



Responsible Office: Code P

**Subject:** Protect Trademark and Corporate Identity

### DOCUMENT HISTORY LOG

<u>Status</u> ( <u>Baseline/</u> <u>Revision/</u> <u>Canceled</u> )	<u>Document</u> <u>Revision</u>	<u>Effective</u> <u>Date</u>	<u>Description</u>
Baseline		1/10/00	
Revision	A	4/14/00	Revised to add definitions of NASA Offices to Section 3 and provide consistent retention and disposition guidance in Section 7.

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## 1.0 Purpose

The purpose of this OWI is to document the process developed to respond to inquiries dealing with use of the NASA Insignia and the corporate identity of the Agency.

## 2.0 Scope and Applicability

2.1 This work instruction is for the management and protection of the NASA Insignia as defined in the Code of Federal Regulations 14 CFR 1221.110. It applies to the NASA Headquarters Office of Public Affairs, Code P and to any inquiries from companies or projects requesting to use the NASA Insignia.

2.2 The Division Director, Code PO is responsible for maintaining this document. The controlled version of this OWI is available on the NASA Intranet via the HQ ISO 9000 Document Library at <http://hqiso9000.hq.nasa.gov>. Any printed version of this OWI is uncontrolled (reference HCP 1400.1, Document and Data Control).

## 3.0 Definitions

3.1	AA	Associate Administrator
3.2	MM	Multimedia Manager
3.3	VIC	Visual Identity Coordinator

## 4.0 References

4.1	14 CFR 1221.110	Code of Federal Regulations
4.2		Merchandising and Advertising Guidelines

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## 5.0 Flowchart



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## 6.0 Procedure

<u>Step</u>	<u>Actionee</u>	<u>Action</u>
6.1	VIC	<i>Request representation</i> (a script, layout, design, video etc.) via phone, e-mail, letter or fax. If requestor does not possess current NASA Merchandising and Advertising Guidelines, as found in Appendix A, send current guidelines.
6.2	VIC	<i>Receive representation</i> that arrives in the form of a script, layout, design, video etc. Open request file and retain copy of each incoming iteration.
6.3	VIC	<i>Review script, layout, design, video etc. to ensure that layouts adhere to merchandising and advertising guidelines.</i> Using the guidelines, examine design and content elements of the representation for adherence.
6.4	VIC	<i>Send to Legal?</i> Determine whether to send to Code GP. If the representation is in clear violation of legal requirements, legal advice will not be sought prior to approval. Also, based on experience with previous legal issues and the resulting established knowledge base, the VIC may determine that legal review is not required. If yes, proceed to step 6.5. If no, proceed to step 6.6.
6.5	VIC	<i>Review together with legal office.</i> Review any legal issues identified by Code GP in order to communicate them clearly to requester.
6.6	VIC	<i>Approval?</i> If yes, proceed to step 6.8. If no, proceed to step 6.7.
6.7	VIC	<i>Request changes.</i> Communicate guidelines adherence and legal issues to requester in order to have changes in form of new representation (script, layout, animation, dub etc.) resubmitted for approval. Copies of any Code GP guidance are retained by the VIC for inclusion in the request file.
6.8	VIC	<i>Write response</i> with approval by letter, e-mail or fax. Once approval is granted the merchandiser or advertiser is free to go into production.
6.9	VIC	<i>File response</i> together with the incoming and any other outgoing documentation. The files are tallied at the end of each year for the year-end report.

## 7.0 Quality Records

<u>Record ID</u>	<u>Owner</u>	<u>Location</u>	<u>Record Media</u>	<u>NPG 1441.1 Schedule and Item Number</u>	<u>Retention/ Disposition</u>
Script, layout, animation or video dub representation and revisions	VIC	Code PO	Hardcopy	Schedule 1, Item 78.C (National) or 33 (Int'l)	Destroy 1or 2 (Int'l) years after response to request
Legal guidance	VIC	Code PO	Hardcopy	Schedule 1, Item 78.C (National) or 33 (Int'l)	Destroy 1or 2 (Int'l) years after response to request
Change Request	VIC	Code PO	Hardcopy	Schedule 1, Item 78.C (National) or 33 (Int'l)	Destroy 1or 2 (Int'l) years after response to request
Approval Response	VIC	Code PO	Hardcopy	Schedule 1, Item 78.C (National) or 33 (Int'l)	Destroy 1or 2 (Int'l) years after response to request

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## Appendix A

The NASA Merchandising and Advertising Guidelines were developed with Code P upper management and the legal office to render more efficient communications between Public Affairs and merchandisers/advertisers. The guidelines have been an important communications tool to inform merchandisers and advertisers about NASA's trademark and corporate identity policies.

