

## ACBSP™ TRADEMARK AND CERTIFICATION MARK USE POLICY

This policy replaces all previously published information regarding use of ACBSP™ certification marks.

### POLICY PURPOSE

This Policy establishes the rules and requirements for use of all American Chiropractic Board of Sports Physicians™ (ACBSP™) trademarks, including trademarks, service marks, and certification marks.

### ACBSP™ CORPORATE TRADEMARKS

#### *Trademarks Ownership*

The following organizational trademarks (ACBSP™ Trademarks) are owned and controlled by the American Chiropractic Board of Sports Physicians™ (ACBSP™).



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- American Chiropractic Board of Sports Physicians™
- ACBSP™

ACBSP™ retains the sole and exclusive rights to use the ACBSP™ Trademarks. ACBSP™ may create and use additional marks, as it deems appropriate.

#### *Prohibited Use Of ACBSP™ Trademarks*

Individuals, businesses, and other organizations, including ACBSP™ certificants, are not permitted to use the ACBSP™ Trademarks. In certain circumstances, ACBSP™ may permit another organization to use a specific ACBSP™ Trademark, subject to an ACBSP™ approved license agreement. ACBSP™ permission to use ACBSP™ Certification Marks, identified in Section III, below, does not include authorization to use the ACBSP™ Trademarks.

#### *Policy Violations and Related Matters*

ACBSP™ reserves, and may use, any and all remedies available under applicable laws and corporate policies to protect the ACBSP™ Trademarks. Infringement or other misuse of any ACBSP™ Trademarks will be challenged. Inappropriate or incorrect uses of ACBSP™ marks may, therefore, be subject to legal action for mark infringement and other claims if such uses are contrary to law, or policy, e.g., where a use creates a likelihood of confusion with the proper use of a registered ACBSP™ mark without regard to the certification or licensure status of the individual involved.

Following the receipt of information that an unauthorized use of an ACBSP™ Trademark may have occurred, ACBSP™ will determine if responsive action(s) will be taken in accordance with this Policy and applicable laws.

## **ACBSP™ CERTIFICATION MARKS**

### ***Certification Marks Ownership***

The following certification marks and credentials (ACBSP™ Certification Marks) are owned and controlled by the American Chiropractic Board of Sports Physicians™ (ACBSP™).

- CCSP®
- DACBSP®
- Diplomate American Chiropractic Board of Sports Physicians®
- Certified Chiropractic Sports Practitioner®
- Certified Chiropractic Sports Physician®

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

### ***Authorized Use Of ACBSP™ Certification Marks***

The ACBSP™ Board of Directors grants limited permission to use specific ACBSP™ Certification Marks to qualified chiropractic sports physicians and practitioners, who satisfy all applicable ACBSP™ credentialing requirements (certificants). Consistent with applicable law and corporate policies, ACBSP™ will ensure that the Certification Marks are displayed and otherwise used properly, as such use represents ACBSP™ certification to the public.

### ***Persons Authorized to Use the Certification Marks/Certificant Responsibilities***

Use of the Certification Marks is limited strictly to those individuals who are ACBSP™ certificants in good standing. Each ACBSP™ certificant is authorized to use only the Certification Mark that represents the appropriate certification and credential granted by ACBSP™ to the certificant.

Each ACBSP™ certificant accepts and assumes sole responsibility for understanding and satisfying all applicable organizational and legal requirements related to the use and display of the ACBSP™ Certification Marks. Among other requirements, each certificant is responsible for ensuring that the use of any Certification Mark in professional and business-related materials (e.g., business cards, letterhead, e-mail signatures, brochures, signs, stationery, telephone directory listings, or advertisements) is consistent with this Policy, and is not in conflict with applicable laws. ACBSP™ assumes no responsibility concerning the interpretation or application of such legal requirements.

ACBSP™ will not be liable or otherwise responsible for any claims, complaints, suits, or damages whatsoever, in any way relating to the use of the Certification Marks by a certificant or third party.

### ***Non-Assignability and Non-Transferability of The Certification Marks***

Permission to use an ACBSP™ Certification Mark is limited and personal to the ACBSP™ certificant, and may not be transferred to, assigned to, or otherwise used by, any other individual, organization, business, or entity.

### ***Appearance and Proper Use of The Certification Marks***

Each ACBSP™ certificant may use the appropriate ACBSP™ Certification Mark in professional and business materials, including, but not limited to, business cards, letterhead, e-mail signatures,

brochures, signs, stationery, telephone directory listings, and advertisements, consistent with the following rules.

