

# Trademark and Marketing Material Policy

In the following "medi" refers to medi GmbH & Co. KG.

As used in this policy, "IPRs" means medi's registered and non-registered trademarks (including, but not limited to, the mark "medi"), any logos, designs, slogans, taglines, product names and trade dress used by medi.

The terms "you" or "your" shall refer to any person or entity seeking to use one or more of the IPRs.

Except for the limited right to use the IPRs expressly permitted under this Policy, no other rights of any kind are granted hereunder, by implication or otherwise. The IPRs are the sole and exclusive property of medi and any and all use of the IPRs and any rights deriving thereof shall inure to the benefit of medi.

## A. Position – the Use of IPR Depends on Your Position

1. medi, its subsidiaries and its authorized distributors may use the IPRs in digital and non-digital advertising, promotional, and sales materials.
2. If you are not a subsidiary or authorized distributor of medi, you may only use the IPR as a citation and not as a trademark. In particular, you may not use the medi logo or other graphic symbols, such as logos, icons or designs owned by medi, on or in connection with websites, products, packaging, manuals, advertising, promotional and sales materials, etc. When citing a medi trademark, use an attribution of medi's ownership as shown in section C.I.4 and, in the case of a registered trademark, the ® symbol as shown in the sections C.I.1 and C.I.2.

## B. Regardless of Your Position

### I. Authorized Use of IPRs

1. Always use the medi word marks in the correct spelling. If you are not sure about the spelling, contact medi.
2. Always use medi word marks as adjectives, never alone as nouns or verbs and not in the plural or possessive form.  
*Correct: I bought medi stockings. Not correct: I bought medis.*
3. Any use of medi's trademarks must be accompanied by the appropriate attribution as outlined in section C.I.
4. "medi" is not only a trademark and part of trademarks or trademark logos to identify products of medi, it also serves as a company name. When using "medi" as a reference to the company, "medi" may be used as a noun or in the possessive form and no trademark symbol is needed.
5. You may use medi word marks digitally and non-digitally in connection with book titles, magazines, periodicals, seminars, or conferences, etc., provided you comply with the following requirements:
  - The use is referential and less prominent than the rest of the title.

- The use reflects favorably on both medi and medi products.
  - A disclaimer of sponsorship, affiliation, or endorsement by medi, similar to the following, is included on the publication and on all related materials: *“(Title) is an independent (publication) and has not been authorized, sponsored, or otherwise approved by medi GmbH & Co. KG.”*
  - A trademark attribution notice is included in the credit section giving notice of medi’s ownership of its trademark(s). Please refer to section C.I. below titled “Proper Use of Trademarks and Marketing Material”.
  - You have an express written permission from medi.
6. Web sites that serve only as non-commercial electronic informational forums concerning a medi product may use the appropriate medi word marks, provided such use complies with the policy set forth in section B.I.

## II. Unauthorized Use of the IPRs

1. You may not use or register any of the IPRs or any variations thereof as part of your own trademark or as a design.
2. You may not use or register, in whole or in part, any of the IPRs or any variation thereof as or as part of a company name, product name, or service name.
3. You may not alter or modify the trademarks that are affixed to or appear on medi products. You may not replace a trademark with your or a third-party’s mark or add your or a third-party’s mark to a medi product.
4. You may not use or register a phonetic equivalent, foreign language equivalent or an abbreviation of a trademark of medi for any purpose.
5. You may not use the IPR in the context of political statements, political commentary or to express a political opinion
6. You may not use a medi trademark in a disparaging or defaming manner.
7. You may not use an IPR in a manner that would imply medi’s affiliation with or endorsement, sponsorship, or support of a third party product or service, if that is not true.
8. You may not use an IPR in a manner that is likely to cause confusion between medi’s products and those of a third party.
9. You may not use an IPR in a manner that may, in medi’s judgement, diminish goodwill in an IPR.
10. You may not use an IPR in connection with any unlawful activities or to encourage unlawful activities.
11. You may not use an IPR with a third party product.

12. You may not manufacture, sell or give-away merchandise items, such as T-shirts and mugs, bearing medi trademarks.
13. You may not imitate the distinctive medi packaging, web site design, logos, trade dress or typefaces.
14. You may not use or imitate a medi slogan or tagline.
15. You may not register or use a medi trademark or any variations thereof as a domain name.

Exceptions require an express written permission by medi.

### **C. Proper Use of Trademarks and Marketing Material**

As a subsidiary or authorized distributor, you must comply with the following requirements:

#### **I. Use of Trademarks**

1. If a medi trademark is registered, always use the ® symbol in connection. The ® symbol is placed immediately after the trademark, in superscript.
2. The ® symbol is required for all use of a trademark (e.g., in brochures, catalogues and on websites), except where space or style criteria prevent compliance with this requirement. In addition, a ® symbol is required upon the first use of a trademark in any text or body copy, even though the symbol may have already been used in the other prominent use.
3. Do not use the ® symbol for a trademark that is not registered in the country where you are offering the product. Falsely indicating that a trademark is registered in a country when it is not can trigger sanctions. A list of the trademarks protected in your country can be obtained from your contact at medi.
4. Affix an attribution of medi's ownership of its trademarks on your product, product packaging, product documentation, or other product communication. Use wording such as:  
  
“... and ... are registered trademarks of medi...”  
  
“... and ... are trademarks of medi...”
5. If you are a subsidiary or an authorized distributor of medi and want to use IPRs of medi, consisting of a design, color or logo, such as the medi logo , you must take them from a medi file, which can be obtained from medi. These trademarks may not be modified in any manner. This also applies to the colors and color sequences, which may not be altered either.

#### **II. Use of Marketing Material**

You will receive open files from medi (e.g. for advertising material), which you may edit. These files comply with the legal requirements in Germany, in particular the MDR.

1. It is your responsibility to comply with the legal requirements in the country in which you distribute the products, for example, if applicable, Medical Device Regulation (MDR) and the regulations and guidelines of the U.S. Food and Drug Administration (FDA).
2. Editing of the files is only permitted to the extent that it complies with the requirements set out in this Policy.
3. If you advertise a medical or non-medical product from or labelled with medi, do not make any, in particular medical or functional, claims and claims relating to indications that are not expressly defined by medi.
4. In addition, you must ensure that your marketing, promotional and sales materials will be of high quality, in good taste, and will preserve the professional image and reputation of medi, medi's products and the IPRs. You are further required to ensure that you comply with any reasonable requests made by medi designed to maintain or improve the quality standards of marketing, promotional and sales materials bearing the IPRs. All services rendered by you shall comply with all foreign, federal, state and local laws and regulations applicable to you with respect to the promotion and sale of products bearing any IPRs.
5. medi reserves the right to review all uses of the IPRs by you and to conduct periodic spot checks of such use. Upon request from medi, you must provide a copy of any marketing, promotional and sales materials bearing any of the IPRs. You must correct any deficiencies in the use of an IPR upon reasonable notice from medi without undue delay. Refusal to correct such deficiencies may result in revocation of your authorized dealer status and/or the rights to use the IPRs.

### III. Integration of advertising materials and appearance

1. If you advertise medi products with images, you must use product images approved by medi for this purpose. You can obtain these from your contact person at medi.
2. If you are a subsidiary of medi, you must comply with medi's corporate design guidelines (Online-Styleguide). You can access this via your contact person at medi.  
If you are an authorized distributor, you must not give the impression through your appearance that you are a subsidiary of medi or medi itself

If you have any questions about the Trademark and Marketing Material Policy, please contact [tmmp@medi.de](mailto:tmmp@medi.de).