### NASA Regulations for Merchandising Requests

Strict legal regulations govern NASA policy regarding merchandising requests. Companies interested in producing NASA-related merchandise must notify NASA's Public Services Division in writing (fax number: 202/358-4331) or E-mail: [bertram.ulrich@hq.nasa.gov](mailto:bertram.ulrich@hq.nasa.gov)). Requests should describe the intended use of NASA imagery on the product. If possible, layouts or sketches of the product should be included. When all legal requirements have been met, NASA will send the merchandiser an approval letter. A general overview of NASA policy follows.

- Companies interested in producing NASA-related merchandise have equal access to NASA information. There is no licensing or exclusivity agreement with NASA.
- As a Government Agency, NASA will not promote or endorse or appear to promote or endorse a commercial product, service or activity. Therefore, there are strict regulations on the use of any of the NASA identities and emblem imagery. NASA does permit use of the Insignia and other emblems on souvenir items when they are used alone. For example, in the case of a NASA T-shirt, the name of the company producing the T-shirt can be displayed on the collar tag; however, the T-shirt can only bear the NASA Insignia and no other company logo on the front or back of the shirt.
- Many NASA images (moving and still) in the public domain can be used for merchandising purposes. However, there are rules regarding the appearance of astronauts' or NASA employees' faces or names on commercial products. Astronauts or employees who are currently employed by NASA cannot have their faces or names displayed on any commercial products, advertisements or commercial product packaging. Astronauts and NASA employees who are retired from the Agency can grant permission for the use of their faces or names, but that permission may be subject to a fee. For deceased astronauts or employees, their families must grant permission for use of their photos or names.
- There are many images (moving and still) in the public domain of unrecognizable astronauts in space suits. However, in some instances, the astronaut's name may be legible in the photo. In such a case, we would have to determine if use of it for commercial purposes might infringe on a right of privacy. Permission from the astronaut could, therefore, be necessary.
- When all legal regulations have been met, the merchandiser may contact the

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Photo Department at 202/358-1900 for reference information only. NASA Headquarters does not provide reproduction materials to private companies. Transparencies can be purchased for a small fee from Allied Signal Technical Services Corporation, (301/286-7763).

- For more information, contact the Public Services Division at 202/358-1750.

### **NASA Regulations for Advertising Requests**

Strict legal regulations govern NASA policy regarding advertising requests. Companies interested in producing NASA-related advertisements must notify NASA's Public Services Division in writing (fax number: 202/358-4331) or E-mail: [bertram.ulrich@hq.nasa.gov](mailto:bertram.ulrich@hq.nasa.gov)). Requests should describe the intended use of NASA imagery in the ads. If possible, layouts or storyboards of the advertisement should be included. When all legal requirements have been met, NASA will send the advertiser an approval letter. A general overview of NASA policy follows.

- As a Government Agency, NASA will not promote or endorse or appear to promote or endorse a commercial product, service or activity. Therefore, there are strict regulations on the use of any of the NASA identities and emblem imagery in advertisements.
- NASA does not permit use of the insignia and other NASA indicia in advertisements except for the NASA Logo on the Space Shuttle when it is displayed at a distance. Any use of the NASA identity on spacesuits is generally not permitted unless authorized by Headquarters Public Affairs.
- Any references to NASA in an advertisement must be factually accurate.
- Many NASA images and most film and video footage are in the public domain can be used for advertising purposes. However, there are rules regarding the appearance of astronauts' or NASA employees' faces or names in commercial activities. Astronauts or employees who are currently employed by NASA cannot have their faces or names displayed on any commercial products, advertisements or commercial product packaging. Astronauts and NASA employees who are retired from the Agency can grant permission for the use of their faces or names, but that permission may be subject to a fee. For deceased astronauts or employees, their families must grant permission for use of their images or names.
- Commercials are not permitted to be shot at NASA Centers. For more information, contact Bobbie Faye Ferguson, Director of Multimedia Services at 202/358-4702.
- When all legal regulations have been met, the advertiser may contact the Photo Department at 202/358-1900 for reference information only. NASA Headquarters does not provide reproduction materials to private companies. Transparencies can be purchased for a small fee from Jorge Scientific Corporation, (301/286-6309). Footage can be purchased at the Center for Aerospace Information (301/621-0390).
- For more information, contact the Public Services Division at 202/358-1750.