It is the responsibility of the individual Certified Chiropractic Sports Physician® (CCSP®) or Diplomate American Chiropractic Board of Sports Physicians® (DACBSP®) to make sure that the use of such ACBSP™ certification marks on stationary, signs, cards or advertisements are NOT in conflict with the laws of the State in which that individual practices.

The DACBSP® and CCSP® certification marks must always appear in the form of capital letters without punctuation. Further, these and all other ACBSP™ certification marks are registered and should have notations indicating their registered status, either by use of the symbol ®, or an asterisk to indicate a footnote which states that the mark is a registered mark of the ACBSP™. Listed below are examples of appropriate and inappropriate use of the certification marks. (See appropriate examples below).

#### Proper Use of Certification Marks

Each ACBSP™ certificant must use the appropriate Certification Mark only in conjunction with his/her name and the certificant's chiropractic sports services. In addition, a Certification Mark should always be used in its entirety and must always appear with the appropriate subscript/superscript "®" or "™" trademark symbol.

With respect to other affiliation marks and/or logos, the ACBSP™ Certification Mark may be located near these other marks or logos, but must remain separate and distinct so as to avoid confusion concerning the source of the certification, and to avoid the appearance that other marks, certifications, credentials, designations, or organizations are associated with, or endorsed by, ACBSP™.

The ACBSP™ certification marks indicate the certification of an individual, not of an organization or business. These marks and credentials should be used only in association with a certificant and cannot be used to indicate the certification of a chiropractic practice. In addition, the certification marks must not be used in any manner which suggests that a certification is a title or degree.

#### Examples of Proper Uses and Appearances of The Certification Marks

Proper uses and appearances of the ACBSP™ Certification Marks include, but are not limited to, the following examples.

John Doe, DC  
CCSP®

John Doe, DC  
DACBSP®

John Doe, DC  
Diplomate American Chiropractic Board of Sports Physicians®

John Doe, DC<blank space or other text> CCSP®

John Doe, DC<blank space or other text>Certified Chiropractic Sports Physician®

John Doe, DC<blank space or other text> Certified Chiropractic Sports Practitioner®

John Doe, DC<blank space or other text> DACBSP®

John Doe, DC<blank space or other text>Diplomate American Chiropractic Board of Sports Physicians®

CCSP® Certified

DACBSP® Certified

ABC Chiropractic of Anytown

John Doe, DC<blank space or other text> DACBSP®

ABC Chiropractic of Anytown

Jane Dough, DC<blank space or other text> CCSP®

### Examples of Inappropriate Use of Certification Marks

John Doe, DC, CCSP

John Doe, DC, DACBSP

John Doe, DC

Certified Chiropractic Sports Physician

American Chiropractic Association

John Doe, DC

Diplomate American Chiropractic Board of Sports Physicians

American Chiropractic Association

John Doe, DC

Board Certified Chiropractic Sports Physician

John Doe, DC

Board Certified Diplomate American Chiropractic Board of Sports Physicians

John Doe, DC, Board Eligible Certified Chiropractic Sports Physician

John Doe, DC, Board Eligible Diplomate American Chiropractic Board of Sports Physicians

John Doe, DC, CCSP

John Doe, DC, DACBSP

ABC Chiropractic of Anytown, DACBSP, CCSP

John Doe, DC

Jane Dough, DC

Once an applicant has received Diplomate status, the CCSP® or CERTIFIED CHIROPRACTIC SPORTS PHYSICIAN® certification marks will not be used. The appropriate example is:

Appropriate use: John Doe, DC<blank space or other text> DACBSP®

Inappropriate use: John Doe, DC<blank space or other text> CCSP®, DACBSP®

The use of the term Board Eligible is expressly forbidden by the ACBSP™. Note: In States where the word “Physician” may not be legally used, the word “Practitioner” will be substituted appropriately. Certificants may, in this circumstance, prefer to use either CCSP® or DACBSP®, as appropriate.

#### ***Non-Interference with Use of The Marks by Other Certificants***

An ACBSP™ certificant may not prohibit, restrict, or otherwise limit the authorized and appropriate use of an ACBSP™ Certification Mark by another certificant.

#### ***Violation Reporting Responsibilities***

An ACBSP™ certificant has the responsibility to report an unauthorized use, misuse, or other violation of this Policy to ACBSP™ in a timely manner. This reporting responsibility includes any circumstances where the use of an ACBSP™ Certification Mark is related to an individual who is not an ACBSP™ certificant, or where a Certification Mark is used improperly by an ACBSP™ certificant.

