

**International Society of Arboriculture
Credentialing Program
Policy Statement**

Subject: Trademarks

Policy Statement No: HR 008

A. Mark Ownership/Policy Purposes.

The ISA Certification and Qualification Mark and Credential Use Policy applies to all current and future certification marks and credentials (ISA Certification Marks), related to the ISA Credentialing Program, which are created, used, and owned by the International Society of Arboriculture, Inc. (ISA®).

Among others, the following ISA Certification and Qualification Marks are owned and controlled by ISA:



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- ISA Certified Arborist®



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- ISA Utility Specialist®



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- ISA Certified Arborist Municipal Specialist®



- ISA Certified Tree Worker Climber Specialist®



- ISA Board Certified Master Arborist®



- ISA Certified Tree Worker Aerial Lift Specialist®



The use of the ISA Certification and Qualification Marks are granted by the ISA Board of Directors and ISA Credentialing Council to qualified professional arborists, who satisfy all applicable ISA credentialing requirements. Consistent with applicable law and corporate policies, ISA must ensure that the ISA Certification and Qualification Marks are used properly and correctly, as they represent ISA credentialing to the public.

ISA retains all trademark and other ownership rights concerning the ISA Certification and Qualification Marks. ISA therefore reserves, and may use, the full range of legal remedies and certification-related sanctions available under applicable laws and corporate policies to protect these ISA Certification and Qualification Marks. Infringement of any ISA Certification and Qualification

Marks will be challenged. Questions concerning the proper use of the ISA Certification and Qualification Marks should be submitted to the ISA Executive Director or ISA Director of Credentialing in writing.

Each ISA credential holder accepts and assumes sole responsibility for understanding and satisfying all applicable governmental and legal requirements related to professional practice and activities, including those requirements which may apply to the use, display and/or advertising of these ISA Certification and Qualification Marks. For example, the credential holder is responsible for ensuring that the use of the ISA Certification and Qualification Marks in professional and business related materials (e.g., stationery, signs, cards or advertisements) is not in conflict with the laws and regulations applicable to the jurisdiction in which that individual practices. ISA assumes no responsibility concerning the application of such governmental and legal requirements.

ISA shall not be liable or otherwise responsible for any claims, complaints, suits or damages whatsoever, relating to the use of the ISA Certification or Qualification Marks, or in connection with the use of such marks.

Use of the ISA Certification and Qualification Marks are subject to the terms and conditions of this Policy, and the ISA Branding and Style Guide.

B. Persons Authorized to Use the ISA Certification Marks.

Use of the ISA Certification Marks is limited to those professional arborists who: have satisfied all applicable credentialing requirements established by the ISA Credentialing Council and Certification Program; have successfully completed the required ISA Certification Examination(s); have been granted the specific certification by ISA; and, remain in good standing.

C. Non-Assignability and Non-Transferability of the ISA Certification Marks.

Permission to use the ISA Certification Marks is limited and personal to the certified individual, and may not be transferred to, assigned to, or otherwise used by, any other individual, organization, business, or entity.

D. Appearance and Proper Use of the ISA Certification and Qualification Marks.

Each credential holder may use the ISA Certification Mark(s) representing his/her individual certification(s) in professional advertising and informational materials, including telephone directory listings or advertisements, business cards, letterhead, brochures, signs, stationary, packages, and other similar marketing materials, consistent with the following rules:

1. Proper Use. Each credential holder must use the appropriate ISA Certification Mark(s) only in conjunction with his/her full name, Certification

ID number and the services related to the certification granted by ISA. For example, the ISA Certification Mark(s) may appear immediately below the name of the credential holder, but may not appear immediately adjacent to the name of the credential holder's employer or business (organization). The mark(s) may not be positioned, displayed, or used: in a manner that may lead the public to believe that an organization or business is certified or otherwise endorsed by ISA; or, in any way that would create the appearance that the mark is being used as a title or degree.

