



TAKE OFF POUNDS SENSIBLY
A NONPROFIT WEIGHT-LOSS SUPPORT GROUP FOUNDED IN 1948

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LIMITED PERMISSION FOR CHAPTERS, VOLUNTEERS AND FIELD STAFF

TOPS® Chapters, Field Staff and members have limited permission to use TOPS® copyrighted MATERIAL as defined below for TOPS®-related purposes. This includes making limited photocopies of information, activities and worksheets from *Making Your Chapter Great* (also known as the TOPS® Chapter Manual) or *Real Life: The Hands-on Pounds-off Guide* for use in TOPS Club Inc. chapter meetings. The limited right of use also extends to acceptable uses of TOPS® and KOPS® logos, ads, press releases and other materials specifically designated for chapter or Field Staff use on www.tops.org. TOPS® defines acceptable uses of above-mentioned MATERIALS as use in TOPS® chapter meetings, in TOPS® newsletters, and in materials and signage at TOPS® events. TOPS® Field Staff may be entitled to additional uses as defined in their contracts and the then-current version of the *Field Staff Source Book*.

Examples of approved uses described above that don't require special permission (not a complete list):

- a) Your chapter is participating in Recognition Days or in a community event, such as a 5K walk for charity, and wants to make tee-shirts with the TOPS® logo or Real People. Real Weight Loss® logo for your chapter to wear at the event. This is fine so long as your chapter does not sell the shirts. When members are simply chipping in to cover the cost of their own shirts, it does not count as a sale (as long as the chapter does not reap a profit).
- b) Your chapter meets in a facility that will allow you to put a poster or sign in front of the building.
- c) Your chapter is passing out free water as a promotional activity during a local event. A member makes labels for the water using the TOPS® logo and adds the website and local contact information.
- d) PLEASE NOTE: Although TOPS® does not require you to obtain special permission to have the sign, labels or tee-shirts printed, the company doing the work may require proof that you have our permission to use logos or other MATERIAL. To obtain a letter of permission, simply contact TOPS® Headquarters as described below. Allow at least two business days for a response.

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2. Use of MATERIAL in for-sale items and fundraisers is specifically prohibited without written consent as described as follows.
3. PLEASE NOTE: By law, use of any likeness of persons in promotional items, or items intended for sale, requires specific written consent from that person (or possibly their representatives, assigns, heirs or

estate) *in addition to* permissions required in this policy as granted to TOPS Club Inc. under United States and International copyright law.

4. Translation of MATERIAL into any language for any purpose whatsoever without written consent as described below. Please see TOPS® Policy for Starting and Supporting Non-English Speaking Chapters.

Examples of prohibited uses that would require written permission (not a complete list):

- Making a mug (or any product) featuring a depiction of the TOPS® president to sell or give away at Recognition Days.
- Using member photos (such as of International Royalty or other successful members) and making your own ads or posters with them.
- Putting the TOPS® logo or other MATERIAL described below on a water bottle to sell (even if only selling to other members).

DEFINITION OF MATERIALS

All photos, video, film and other media featured in TOPS® publications or on www.tops.org or in other online outlets such as social media pages, or located in the TOPS® archives or elsewhere at TOPS® Headquarters, or at any storage facility anywhere in the universe (hereinafter called the MATERIAL), are copyrighted by TOPS Club Inc. unless noted. As such, TOPS® retains exclusive rights to all such published and unpublished MATERIAL in perpetuity and will vigorously defend its ownership of such MATERIAL and avail itself of any remedies available under United States and International copyright law.

Anyone wishing to use such MATERIAL for any purpose in any medium now existing or heretofore created must obtain the express written permission of TOPS Club Inc. prior to use.

HOW TO REQUEST PERMISSION OR RECEIVE A LETTER OF PERMISSION FOR ALLOWED USES

Requests are to be made in writing and sent to TOPS Club Inc., PO Box 070360, 4575 South 5th St., Milwaukee WI 53207 or wondering@tops.org with the subject line PERMISSIONS. Requests must include a complete description of the MATERIAL being requested, including the intended audience and use, purpose of the intended use, duration of use and media in which the MATERIAL would be used. Any research required to fulfill requests shall be billed to the requesting party at a rate of at least \$25 per hour after the first half-hour.

Once received, requests shall be forwarded to the TOPS® Communications and Outreach Director, who will review the request for appropriateness of use in terms of legal releases required, potential effect on the TOPS® brand and reputation and on the reputations of any member, independent contractor, employee, volunteer, board member, representative or assigns presented in or connected to the MATERIAL in question. COD shall render a decision after consultation with TOPS® President and legal counsel, if necessary. Please note that by law, photos of persons may not be used for promotional purposes without their express written consent.

If request is granted, director shall send requesting party a written agreement outlining the terms of use, which shall include a caption or other credit indicating that TOPS Club Inc. is the owner of the MATERIAL. No MATERIAL will be released to requesting party until such terms are accepted in writing.

If request is denied, the requesting party may appeal the decision to the TOPS® President. Allow at least 7 days for a response.