



Department of Economic Development

Rheyynn Lhiasaghey Tarmaynagh



Trademarks and Word mark Policy for Licence Fees

In accordance with Governments Programme for Government the Department will support local businesses in accordance with the stated work for an outcome to *'have an economy where local entrepreneurship is supported and thriving and more new businesses are choosing to call the Isle of Man home'*.

Legal advice is that it is crucial that the TT brand is not allowed to become generic as not only would it devalue financially but would be vulnerable to wider exploitation by others. The subsequent loss of exclusivity would result in an inability to protect TT intellectual property rights in the UK and throughout Europe. As this is the most important brand owned by Isle of Man Government careful judgment is required.

The general aim of this policy shall be:

1. To maximise the commercial opportunities for the TT and Festival of Motorsport, invested directly into running and promoting the events;
2. To protect the event in the long term from copycat events and commercial activities establishing in other jurisdictions;
3. To provide a framework that allows the people of the Island to embrace and deliver a fabulous TT experience for visiting fans.

To achieve these three priorities a revised policy framework has been established as follows which will balance:

1. The desire for commercial income through official licences that need to be protected from misuse;
2. The desire for the people of the Island to be able to use the TT word mark for the benefit of the whole experience and to recognise the practicalities of enforcing the word mark on a significant scale.

Therefore the following shall apply:

Intellectual Property guidance for approvals or licence agreements

This is a general policy for the licensing or approval for use of the TT Logo(s) or word mark(s) either on specific products or in relation to services that may be provided:

- Quality standards are important; the Department is the final arbiter of the use of either the TT Logo(s) or word mark(s) on products or in relation to services provided; the Department will determine through the application process if the use is inappropriate or offensive.
- Instructions as to the use of the TT logo(s) or word mark(s) will be provided as part of the approvals process.
- Any non-approved use of the TT logo(s) or word mark(s) will be dealt with in the appropriate manner.

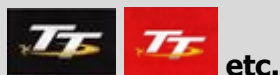
Charities and not for profit organisations.

The Department is very aware of its social responsibilities and will support registered charities and registered not for profit organisations (NFPO) who seek licensing opportunities provided such applications are consistent with the TT Brand values. The Department will not normally support individuals or groups seeking a license for products or services, the proceeds of which are to be provided to Charities or NFPO, the applications should come from the Charity or NFPO itself, however, the Department will accept applications where a letter or communication with the charity is provided identifying that the funds will be provided to the charity.

General Licensing Policy:

Services (General advertising, Promotion, Café, Menu, Offers etc.)

TT Logo(s)



- In all cases the use of the TT logo(s) must be licensed and will incur a licence fee depending on the commercial values involved.
- A de-minimis fee of £250 is to be applied in all cases where a commercial value is low, or cannot be estimated.

TT Word mark(s). "TT" (or variants of).

On-Island use

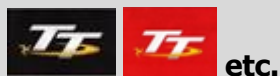
- In all cases the use of the word mark is free to use to promote or deliver a service where the word mark is used as a descriptor, e.g. TT Tours, TT Café etc.
- This use does not permit the user to claim or attempt to claim any 'official' link to the event.

Off – Island use

- In all cases use of the word mark must be licensed and will incur a licence fee depending on the commercial values involved.
- A de-minimis fee of £250 is to be applied in all cases where a commercial value cannot be estimated.

Products (T Shirts, Hoodies, mugs etc., and other merchandising)

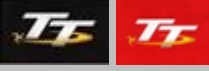
TT Logo(s)



- In all cases the use of the TT logo(s) must be licensed and will incur a licence fee depending on the commercial values involved;
- Licences may either be exclusive (sole rights to the use of the logo on a specific product or product(s)) or non-exclusive (no sole rights);
- A de-minimis fee of £250 is to be applied in all cases where a commercial value is low, or cannot be estimated.

TT Word mark(s). "TT" (or variants of).

- In all cases the use of the word mark(s) must be licensed and will incur a licence fee depending on the commercial values involved;
- Licences may either be exclusive (sole rights to the use of the word mark(s) on a specific product or product(s)) or non-exclusive (no sole rights);
- A de-minimis fee of £250 is to be applied in all cases where a commercial value is low, or cannot be estimated.

Charities and not for profit organisations.	
<ul style="list-style-type: none"> • There will be no exclusive licenses available for Charities or not for profit organisations; • If the proposal directly conflicts with an existing exclusive licence approval will need to be sought from the existing licensee before any application will be considered 	
On Island	
TT Logo(s)	TT Word marks(s) "TT" (or variants of) on products
 etc., on products	
Local registered Charities will be automatically granted a 1 year non-exclusive licence at no fee subject to completion of an application form and satisfactory confirmation of the quality of the product.	Local registered Charities, not-for-profit organisation or associations with long standing direct links to the TT will be automatically granted an agreement at no fee (TTMA TT Supporters etc.) for the use of the word mark
Off Island	
<ul style="list-style-type: none"> • All use of either the TT Logo(s) or word mark(s) must be licensed; • Charities applying for a licence must be registered and have local relevance, such as having an active on Island branch or strong historic connection, to be considered for a license; • A de-minimis fee of £250 is to be applied in all cases. • No applications will be accepted from not for profit organisations. 	

The Department will apply the same policy in relation to its other trademark logos and word marks.

If you are unsure about whether your use of intellectual property rights is permitted, you can get in touch at ttbranding.ded@gov.im . Details of the Department's Policy may also clarify your questions and is available with an application form at www.gov.im/about-the-government/departments/economic-development/tourism/. Please note, however, that we cannot provide you with legal advice and you may need to obtain independent legal advice for specific issues.