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Credentials and Marks Policy

Table of Contents

Credential and Marks Use Policy	3
Introduction	3
Section A: BOC-Certified Practitioner Credentials and Marks	3
Section B: BOC-Accredited Facility Credentials and Marks.....	5
Section C: BOC-Approved Course Provider Credentials and Marks	7
Section D: Use of the BOC Logo	9
Section E: Policy Violations and Related Actions	10
Section F: Mark Related Disciplinary Measures	10

Credential and Marks Use Policy

Introduction

The list of individual certification marks and credentials (the Marks) are owned and controlled by the Board of Certification/Accreditation (BOC) and its Board of Directors.

The Marks are granted by the BOC Board of Directors to qualified individuals who satisfy all applicable certification requirements (hereinafter referred to as “certificants”); qualified facilities that satisfy all applicable accreditation requirements (hereinafter referred to as “accredited facilities”); and qualified sponsors of continuing education (CE) activities that satisfy the requirements of the BOC CE Provider Approval Program policy. Consistent with applicable law and corporate policies, BOC must ensure that the Marks are used properly and correctly, as they represent BOC certification and accreditation to the public.

BOC retains all trademark, certification mark, and other ownership rights concerning the Marks. BOC therefore reserves, and may use, the full range of legal remedies and certification-related sanctions available under applicable laws and corporate policies to protect the Marks. Infringement of any BOC trademark or certification mark will be challenged. Questions concerning the proper use of the Marks should be submitted in writing to BOC’s Marketing Department (marketing@bocusa.org).

Each credentialed certificant, accredited facility, and approved CE provider accepts and assumes sole responsibility for understanding and satisfying all applicable governmental and legal professional requirements, including those requirements which may apply to the use, display, and/or advertising of the Marks. For example, each certificant, accredited facility, and approved CE provider is responsible for ensuring that the use of the Marks on professional and business-related materials (e.g., stationery, signs, cards or advertisements) is not in conflict with the laws of the state in which that individual, facility, or provider practices or operates. BOC assumes no responsibility concerning the application of such governmental and legal requirements.

BOC shall not be responsible or liable for any claims, complaints, suits, or damages whatsoever related to the use of the Marks, or in connection with the use of such Marks.

Use of the Marks is subject to the terms and conditions of this Policy. Please contact marketing@bocusa.org to obtain marks.

Section A: BOC-Certified Practitioner Credentials and Marks

1. Certification Marks Subject to this Policy

Professional Credential	Marks
Orthotist, BOC-Certified™	BOCO®
Prosthetist, BOC-Certified™	BOCP®
Orthotist/Prosthetist, BOC-Certified™	BOCPO™
BOC Pedorthist™	BOCPD™
Certified Orthotic Fitter™	COF®
Certified Mastectomy Fitter™	CMF®
Certified DME Specialist™	CDME®

2. Persons Authorized to Use the Marks

Use of the above referenced Certification Marks is limited to those qualified certificants who have satisfied all certification requirements and been granted the specific certification by BOC, remain in good standing,

and satisfy all other certification and recertification requirements established by the BOC Board of Directors with respect to a particular Mark and certification.

3. Non-Assignability and Non-Transferability of the Marks

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

4. Non-Interference with Use of the Marks by Other Certificants

A certificant may not prohibit, restrict, or otherwise limit the authorized and appropriate use of the Certification Marks by another certificant.

5. Appearance and Proper Use of the Marks

A certificant may use the Certification Mark(s) for the purpose of representing his/her individual certification(s) in professional advertising and informational materials, including telephone directory listings or advertisements, business cards, letterhead, brochures, signs, stationery, packages, and other similar marketing materials, consistent with the following rules:

- a. **Proper Use**: Each certificant must use the appropriate Certification Mark(s) only in conjunction with his/her name and the services related to the certification granted by BOC. The Certification Mark(s) may only be displayed in association with the certificant. The Certification 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 BOC. For example, the appropriate Certification Mark(s) may appear immediately above, below, or otherwise adjacent to the name of the certificant but may not appear immediately adjacent to the name of the certificant’s employer or business (organization).
- b. **Proper Appearance**: The appropriate Certification Mark(s) must be associated solely with the certificant, who is authorized to use such Marks. The Certification Marks should always be used in their entirety and, where appropriate, appear with the superscript “™” trademark symbol.
- c. **Examples of Proper Uses and Appearances**: Proper uses and appearances of the Certification Marks include, but are not limited to, the following examples:

With Trademark Symbols	Without Trademark Symbols
<ul style="list-style-type: none"> • <u>Within the body of a letter:</u> I am writing to recommend the employment of John Doe, Orthotist, BOC-Certified™. • <u>In a news release:</u> Jane Doe, BOCPTM, recently opened a facility in Anytown, USA. • <u>In a brochure:</u> John Doe, Orthotist/Prosthetist, BOC - Certified™, is the facility manager at XYZ Medical Supplies. 	<ul style="list-style-type: none"> • <u>In an email signature block or letter salutation, on a business card:</u> John Doe Orthotist, BOC-Certified Jane Doe, Certified Mastectomy Fitter. John Doe, BOCPO Board of Certification - Prosthetist, Orthotist

- d. **Examples of Improper Uses and Appearances:** Improper uses and appearances of the Marks subject to this section include, but are not limited to, the following examples:

Example	Explanation
<i>XYZ Medical Practice Orthotist/Prosthetist, BOC-Certified</i>	Cannot list a facility without an individual's name to whom the credentials refer.
<i>Jane Doe, Certified Orthotist</i>	Incorrect and improper credential designation
<i>John Doe, BOC Certified Prosthetist</i>	Incorrect and improper credential designation

- e. **Other Use Requirements:** The Certification Marks must stand by themselves, and may not be combined with marks, designations, or logos related to other certifications, credentials, groups, or organizations, and such use is prohibited. The Certification 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, or organizations are associated with, or endorsed by, BOC.

Section B: BOC-Accredited Facility Credentials and Marks

1. Facility Accreditation Marks Subject to this Policy

Credential	Mark
BOC Accredited Facility™	

The logo mark is illustrated above for the purpose of inclusion on permissions of use in accordance with this policy. For further guidance on how to use BOC logos, please review the BOC Logo Use Policy on the BOC website at www.bocusa.org.

2. Persons Authorized to Use the Facility Accreditation Marks

Use of the above referenced Facility Accreditation Marks is limited to those qualified facilities that have successfully complete all accreditation application procedures and have been granted permission to use the Facility Accreditation Marks by BOC, remain in good standing, and satisfy all other accreditation requirements established by the BOC Board of Directors with respect to the BOC Facility Accreditation Program.

3. Non-Assignability and Non-Transferability of the Facility Accreditation Marks

Permission to use the Facility Accreditation Marks is limited solely to the accredited facility, and may not be transferred to, assigned to, or otherwise used by any other organization, business, entity, or individual. This subsection does not prohibit agents or authorized representatives of an accredited facility from using the Facility Accreditation Marks to identify the accreditation status of such facility.

4. **Non-Interference with Use of the Facility Accreditation Marks by Other Accredited Facilities**

An accredited facility may not prohibit, restrict, or otherwise limit the authorized and appropriate use of the Facility Accreditation Marks by other accredited facilities.

5. **Appearance and Proper Use of the Facility Accreditation Marks**

An accredited facility, including agents and/or authorized representatives of an accredited facility, may use the Facility Accreditation Marks for the purpose of identifying the accreditation status of such facility in professional advertising and informational materials, including telephone directory listings or advertisements, business cards, letterhead, brochures, signs, stationery, packages, and other similar marketing materials, consistent with the following rules:

- a. **Proper Use**: Each accredited facility and its agents and/or authorized representatives must use the Facility Accreditation Marks only in conjunction with the name and the services of such facility that are related to the accreditation granted by BOC. These Marks may only be displayed in association with the accredited facility. These Marks may not be positioned, displayed, or used in a manner that may lead the public to believe that any individual is accredited, or otherwise endorsed by BOC. For example, the Facility Accreditation Marks may appear immediately above, below, or otherwise adjacent to the name of the facility, but may not appear above, below, or otherwise adjacent to the name of any individual.
- b. **Proper Appearance/Alternate Forms**: The Facility Accreditation Marks must be associated solely with the accredited facility, which is authorized to use such Marks. These Marks should always be used in their entirety and, where appropriate, appear with the superscript “™” trademark symbol.
- c. **Examples of Proper Uses and Appearances**: Proper uses and appearances of the Facility Accreditation Marks include, but are not limited to, the following examples:

