensees must follow Equitable Origin’s specifications for graphic logo printing as defined in the Equitable Origin Style Guide.