#### ***Policy Violations and Related Matters***

ACBSP™ reserves, and may use, any and all remedies available under applicable laws and corporate policies to protect the ACBSP™ Certification Marks. Infringement or other misuse of any ACBSP™ Certification Mark will be challenged. ACBSP™ certificants are required to cooperate fully in the review and resolution of such matters.

Following the receipt of information that an inappropriate or unauthorized use of a Certification Mark may have occurred, ACBSP™ will determine if responsive action(s) will be taken in accordance with this Policy and applicable laws.

#### ***Procedures for Resolving Certification Mark Related Use Matters***

1. An investigation will be initiated whenever any potential inappropriate or unauthorized use of an ACBSP™ certification mark or similar designation comes to the attention of the Board;
2. A copy of the alleged inappropriate or unauthorized mark or designation use will be obtained and reviewed to determine whether a violation of the Policy has occurred;
3. Upon determination of a Policy violation, written correspondence will be issued by an authorized ACBSP™ representative to the individual(s) or organization involved, explaining, among other items: the nature of the objectionable or unauthorized use; the relevant ACBSP™ policy and law; and, the requirement that the individual cease and desist from the objectionable or unauthorized use immediately and in the future;
4. Upon determination of a Policy violation, written correspondence will be sent by an authorized ACBSP™ representative to the individual(s) and organization(s) involved, requesting that the individual accept and agree in writing to, among other items: cease the existing objectionable or unauthorized use; abide by all terms of the ACBSP™ Policy in the future; and, provide corrected copies of all offending materials;
5. Where an individual using an ACBSP™ certification mark in an objectionable or unauthorized manner fails to respond to, or refuses to comply with, ACBSP™ requirements to cease and desist from such use, the Board may initiate appropriate disciplinary proceedings and/or legal actions, as set forth in the Policy; and,
6. All ACBSP™ candidates and certificants are required to cooperate fully in the review and resolution of such matters.

### ***Disciplinary and Other Actions Related to Mark Misuse by A Certificant Or Applicant***

Following notice and a fair opportunity to respond, an ACBSP™ certificant or applicant who acts contrary to the terms of this Policy or applicable law, may be sanctioned under applicable ACBSP™ policies.

In addition, the ACBSP™ Executive Director or his/her designee may refer cases of certification mark misuse, infringement, or other similar matters to appropriate agencies and other organizations or may initiate appropriate legal action.

Such sanctions may include:

1. Denial and rejection of the professional's certification or recertification application;
2. Private reprimand and censure, including appropriate conditions or directives;
3. Public reprimand and censure, including appropriate conditions or directives;
4. Certification probation for a given period of time, including appropriate conditions or directives;
5. Suspension of certification for a given period of time, including appropriate conditions or directives;
6. Revocation of certification, including appropriate directives; and,
7. Other measures that the Board deems appropriate.

In addition, cases of certification mark misuse, infringement, or other similar matters, may also be referred to the Ethics Disciplinary Review Committee for review under the ACBSP™ Ethics Case Procedures. The Certification Appeals Procedure will be used for any doctor wishing to contest certification-related disciplinary matters.

### ***Policy Violation Actions Concerning Third Parties***

Following the receipt of information that an inappropriate or unauthorized use of the ACBSP™ Certification Mark(s) by a third-party individual, organization, or firm may have occurred, ACBSP™ will determine if responsive action(s) will be taken consistent with ACBSP™ policies and applicable laws.

### ***Disclaimer Statement and Agreement***

Each ACBSP™ candidate or certificant accepts and assumes all, and the sole, responsibility for understanding and satisfying any governmental and legal requirements which may apply to the use of any ACBSP™ title, credential, certification mark, trademark, or display and advertising of such titles, credentials, and marks. Therefore, the ACBSP™ assumes no responsibility concerning the application of such governmental and legal requirements pertaining to the use or display of any ACBSP™ title, credential, trademark, certification mark, or the display and advertising of such. In no event shall the ACBSP™ be liable for any damages whatsoever, including any special, indirect, or consequential damages relating to the use of the ACBSP™ certification titles, certification marks, or any other ACBSP™ mark, whether in an action in contract, negligence, or other law arising out of, or in connection with, the use of such title, credential, or mark in any locality, State, or country in which the use of the title, certification, or mark presents a conflict with any laws of that locality, State, or country.