With Trademark Symbols	Without Trademark Symbols
<ul style="list-style-type: none"> • <u>Within the body of a letter:</u> XYZ Orthotics & Prosthetics, BOC Accredited Facility™, would like to request to become a referral source for Anytown Hospital patients. • <u>In a news release:</u> Jane Doe, BOC™, recently expanded XYZ Orthotics and Prosthetics, BOC Accredited Facility™, in Anytown, USA. • <u>In a brochure:</u> Contact XYZ Medical Supplies, BOC Accredited Facility™. 	<ul style="list-style-type: none"> • <u>In an email signature block or letter salutation, on a business card:</u> XYZ Medical Supplies BOC Accredited Facility XYZ Orthotics & Prosthetics A subsidiary of ACME corporation. [Blank space] BOC Accredited Facility XYZ Orthotics & Prosthetics BOC Accredited Facility [Blank Space]


- d. **Examples of Improper Uses and Appearances**: Improper uses and appearances of the Facility Accreditation Marks include, but are not limited to, the following examples:

Example	Explanation
XYZ Medical Practice BOC Accredited Facility A subsidiary of ACME corporation	BOC should not appear to be directly affiliated with a parent corporation. BOC accredits facilities on an individual location basis.

- e. **Other Use Requirements:** The Facility Accreditation Marks must stand by themselves, and may not be combined with marks, designations, or logos related to certifications, or to other accreditations, credentials, groups, or organizations, and such use is prohibited. These 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 accreditation, and to avoid the appearance that other marks, accreditations, credentials, or organizations are associated with, or endorsed by, BOC.

Section C: BOC Approved Course Provider Credentials and Marks

1. Approved Course Provider Marks Subject to this Policy

Credential	Mark
BOC Approved Course Provider™	

- 2. **Persons Authorized to Use the Approved CE Course Provider and Course Marks**
 Use of the above-referenced Approved CE Course Provider and Course Marks, hereinafter referred to as Approved CE Marks, is limited to those providers of CE activities who have successfully completed all application and registration requirements set forth by the BOC CE Provider Approval Program and have been granted permission to use the Approved CE Marks by BOC, remain in good standing, and satisfy all other requirements established by the BOC Board of Directors with respect to participation in the BOC CE Provider Approval Program.
- 3. **Non-Assignability and Non-Transferability of the Approved CE Marks**
 Permission to use the Approved CE Marks is limited solely to the approved course provider and may not be transferred to, assigned to, or otherwise used by any other organization, business, entity, or individual. This subsection does not prohibit agents or authorized representatives of an approved course provider from using the Approved CE Course Marks to identify courses registered in the BOC CE Provider Approval Program.
- 4. **Non-Interference with Use of the Approved CE Marks by other Approved CE Course Providers**
 An approved CE course provider may not prohibit, restrict, or otherwise limit the authorized and appropriate use of the Approved CE Marks by other approved CE course providers.
- 5. **Appearance and Proper Use of the Approved CE Marks**
 An approved CE course provider, including agents and/or authorized representatives of an approved CE course provider, may use the Approved CE Marks for the purpose of identifying courses registered

in the BOC CE Provider Approval Program in professional advertising and informational materials, including telephone directory listings or advertisements, business cards, letterhead, brochures, signs, stationery, packages, and other similar marketing materials, consistent with the following rules:

- a. **Proper Use**: Each approved CE course provider and its agents and/or authorized representatives may use the Approved Course Provider Marks to designate registration under the BOC CE Provider Approval Program. The Approved Course Mark may only be used in conjunction with the specific CE courses that are offered by the provider and are registered under the BOC CE Provider Approval Program. These Marks may not be positioned, displayed, or used in a manner that may lead the public to believe that any individual, business, or organization, including the approved CE provider, is offered, provided, sponsored, accredited, or otherwise endorsed by BOC.
- b. **Proper Appearance/Alternate Forms**: These Marks should always be used in their entirety, and, where appropriate, should appear with the superscript “™” trademark symbol.
- c. **Examples of Proper Uses and Appearances**: Proper uses and appearances of the Approved CE Course Marks include, but are not limited to, the following examples: *(In these examples, assume that “Brace Fitting 101” is a course currently registered in the BOC CE Provider Approval Program, while “Basic Practice Management” is a course that is not currently registered in the Program.)*

