

# TAHOE DONNER™ ASSOCIATION BOARD OF DIRECTORS

#### **ADMINISTRATIVE RESOLUTION 2009-8**

#### TAHOE DONNER™ SERVICE MARK POLICY

WHEREAS, it is the responsibility of the Tahoe Donner<sup>sM</sup> Board of Directors to protect any and all property of the Tahoe Donner<sup>sM</sup> Association, both physical and intellectual; and

WHEREAS, the Tahoe Donner<sup>SM</sup> Association owns a registration in the State of California for the composite mark "Tahoe Donner<sup>SM</sup>" in combination with the triangular design of a snowflake within a circle which is encased in a triangle (which hereinafter will be referred to as "the Tahoe Donner<sup>SM</sup> Composite Mark") The Tahoe Donner<sup>SM</sup> Composite Mark is registered in connection with "operation of recreational facilities and management of other real property, enforcement of real property covenants, and publication of a monthly newsletter and other communications;" and

WHEREAS, the Tahoe Donner<sup>sM</sup> Association also owns the common law rights to use the standard work mark "Tahoe Donner<sup>sM</sup>" (without any accompanying design or logo) in connection with services it offers (which hereinafter will be referred to as "the Tahoe Donner<sup>sM</sup> Word Mark," and, collectively with the Tahoe Donner<sup>sM</sup> Composite Mark, will hereinafter be referred to as "the Tahoe Donner<sup>sM</sup> Marks"); and

WHEREAS, as a result of its ownership of the Tahoe Donner<sup>5M</sup> Marks, the Tahoe Donner<sup>5M</sup> Association may pursue certain legal claims against others that infringe upon the Tahoe Donner<sup>5M</sup> Marks; and

WHEREAS, no person, persons, business, or other entity may use the Tahoe Donner<sup>5M</sup> Service Marks, or any combination thereof to identify goods or services offered by them, or as part of a domain name on the World Wide Web, or in any other manner that would be likely to confuse the public as to the source affiliation, or sponsorship of the goods and/or services offered by them, without the express approval and formal written permission from the Tahoe Donner<sup>5M</sup> Board of Directors; and

WHEREAS, The Tahoe Donner<sup>sm</sup> Board of Directors may authorize usage of the Tahoe Donner<sup>sm</sup> Marks to any person, persons, business or entity at its sole discretion if deemed appropriate; and

WHEREAS, it is the responsibility of the Tahoe Donner<sup>sM</sup> Board of Directors to protect the use of Tahoe Donner<sup>sM</sup> Marks within the association's internal documentation and the content of the Tahoe Donner<sup>sM</sup> Website;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Tahoe Donner<sup>sM</sup> Association does hereby adopt the following Tahoe Donner<sup>sM</sup> Service Mark Policy for the External and Internal usage of the Tahoe Donner<sup>sM</sup> Marks.

BE IT FURTHER RESOLVED, that all approved use of the mark by any person, persons, business, or other entity must comply with the Tahoe Donner<sup>sm</sup> External Usage Guide.

**BE IT FURTHER RESOLVED**, that any person, persons, business or other entity found infringing on any of the association's property will be vigorously pursued.

#### EXTERNAL LOGO USAGE GUIDE

The Tahoe Donner<sup>sM</sup> Association owns a registration in the State of California for the composite mark "Tahoe Donner<sup>sM</sup> in combination with the triangular design of a snowflake within a circle which is encased in a triangle (which hereinafter will be referred to as "the Tahoe Donner<sup>sM</sup> Composite Mark") The Tahoe Donner<sup>sM</sup> Composite Mark is registered in connection with "operation of recreational facilities and management of other real property, enforcement of real property covenants, and publication of a monthly newsletter and other communications;" and

The Tahoe Donner<sup>sM</sup> Association also owns the common law rights to use the standard word mark "Tahoe Donner<sup>sM</sup> (without any accompanying design or logo) in connection with services it offers (which hereinafter will be referred to as "the Tahoe Donner<sup>sM</sup> Word Mark," and, collectively with the Tahoe Donner<sup>sM</sup> Composite Mark, will hereinafter be referred to as "the Tahoe Donner<sup>sM</sup> Marks").

In order to use the Tahoe Donner<sup>sM</sup> Marks, you are obligated first to gain approval from the General Manager. To gain approval of your materials and logo placement (to the extent you intend to use the Tahoe Donner<sup>sM</sup> Composite Mark), please email your request to <a href="mailto:comdep@tahoedonner.com">comdep@tahoedonner.com</a> with reasons for your proposed usage. You can also email us to request a digital file of the logo depicting the Tahoe Donner<sup>sM</sup> Composite Mark.

The logo depicting the Tahoe Donner<sup>sM</sup> Composite Mark may be used in the two variations depicted in Figures 1 and 2 found on page 3. You can use either the 100% Black version (Figure 1) or the 4-color version (Figure 2). The colors used must adhere to the color values shown. The Tahoe Donner<sup>sM</sup> logo may not be reproduced in any form other than in one of the two options shown below, and only with express written authorization from the General Manager, obtained through the Tahoe Donner<sup>sM</sup> Association Communications Department.

When using the Tahoe Donner<sup>sM</sup> logo you must use it in a way that renders the mark legible at a size no smaller than .5 inches square.

