

Policy and Procedure for the Use of the ACF Certification Designations



I. POLICY PURPOSES AND USES

All ACF logos and designations (hereinafter collectively referred to as the “Designations”) are owned and controlled by the ACF and the Certification Commission. Use of an ACF Designation are granted by the ACF to qualified certificants as described below, who satisfy all applicable certification, application or eligibility requirements. Consistent with applicable law and corporate policies, the ACF must monitor all uses of its Designations to ensure that the Designations are used properly and correctly, as they represent the ACF to the public. The overall purpose of this Policy and Procedure is to provide information, guidelines and requirements to the ACF Certificants, stakeholders and supporters regarding the proper use of the ACF Designations.

The ACF retains all ownership rights to its Designations. The ACF therefore reserves, and may use, the full range of legal remedies and certification-related sanctions available under applicable laws and corporate policies and procedures to protect its Designations. Infringement of any ACF Designation will be challenged. Inappropriate or incorrect uses of any ACF Designation may, therefore, be subject to organizational or legal action for Designation infringement and other claims if such uses are contrary to law or corporate policy, e.g., where a use creates a likelihood of confusion with the proper use of any ACF Designation, without regard to the certification or approved status of the party involved.

Each certificant accepts and assumes all, and the sole, responsibility for understanding and satisfying legal requirements of ACF Designation usage, and any Procedure requirements of ACF Designation usage, including those requirements applying to the use, display and/or advertising of any ACF Designation. It is the responsibility of such certificant to ensure that the use of any ACF Designation on professional and business related materials (e.g., stationary, signs, business cards, flyers, chef coats, yellow page or other advertisements and marketing materials) is NOT in conflict with this Policy and Procedure, or with the laws of the nation, state or territory in which that individual or entity conducts business. The ACF assumes no responsibility concerning the application of such governmental and legal requirements pertaining to the use, display and/or advertising of any ACF Designation.

Use of any ACF Designation is subject to this Policy, and any other applicable resolution or requirement of the ACF Certification Commission.

II. DESIGNATION PROCEDURE

A. Trademarks and Trademark Usage

The marks shown below have been registered in the United States Patent and Trademark Office. The federal registration symbol is (®) or phrase "Registered in U.S. Patent and Trademark Office" may be used in connection with the mark(s). The marks with a (™) are trademarked and may be registered with the U.S. Patent Office at a later time.

The certification mark(s) are used by authorized cooks and chefs given certification who have successfully demonstrated specific skills and knowledge pertaining to specified level of certification. Unauthorized use or misuse of marks are an infringement and may be prosecuted.

When using certification initials, no periods should be included (Example: CEC). A chef's name and certification initials must be uniform in color and font. When spelling out a designation the chef name and designation must be uniform in color and font. The font can be either a script or block style.

When using the marks ® and ™ standard block font should be used and the marks must be uniform in color of the name and/or designation and/or initials. The marks (®) and (™) can be 1/3 the font size and larger, but no larger than the size of the font used for the designation or initials. Mark placement is superscript, slightly above the baseline font.

Examples.

- John J. Joe, CEC®
- John J. Joe, Certified Executive Chef®

Consistent use is advisable in the use of the ® and ™ with designations on letterhead, Websites and signs. The symbol does not have to be used every time the mark is used in text but at least periodically to demonstrate ownership rights to the mark.

B. The ACF Designations

The ACF has registered for the following Designations with the U.S. Patent Office:

