

Resolution No. 1517

USE OF TRADEMARK BY PRIVATE BUSINESSES
Incline Village General Improvement District

WHEREAS, IVGID has received requests from private businesses for the use of the Incline Village trademark; and

WHEREAS, IVGID desires to grant use of the trademark, where it enhances the community's image as an integrated destination resort; and

WHEREAS, IVGID desires to prevent use of the trademark, as a vehicle to identify or promote individual businesses, services, or products;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT, that it hereby grants to the General Manager the authority to approve use of the Incline Village trademark by private businesses, under the following guidelines:

1. No business shall make use of the trademark without execution of a written agreement with IVGID, which may be amended or revoked by IVGID at any time, without advance notice.
2. Use shall be restricted to out-of-town advertising and local souvenir sales, as further prescribed herein. The trademark shall not be used on letterhead, business cards, or similar means of non-promotional business communication.
3. The trademark shall only be used to identify Incline Village as a whole. The trademark shall not be used to identify a geographic entity larger or smaller than Incline Village/Crystal Bay. The trademark shall not be used to identify or promote individual businesses, products, or services, regardless of their location.
4. The trademark shall not be used in conjunction with any utility, nordic or downhill ski area, tennis complex, golf course, or beach facilities, except those owned by IVGID. The trademark shall not be used in conjunction with any recreational activity similar to any activity offered by IVGID.

5. The logo shall only be used with the words, "Incline Village" attached immediately adjacent thereto. "Incline Village" shall be printed in the Albertus type style, or another similar type style approved by IVGID in advance.
6. If the logo is printed in color, it shall be printed in the logo's true blue/green colors (Process Blue and PMS 370 Green).
7. The trademark shall not be used in combination with any other trademark, logo, or graphic representation, except "Tahoe's Tahoe."
8. When used for advertising, it shall only be used in media, the principal audience of which is outside Incline Village. All such advertising shall explicitly contain the name of the private business which is offering the product or service. All such advertising shall also contain the language, "An independent business located within" (or other similar language approved by the General Manager), immediately adjacent to the Incline Village trademark. For print media, under no circumstances shall the Incline Village trademark exceed one-half the size of the trademark or name of the private business, product, or service.
9. When used on souvenirs (such as shirts, jackets, and hats), distribution and sale of such souvenirs shall be limited to the boundaries of IVGID. If the name or trademark of a private business, product, or service also appears on the souvenir, it shall be physically located on a separate portion of the souvenir from the Incline Village trademark.
10. The General Manager may ban the use of the trademark in any fashion he deems, in his sole judgment, is not appropriate.
11. A specific replica of each souvenir shall be furnished to the General Manager for approval, prior to production. A general proof of each advertising piece shall be furnished to the General Manager for approval, prior to its use. The general advertising proof shall identify the use and placement of the Incline Village trademark in relation to the use and placement of all other names or trademarks of

private businesses, services, or products located in the advertising, to scale.

12. The General Manager may, at his discretion, require one original of each advertising or souvenir to be furnished to, and kept by, IVGID.
13. The trademark shall not be used in conjunction with any business which engages in business practices which, in the General Manager's opinion, are not reputable, or have the appearance of being disreputable.
14. All uses of the Incline Village trademark shall be of the highest quality and good taste. The General Manager is hereby authorized to disapprove or revoke any use which in his judgment is not of high quality or in good taste.
15. The trademark shall not be used in conjunction with any illegal or immoral activity, or tobacco, alcoholic beverages, drugs, sexual products or services, real estate sales or development, construction, massage, films, videos, records, magazines, newspapers, books, greeting cards, posters, or periodicals. The General Manager may add additional items to this list at his discretion.
16. All rights granted shall be non-transferable, non-assignable, and non-exclusive.

BE IT FURTHER RESOLVED, that the General Manager **is** hereby authorized to interpret and administer this resolution; and

BE IT FURTHER RESOLVED, that the Board of Trustees hereby reserves the right to amend or revoke this resolution at any time, in which case all such rights granted hereunder shall be likewise amended or revoked; and

BE IT FURTHER RESOLVED, that the Board of Trustees also reserves the right to review, alter, amend, and reverse any action of the General Manager under this resolution; and

BE IT FURTHER RESOLVED, that this resolution shall not apply to businesses operating IVGID-owned facilities under contract; and

BE IT FURTHER RESOLVED, that the following motion, adopted at the regular meeting of May 20, 1981, is hereby repealed:

"That the existing logo policy be liberally applied, that the General Manager be directed to use his judgment on granting free use of the logo, and that use of the 'logo be granted liberally, without charge, to all who are not using it in a manner derogatory to the Incline Village General Improvement District."

RESOLVED, this 24th day of April, 1986.

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I hereby certify that the foregoing is a full, true and correct copy of a resolution duly passed and adopted at a regular meeting of the Board of Trustees of the Incline Village General Improvement District on the 24th day of April, 1986, by the following vote:

AYES, and in favor thereof, Trustees:

Jane Maxfield, Greg McKay, Bob Wolf

NOES, Trustees: Pam Wight

ABSENT, Trustees: Bobbie Gang


Secretary