

## ASSOCIATION OF COLLEGE HONOR SOCIETIES (ACHS)

### USE OF NAME POLICY

#### A. Relevant Legal Authority

1. Trademark Rights. The term “Association of College Honor Societies” is a federally registered trademark. “ACHS” is a common law trademark of the organization. They are referred to together as the “ACHS Names”). ACHS has both the right and obligation to police the use of the ACHS Names in order to continue its ability to restrict and enforce those rights.
2. State Law and Tax Restrictions. ACHS has State law status as a nonprofit corporation formed under Florida State law and recognized as holding federal 501(c)(3) tax exemption status under the Internal Revenue Code. Under State law, ACHS’s assets, including its trademark and reputational rights, cannot be used to provide a private benefit to individuals and organizations. Similarly, under Federal tax law, organizational assets cannot be used except to advance the charitable and educational mission of the organization, not for personal profit or commercial gain.
3. Reputational Rights. The ability of ACHS to successfully pursue its mission as a nonprofit 501(c)(3) corporation is significantly affected by its reputation and standing with its members, stakeholders, and the general public.

#### B. Restrictions on the Use of the Organization’s Name

The ACHS Names may be used only in discretion of ACHS as it determines consistent with applicable law, and its interests and mission, as follows:

1. No Director, officer, volunteer, member, staff member, third party, or other persons may publicly use the ACHS Names or their affiliation with ACHS, except as required by law or as expressly permitted by the ACHS governing board, written policy, or their job or position description.
  - a. The ACHS governing board expressly permits ACHS member society representatives and employees to accurately represent their service to ACHS on their resumes or curriculum vitae.
  - b. The ACHS governing board expressly permits societies currently certified by ACHS to list their affiliation on their websites and other documents.
2. Third parties such as companies and organizations seeking the use of ACHS names cannot do so unless they obtain written approval in the form of agreements and licenses that restrict when and how the Names are used.
3. As used, the ACHS Names should be indicated as trademarks as follows: *Association of College Honor Societies*<sup>®</sup> and *ACHS*<sup>™</sup>.
4. The ACHS Names cannot be used in any manner that violates its State nonprofit status, its federal tax exempt status, or that otherwise dilutes or harms its name, trademarks, mission, or reputation.
5. ACHS can revoke any permission or authorization to use the ACHS Names at any time with or without notice to revoke.
6. Use of the ACHS names must accurately describe any relationship with ACHS, for example, as employees, agents, partners, joint venturers, or contract parties and must disclaim any status with or endorsement by ACHS of any position, service, or product unless ACHS otherwise agrees in writing.