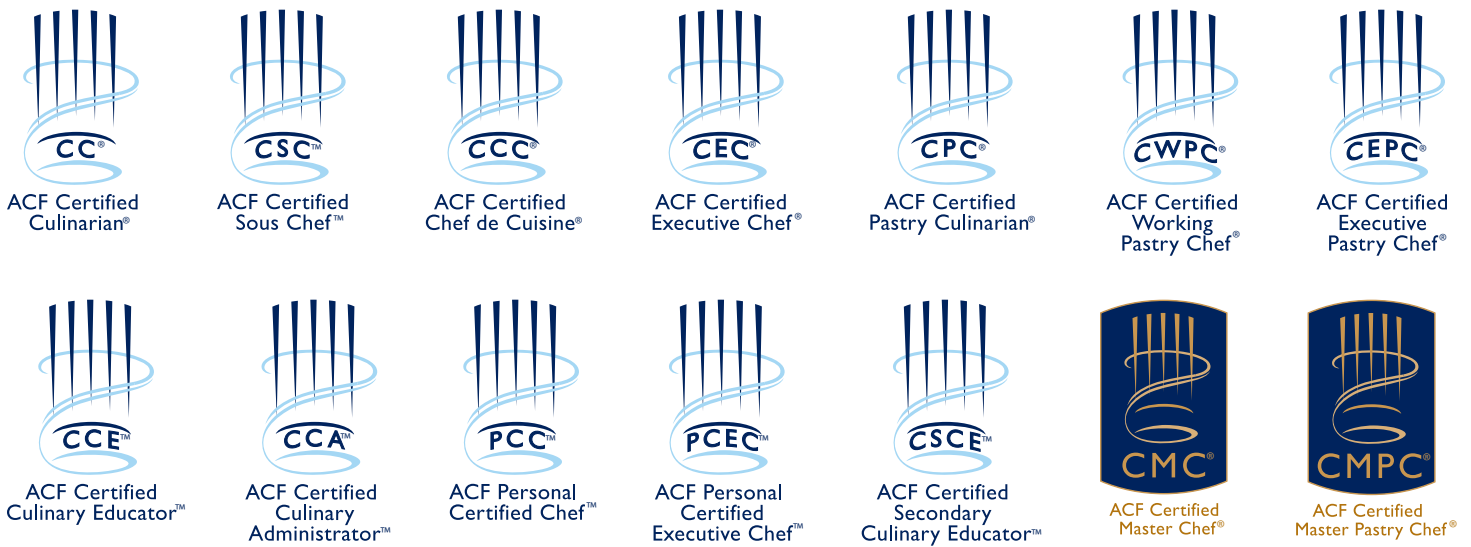
- CC®, Certified Culinarian®
- CCC®, Certified Chef De Cuisine®
- CEC®, Certified Executive Chef®
- CMC®, Certified Master Chef®
- CPC®, Certified Pastry Culinarian®
- CWPC®, Certified Working Pastry Chef®
- CEPC®, Certified Executive Pastry Chef®
- CMPC®, Certified Master Pastry Chef®
- CSCE®, Certified Secondary Culinary Educator®

In addition the ACF has trademarked the following Designations:

- CSC™, Certified Sous Chef™
- CCE™, Certified Culinary Educator™
- CCA™, Certified Culinary Administrator™
- PCC™, Personal Certified Chef™
- PCEC™, Personal Certified Executive Chef™

C. ACF Certification Logo

The ACF certificants are authorized to use, when necessary and appropriate, their earned ACF certification logo, with or without the taglines. Only individuals who have earned an ACF certification Designation and who maintain active certification are authorized to use the certification logos on the following page.



D. Non-Assignability and Non-Transferability of the Designations

Use of any ACF Designation authorized by this Procedure is personal to the respective authorized certificant and may not be transferred or assigned to any other individual, organization, business or entity.

E. Appearance and Proper Use of the Designations

Proper Use

Those individuals or entities authorized to use an ACF Designation may use the Designation in professional business advertising and informational materials, including directory listings or advertisements, daily work jackets, special event jackets, business cards, letterhead, brochures, email signatures, business forms, signs, stationary, patches, decals, and other similar marketing materials, and may post the Designation on a business website. All Designation use must be consistent with this Procedure and the following rules:

APPLICATION	INDUSTRY CHEFS	APPLICATION	CHEF EDUCATORS
Daily Work Jackets	1 Designation	Daily Work Jackets	Terminal Degree + 2 Designations
Special Event Jackets*	2 Designations	Special Event Jackets*	Terminal Degree + 2 Designations
Business Cards, etc.**	3 Designations	Business Cards, etc.**	3 Designations

**Special Event Jackets include jackets worn at any time outside the regular work environment.*

***For business correspondence purposes, in addition to the three certifications, the most job relevant certification should be spelled out under the name as shown below.*

*John Doe, CEC, CCA, CHE
Certified Executive Chef®*

Certificants may choose the order of earned designations by most relevant to their job function and list primary job function first.