Whenever the words Tahoe Donner<sup>sM</sup> are used following one another within promotional materials we require that you include the service mark symbol "sM", indicating that the mark is being used properly. For example: Tahoe Donner<sup>SM</sup>

Please be mindful of the horizontal and vertical proportions of the logo depicting the Tahoe Donner<sup>sm</sup> Composite Mark. It is very easy to accidentally alter the proportions by stretching the logo along the x and y axis. (See Figure 3) This is considered improper usage due to the fact that stretching the logo in obscure dimensions alters the integrity and look of the logo itself.



### TAHOE DONNER™ SERVICE MARK POLICY: INTERNAL USE

- 1. Always make clear in the association's own documentation and website that "Tahoe Donnersm" is a service mark owned by the association. This can be done with express statements and with the use of the sm next to the mark. (i.e.: Tahoe Donnersm)
- 2. Before granting permission to third parties to use the Tahoe Donner<sup>sM</sup> Marks, the General Manager must be consulted by way of the Communications Department.
- 3. If the association becomes aware of any unauthorized third parties using the Tahoe Donner<sup>5M</sup> Marks, the association must contact its legal counsel so they may analyze the situation, and if deemed necessary, take appropriate steps to demand that the infringing parties cease and desist use of the mark.
- 4. Any changes or modifications to the two logo options described in the Internal Logo Usage Guide for use of the logo depicting the Tahoe Donner<sup>5M</sup> Composite Mark must be approved in writing by the Communications Department. This includes, but is not limited to use of the logo on clothing, uniforms, caps, merchandise, posters, flyers and internal documents. If you have questions regarding proper use of the logo, please contact your Senior Manager before proceeding. All staff members are required to make every effort to preserve and protect the rights afforded to the association by adhering to these policy usage statements. Always seek written authorization from

the Communications Department before using the mark in any colors other than the approved PMS® colors attached or the "100% Black" logo.

## INTERNAL LOGO USAGE GUIDE

The Tahoe Donner<sup>sM</sup> Association owns a registration in the State of California for the composite mark "Tahoe Donner<sup>sM</sup> in combination with the triangular design of a snowflake within a circle which is encased in a triangle (which hereinafter will be referred to as "the Tahoe Donner<sup>SM</sup> Composite Mark") The Tahoe Donner<sup>SM</sup> Composite Mark is registered in connection with "operation of recreational facilities and management of other real property, enforcement of real property covenants, and publication of a monthly newsletter and other communications;" and

The Tahoe Donner<sup>sM</sup> Association also owns the common law rights to use the standard word mark "Tahoe Donner<sup>sM</sup> (without any accompanying design or logo) in connection with services it offers (which hereinafter will be referred to as "the Tahoe Donner<sup>SM</sup> Word Mark," and, collectively with the Tahoe Donner<sup>SM</sup> Composite Mark, will hereinafter be referred to as "the Tahoe Donner<sup>SM</sup> Marks").

In order to use the Tahoe Donner<sup>sM</sup> Marks, you are obligated to gain approval from the General Manager. To gain approval of your materials and logo placement, (to the extent that you intend to use the Tahoe Donner<sup>SM</sup> Composite Mark), please email <u>comdep@tahoedonner.com</u> with your approval request. You can also email the Communications Department to request a digital file of the logo depicting the Tahoe Donner<sup>SM</sup> Composite Mark.

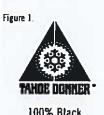
The log depicting the Tahoe Donner<sup>sm</sup> Composite mark may be used in the two variations depicted in Figures 1 and 2. You can use either the 100% Black version (Figure 1) or the 4-color version (Figure 2). The colors used must adhere to the color values shown.

When using the logo depicting the Tahoe Donner<sup>sm</sup> Composite Mark, you must use it in a way that renders the mark legible at a size no smaller than .5 inches square.

Whenever the words Tahoe Donner<sup>sM</sup> are used following one another within promotional materials we require that you include the service mark symbol "sm" indicating that the mark is being used properly. For example: at Tahoe Donner<sup>sM</sup> you will find a plethora of Aspen Groves, towering Pines and meandering streams.

For internal communications such as the Tahoe Donner<sup>sm</sup> News or any other in house collateral, the Communications Department possesses artistic liberty to utilize the logo depicting the Tahoe Donner<sup>sm</sup> Composite Mark, in alternative color schematics that complement the artistry of each communications piece. The Communications Department must do this in a way that does not dilute or stifle the brand image that Tahoe Donner<sup>sm</sup> works hard to preserve. For example: the logo may exist as a textural component to an overall layout in the background treatment of a brochure image or cover art. However, the Tahoe Donner<sup>sm</sup> the Tahoe Donner<sup>sm</sup> Composite Mark may not be reproduced in any form other than the two options shown below without express written authorization from the Communications Department.

When using the logo depicting the Tahoe Donner<sup>5M</sup> Composite Mark within company documents, please be mindful of the logos horizontal and vertical proportions. It's very easy to accidentally alter the proportions by stretching the logo along the x and y axis. (See Figure 3) This is considered improper due to the fact that stretching the logo in obscure dimensions alters the integrity and look of the logo itself.







100% Black

PMS 301c, C=100, M=45, Y=0, K= 18 PMS 347c, C=100, M=0, Y=86, K= 3

Improper distortion of the logo along the x and y axis. Care must be taken so that the proportions of the logo remain intact.

As an addendum to this Administrative Resolution, the Tahoe Donner<sup>sm</sup> Association authorizes staff to develop a template of approved usages for internal communications such as, but not limited to emails, memos, letterhead, business cards, uniforms, etc.

CCEPTED AND DATED: July 18, 2009 SUZAN KNIŠLEÝ President DICK HALPIN, Segretary

ROBERT BURKS, Director