2. Proper Appearance. The appropriate ISA Certification Mark(s) must be associated solely with the certificant (full name and Certification ID#), who is authorized to use the mark(s). The ISA Certification Mark(s) should always be used in their entirety, and must always appear with the appropriate subscript/superscript "®" or "™" trademark symbol.
 3. Examples of Proper and Improper Mark Uses and Appearances. Proper and improper uses and appearances of the ISA Certification Marks are identified in the *ISA Branding and Style Guide*, which is published on the ISA Internet website located at <http://www.isa-arbor.com/BrandingGuide>, or is available by request through the ISA Credentialing Department at (217) 355-9411.
 4. Other Use Requirements. The ISA Certification Marks must stand by themselves, and may not be combined with marks, designations, or logos related to other certifications, credentials, groups, or organizations. The ISA Certification and Qualification Marks generally may be used in the same location as other affiliation 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, organizations, or services are associated with, or endorsed by, ISA.
- E. Persons Authorized to Use the ISA Qualification Marks.
Use of the ISA Qualification Mark is limited to ISA Certified Arborists or ISA Board Certified Master Arborists that have successfully completed the ISA qualification to expand their knowledge through education and training; and, remain in good standing.
- F. Non-Interference with Use of the Marks by Other Credential Holders.

An ISA credential holder may not prohibit, restrict, or otherwise limit the authorized and appropriate use of the ISA Certification or Qualification Mark(s) by another credential holder.
- G. Violation Reporting Responsibilities.

An ISA credential holder has the responsibility to report the unauthorized use, misuse, or other violation of this policy to ISA in a timely manner, including any circumstances where a credential holder becomes aware of the use of the ISA Certification Marks by a third party individual, organization or company who is not certified, or of the improper use of the ISA Certification or Qualification Marks by an ISA credential holder.

H. Policy Violation Actions Concerning ISA Credential Holders and Candidates/Responses.

Following receipt of information that an inappropriate or unauthorized use of the ISA Certification or Qualification Mark(s) by an ISA credential holder or candidate may have occurred, ISA, in its sole discretion and in consultation with legal counsel, will determine if responsive action(s) will be taken. ISA credential holders and candidates are required to cooperate fully in the review and resolution of such matters. ISA may take any of the following actions, or other appropriate measures, in its sole discretion.

1. The alleged inappropriate or unauthorized certification mark or credential use will be obtained and reviewed to determine whether a violation of the policy has occurred.
2. Upon determining that a policy violation may have occurred, correspondence may be issued by an authorized ISA representative to the ISA credential holder or candidate involved, explaining, among other matters: the nature of the objectionable or unauthorized use; the relevant ISA policy and law; and, the requirement that the individual cease and desist from the objectionable or unauthorized use immediately and in the future.
3. Upon determining that a policy violation may have occurred, correspondence may be issued by an authorized ISA representative to the ISA credential holder or candidate involved, requesting that the individual cease the existing objectionable or unauthorized use; abide by all terms of this policy and legal requirements in the future; and, provide corrected copies of all offending materials.
4. Where an ISA credential or candidate, using any ISA Certification Mark in an objectionable or unauthorized manner, fails to respond to, or refuses to comply with, ISA requirements to cease and desist from such use, ISA may initiate appropriate legal actions and/or organizational proceedings, as authorized by the policy.

H. Policy Violation Disciplinary Measures Concerning ISA Credential Holders.

Following notice and a fair opportunity to respond, an ISA credential holder or candidate who acts contrary to the terms of this policy or applicable law, may be sanctioned by ISA. ISA Certified Arborists will be sanctioned according to terms of this policy and the ISA Certified Arborist Code of Ethics. The ISA Certified Arborist Code of Ethics is published on the ISA Internet website located at <http://www.isa-arbor.com/certification/codeOfEthics>. Such sanctions may include:

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

In addition, cases of certification mark or credential misuse, infringement, or other similar matters may be referred to the ISA Board of Directors and/or Credentialing Council for review with respect to an individual's certification, or to appropriate agencies and other organizations.

I. Policy Violation Actions Concerning Third Parties.

Following receipt of information that an inappropriate or unauthorized use of the ISA Certification Mark(s) by a third party individual, organization, or company may have occurred, ISA, in its sole discretion and in consultation with legal counsel, will determine if responsive action(s) will be taken consistent with ISA policies and applicable federal and state laws.