

ADISA®

CERTIFICATION

Brand Infringement / Mis-Use Policy.			
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Approved By:	Lisa Mellings	Date Issued	20.12.2023
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Introduction

The ADISA Brand includes logos, our company name and the names of the certifications offered. Misuse of our brand is the unauthorised use, imitation, or misrepresentation of the company's intellectual property, including but not limited to trademarks, copyrights, patents, and trade secrets and includes false or misleading claims about a relationship with ADISA.

Brand infringement also includes all proprietary information, and any other confidential or proprietary data owned or licensed by the company.

This Brand Infringement Policy outlines the guidelines and procedures for addressing brand infringement or misuse to protect the intellectual property and reputation of ADISA.

Scope

This policy applies to:

- All.

Policy Details

The ADISA Logo

ADISA's logo is trademarked (UK00003554579) and forms a key part of the ADISA brand. The logo is used on all official certificates, awarded logos and marketing content.

In addition to the logo, the ADISA brand includes our products and services and our status as a certification body so references made to ADISA Certification, being certified by ADISA and any other reference to ADISA shall only be made as an accurate reflection of the status of the product or service.

Brand usage guidelines.

All certified companies are issued the ADISA Brand Guidelines document which informs how the brand can be used and sign a Licence Mark Agreement which permits the use of the brand.

Any other third party who wishes to use the ADISA brand will also be issued the same guidance and agreement to sign but cannot use the ADISA brand until that document has been signed.

Brand Infringements Notification

Anyone who becomes aware of potential brand infringement is encouraged to report it via the Brand-Misuse page on our website. [Brand Misuse - ADISA](#). This can be made anonymously but must include evidence of the infringement being reported.

Once a notification has been received, ADISA will log the notification and investigate to initially establish whether there are grounds for action.

ADISA cannot accept a verbal brand infringement notification, and, in all instances, complainant MUST be directed to the webpage.

Investigation by ADISA

ADISA will handle all brand infringement reports and investigations with the utmost confidentiality to protect both those making the report and the company or persons subject to the report.

For ADISA to investigate there must be sufficient evidence on the brand misuse so when reporting the infringement the report must include URL and/or screen shots.

Should ADISA be unable to corroborate the brand infringement OR if the notification is found to have no grounds, ADISA will not investigate. In both instances ADISA will respond to the complainant (if contact information is shared) and indicate no further action is required. Brand infringement notification which are rejected at this point are NOT recorded by ADISA. Those making the notification are directed to the complaints process should they wish to escalate matters.

Where the investigator agrees with the notification that an infringement has taken place the following process takes place for companies who are NOT certified:

- The company in question will be contacted in writing either by email, or by completing a contact us form on their website, requesting the infringement is resolved and providing a turnaround of 5 working days.
- If there has been no response, and after the 5-day period has expired, the investigator will write to the Directors of the company at the postal address of the company in question. This letter will be sent via recorded delivery and provide a further deadline to resolve the infringement.
- If the infringement is still unresolved after the deadline has passed, ADISA will take the following actions.
 - o Add the company to the Brand infringement list on the website [Brand Misuse - ADISA](#)
 - o Send a formal Cease and Desist letter via recorded delivery or via a named know email address.
- If after a period of 30 days since the initial report no action has been taken and the infringement is still recurring, ADISA will seek legal advice.

For companies that ARE certified, the following process takes place:

- Investigator hands the case over to the COO who will contact the company in question via email requesting the infringement is resolved and providing a turnaround of 5 working days.
- If no response is received, or the infringement is not resolved, COO contacts the certified company and inform them that they will have certification suspended within 5 days due to a failure to comply with the Mark Licence Agreement.
- If after the 5-day period has lapsed the Suspension Process at outlined in the Scheme Manual for the respective certification is followed. This may potentially lead to certification being withdrawn.

Throughout this period, ADISA will report back to the party(s) who made the original report on the status of the investigation but will withhold specific details about the matter.

Document Changes

Change from 1.0 to 1.1

CIA / N/A	Change made
165	Removed the named people form the policy which allows others to respond. Clarified the process to follow.