Any individual or entity authorized to use an ACF Designation must use the Designation only in conjunction with his/her name and entity and the services related to the certification or ACF approved status.

Chefs who upgrade their certifications in a certain area will drop the previous designation, i.e. CMC's will not longer use CEC, CEC's will no longer use CSC, etc.

It is acceptable to display designations from other organizations however the ACF designation is to be listed first.

Other Use Limitations

If any ACF Designation is displayed by an authorized individual or entity in any publication with longevity (e.g., yellow page advertising) the user is required to maintain their ACF certification or approved status during the business life of such publications. If the ACF certification or approved status of any previously authorized individual or entity expires, all use and reference to any ACF Designation on any and all advertising and marketing materials and any website by such individual or entity must cease within thirty (30) days of such expiration.

If the ACF certification or approved status of any previously authorized individual or entity is revoked or suspended, all use and reference to any ACF Designation on any and all advertising and marketing materials and any website by such individual or entity must cease within three (3) days of revocation or suspension.

F. Violation Reporting Responsibilities

Each certificant has the responsibility to report the unauthorized use, misuse, or other violation of ACF Certification Designation Policy and Procedure to the ACF Certification Department immediately either in writing or by phone.

Unauthorized use, misuse or other violation include, but are not limited to, an individual using the Certification Designation who is not certified or the improper usage of a Certification Designation.

G. Violations and Related Actions

The ACF considers misrepresentation of certification status to be a serious matter. Such actions are in direct violation of the ACF Certification Policies that prohibit false representations about certification status.

Following receipt of information that an inappropriate or unauthorized use of Certification Designations may have occurred, ACF, in consultation with legal counsel, will determine if responsive action(s) will be taken. The ACF may take any of the following actions, or other appropriate measures. Certificants are required to cooperate fully in the review and resolution of such matters.

- Notification and/or documentation of the alleged inappropriate or unauthorized Certification Designation will be obtained and reviewed to determine whether a violation of this policy or procedure or resolution of the ACF Certification Commission has occurred;
- Upon confirmation of a policy or other violation, written correspondence will be issued and sent by an authorized ACF representative to the individual(s) involved, explaining, among other matters: the nature of the objectionable or unauthorized use: the relevant ACF policy, procedure or resolution; and the requirement that the individual cease and desist from the objectionable or unauthorized use immediately and in the future;
- Where an individual using the Certification Designation in an objectionable or unauthorized manner fails to respond to, or refuses to comply with, ACF requirements to cease and desist from such use, the ACF Certification Review Panel or other authorized ACF representative may initiate appropriate legal actions and/or disciplinary proceedings, the latter of which are set forth in this policy.

H. Designation Related Disciplinary Measures

Following notice and a fair opportunity to respond, an existing or former certificant acting contrary to the terms of this policy, procedure or resolution may be sanctioned by ACF. Sanctions are outlined in the Certification Commission Policy Document.

I. Questions

Questions about this Policy and Procedure or the correct use of any ACF Designations should be directed to ACF Certification Department, at 180 Center Place Way, St. Augustine, FL 32092; 800-624-9458 (Voice) or certify@acfchefs.net (Email).

J. Adoption Date and Reserved Rights

This Policy and Procedure was adopted or last modified by the ACF Certification Commission on Friday, January 15, 2010. The ACF Certification Commission reserves the unqualified right, in its sole and absolute discretion, to modify or revoke this Policy.

In no event shall the ACF be liable for any damages whatsoever, including but not limited to any special, indirect, or consequential damages, relating to the use of any ACF Designation, whether in an action in contract, negligence, or other law arising out of, or in connection with, the use of such Designation in any locality, State, Territory, or country, in which the use of such Designation presents a conflict with any laws of that locality, State, Territory, or country.

By use of any ACF Designation, each user of such Designation agrees to hold harmless and indemnify the ACF, including their respective officers, directors, stockholders, partners, Certificants, certified firms, employees, agents and representatives, from and against any and all liability, loss, damage, expense, cost, claim or action, of any kind or nature, including attorney's fees and costs, occurring as a result from or arising out of any use by the user of any ACF Designation, or caused by or arising from the services, instruction, goods or materials offered, manufactured, used or sold by the Designation user to third parties.