With Trademark Symbols	Without Trademark Symbols
<ul style="list-style-type: none"> • <u>Within the body of a letter:</u> This is a confirmation of your registration in Brace Fitting 101, a BOC-Approved CE Course™. • <u>In a news release:</u> XYZ Academy of Orthotics & Prosthetics, a BOC-Approved Course Provider™, is pleased to announce that it is offering Brace Fitting 101, a BOC-Approved CE Course™, and Basic Practice Management. • <u>In a brochure:</u> Contact XYZ Academy of Orthotics & Prosthetics, a BOC-Approved Course Provider™. 	<p><u>In an email signature block or letter salutation, on a business card:</u></p> <p>XYZ Academy of Orthotics & Prosthetics BOC-Approved Course Provider</p> <p>Brace Fitting 101 BOC-Approved CE Course [Blank Space] Course provided by XYZ Academy of Orthotics& Prosthetics</p> <p>XYZ Academy of Orthotics & Prosthetics Continuing Educational Courses: [Blank Space] • Brace Fitting 101, BOC-Approved CE Course</p>

- d. **Examples of Improper Uses and Appearances**: Improper uses and appearances of the Approved CE Course Marks include, but are not limited to, the following examples. *(In these examples, assume that “Brace Fitting 101” is a course currently registered in the BOC CE*

Provider Approval Program, while “Basic Practice Management” is a course that is not currently registered in the Program.)

Example	Explanation
<p><i>XYZ Academy of Orthotics & Prosthetics, Approved BOC CE Provider™ Continuing Educational Courses:</i></p> <ul style="list-style-type: none"> • Brace Fitting 101 • Basic Practice Management 	<p>Cannot imply that all courses are approved by BOC if not all courses have been approved.</p>

- e. **Other Use Requirements:** The Approved CE Marks must stand by themselves and may not be combined with marks, designations, or logos related to certifications, accreditations, credentials, groups, or organizations, and such use is prohibited. These Marks generally may be used in the same location as other affiliation marks or logos, but they must remain separate and distinct so as to avoid confusion concerning the source of such Marks and to avoid the appearance that other marks, accreditations, credentials, or organizations are associated with, or endorsed by, BOC.

Section D: Use of the BOC Logo



1. **Persons Authorized to Use the Approved CE Course Provider and Course Marks**
 Permission by the Board of Directors to use the Facility Accreditation Marks, the Approved CE Course Marks, or the corresponding Mark(s) related to a specific certification, does not include permission to use the BOC trademark logo. Use of the BOC trademark logo (depicted above) is the sole and exclusive right of BOC. Other organizations, such as membership or trade associations, may be permitted to use the BOC trademark logo upon request. Contact the BOC Marketing Department (marketing@bocusa.org) to inquire about use of the BOC trademark logo.

Section E: Policy Violations and Related Actions

Following receipt of information that an inappropriate or unauthorized use of the Marks may have occurred, BOC, in consultation with legal counsel, will determine if responsive action(s) will be taken. Certificants,

accredited facilities, and approved CE providers are required to cooperate fully in the review and resolution of such matters. BOC may take any of the following actions, or other appropriate measures in its sole discretion:

1. The alleged inappropriate or unauthorized 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 BOC representative to the individual(s) or organization(s) involved, explaining, among other matters, the nature of the objectionable or unauthorized use, the relevant BOC policy and law, and the requirement that the individual or organization 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 BOC representative to the individual(s) and organization(s) involved requesting that the individual accept and sign an agreement to, among other terms, cease the existing objectionable or unauthorized use, abide by all terms of the BOC policy in the future, and provide corrected copies of all offending materials.
4. Where an individual using the Marks in an objectionable or unauthorized manner fails to respond to, or refuses to comply with, BOC requirements to cease and desist from such use, the Board of Directors, CEO, or other authorized BOC representative may initiate appropriate legal actions and/or disciplinary proceedings.

Section F: Mark Related Disciplinary Measures

Following notice and a fair opportunity to respond, a certificant, accredited facility, approved CE provider, or applicant for BOC certification, accreditation, or BOC CE Provider Approval Program registration who acts contrary to the terms of this policy or applicable law may be sanctioned by BOC. Such sanctions may include:

- a. Denial and rejection of the certification, accreditation, or BOC CE Provider Approval Program registration application filed by the individual, facility, or organization;
- b. Private reprimand and censure, including appropriate conditions or directives;
- c. Public reprimand and censure, including appropriate conditions or directives;
- d. Probation for a given period of time, including appropriate conditions or directives;
- e. Suspension of the certification, accreditation, or BOC CE Provider Approval Program registration for a given period of time, including appropriate conditions or directives;
- f. Revocation of the certification, accreditation, or BOC CE Provider Approval Program registration, including appropriate directives; or,
- g. Other measures that BOC deems appropriate.

In addition, cases of Mark misuse, infringement, or other similar matters may be referred to appropriate agencies and other organizations.