

POLICY STATEMENT USE OF TRADEMARKS OWNED BY OTHER COMPANIES

The use of a trademark known to be owned by another company should not be used except as necessary for informational purposes. Where such usage is believed to be necessary for such purposes, the following policy should be adhered to.

It is our desire that others honor our trademarks, and we in turn want to honor the trademark rights of others. Thus, the following policy will apply where it is necessary to use a trademark owned by another company in advertising or promotional materials, on labels, or in any other setting.

It should be borne in mind that the purpose of a trademark is to designate the source of origin for the trademarked product or service in the marketplace. The existence of confusion as to the origin of the product or the source of the trademark can be violative of the Lanham Act, 15 U.S.C.A. § 1051, and the following guidelines should serve to properly convey the information on the trademarks of others.

TRADEMARK DISPLAY POLICY

This policy applies to, and should be known by, all employees of Little Giant[®]; by all Little Giant[®] affiliates or subsidiaries; and by anyone else that may be acting on behalf of Little Giant[®].

Each of the following guidelines should be adhered to at all times, regardless of the setting in which the trademark of another company is used.

1. When using a trademark of another company in any informational materials, including advertisements, brochures, or on product labels, the registration status of the trademark should be denoted each time the trademark is used. To demonstrate that a trademark belonging to another is registered, the symbol ® should be displayed as a superscript immediately following the mark. When displaying an unregistered trademark of another company, the symbol “**TM**” should be denoted in lieu of the symbol “®”.
2. The trademark of another should not be given extra prominence by bolding the letters, enlarging the font size or by giving the trademark any other distinctive characteristics. If the trademark of the other company is no more distinctive than Little Giant’s own trademarks, whether in advertising materials or otherwise, there is little chance that the trademark owner will complain, as it will be clear the trademark is being used for informational purposes only.
3. If a trademark belonging to another is being used in an informational setting, such as in brochures or promotional materials, the trademark should be linked to the source of origin (the company owning the trademark). This can be achieved by either of the following options:
 - a. The first option is to denote the source by footnote the first time that it is used in the informational materials. A proper footnote should state either “XX[®] is a

registered trademark of ABC Corporation,” or “XX™ is a trademark of ABC Corporation”, as applicable.

b. The second option is, at the end of the materials; add a page (or link for website material) specifically for identifying the trademarks of others used in the informational materials. This page should contain a list of each trademark used therein and the source of origin for each trademark. Each separate brochure/advertisement should contain such a page even if multiple brochures/advertisements are sent as a packet.

4. Do not display a trademark (whether registered or unregistered) in conjunction with another trademark (whether registered or unregistered) unless the trademarks originate from the same source.

For instance, it is acceptable to display Viton® in conjunction and Kalrez® composition O-rings because both of these trademarks are owned by E. I. DuPont de Nemours and Company. The use of trademarks not owned by the same company in conjunction with one another can raise some confusion as to their source of origin.

5. A trademark should not be affixed to, or otherwise associated with, a product that is in fact not manufactured or marketed by the owner of the trademark.

For example, one who affixed ABC Company's trademark XX® to a product not made by ABC Company could find oneself accused of violating the trademark rights of ABC Company. It has been argued that great confusion of source is likely to occur when the incorrect manufacturer of a product has been so denoted. In order to avoid this possibility, the manufacturer of a product or component should be determined before a trademark is affixed to it.

6. When it is unknown as what the owner of a trademark permits in regards to the display of its trademark, it is advisable to contact the owner and ask for its trademark protection policy. Many companies have policies in place that are usually available as public information, and that provide information as to how their trademarks should be protected. One of the best resources for such policies is often the company's website. If the company does not have such a policy, following these guidelines will likely prevent objections from the trademark owner as to the display of its trademark.

By correctly using the trademarks of other companies, Little Giant® will reduce the risk of being accused of improper display of such trademarks. By following these guidelines in the first instance, Little Giant® will save time, money and additional effort, and we will preserve the good will we have earned with other companies.