



Introduction

This document is designed to help businesses apply the Green Dot correctly and in accordance with accepted guidelines.

Who Can Have and Needs to Hold the Green Dot User Agreement?

The brand owner of any goods being placed on the market in the UK which displays the Green Dot on their packaging will need to hold a User Agreement that covers those goods. The brand owner is the person who (irrespective of selling technique used including distance sellers):

- Manufactures and sells goods under his own brand
- Resells under his own brand goods produced by other suppliers
- Imports or exports goods on a professional basis into the UK

What is not Infringement?

A person who prints or otherwise applies the Green Dot on material to be used for labelling or packaging goods with the authority of a person who holds a User Agreement for the trademark, and where such material is to be used by the licensee in accordance with the terms of the User Agreement, will not infringe the Green Dot trademark.

What will an Infringement Occur?

Any use of a sign in the course of trade which is the same or similar to the Green Dot trademark (which is registered in the UK as trademark numbers 1482186, 1482185, 1482184, 1482187, 1466826, 2039593, 1466353 and European trademark numbers 298273 and 297960) may infringe the Green Dot trademark in the following circumstances:

- Where the sign is identical to the Green Dot trademark and is used in relation to goods or services which are identical to the goods and services for which the Green Dot trademark is registered
- Where the sign is identical to the Green Dot trademark and is used in relation to goods or services which are similar to those for which the Green Dot trademark is registered
- Where the sign is similar to the Green Dot trademark and is used in relation to goods or services which are identical or similar to goods or services for which the Green Dot trademark is registered
- Where the sign is identical or similar to the Green Dot trademark and is used in relation to goods or services which are not similar to those for which the Green Dot trademark is registered

For the above purposes, use of a sign includes:

- Affixing it to goods or packaging for goods
- Offering or exposing goods for sale under the sign
- Placing goods on the market under the sign in the UK
- Stocking goods for the purposes of putting them on the market under the sign
- Importing or exporting goods under the sign
- Using the sign on business papers or in advertising