



## **Lheidli T'enneh First Nation Trademark Policy**

### ***Purpose***

The trademarks of Lheidli T'enneh First Nation ("LTFN") are valuable community, cultural and business assets. This Trademark Policy applies to the use of any LTFN trademarks, including logos and names ("LTFN Marks"), by its Members, employees, Council, band-owned entities, agents and independent contractors, as well as any third party making reference to LTFN or any of its products, departments, operations or services.

The guidelines set forth in this Trademark Policy must be followed in order to properly identify LTFN Marks for certain of its functions, services and operations, and to protect and enhance the value and strength of the LTFN brand, image and reputation.

Failure to comply with the guidelines of this Trademark Policy may result in LTFN's loss of its intellectual property rights, and the ability to use and protect its trademarks to effectively conduct governance activities including but not limited to marketing and selling its products and services, engaging in economic development opportunities, engaging in negotiations respecting rights and title, and generally representing the best interests of LTFN and its membership.

### ***Definition of Trademark***

A trademark is a word, phrase, name, symbol or any combination of these that is used on packaging, products, promotional materials, information releases, websites or other communications with any third parties to identify our name, brand, products and services.

A trademark distinguishes us from other First Nations, governments, entities, companies or products. A trademark is our signal to consumers and the world of who we are, and a marking that identifies the source (i.e. LTFN) of any products and services that we produce. Our trademarks and other intellectual properties also stand as symbols of quality, authenticity, pride, history, community and culture.



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*Wheni Lheidli T'enneh ts'inli*

Trademarks may be registered or unregistered and become the legal property of LTFN upon their use in any commercial or public manner. Lheidli T'enneh Trademark is registered with a Registration number of TMA1008037.

### ***Internal Use of Trademarks – Permitted Use and Guidelines***

The Registered LTFN trademark must only be utilized in conjunction with the official business of LTFN.

#### Licensed Manufacturers:

All products that use LTFN Marks must be produced by a licensed manufacturer, unless LTFN grants a written exception in advance.

#### Trademark Permission Requests:

All uses of LTFN Marks must be approved. To request permission to use a LTFN Mark, the proposed user must submit a written request to the Executive Director at :

Lheidli T'enneh First Nation

1041 Whenun Road | Prince George BC | V2K 5X8

Work: 250.963.8451

Email: [executivedirector@lheidli.ca](mailto:executivedirector@lheidli.ca) | Website: [www.lheidli.ca](http://www.lheidli.ca)

at least one month in advance of any production deadline.

#### Design Standards:

The Executive Director must approve all artwork and designs prior to production. The following standards will be used in approval of designs:

- Artwork is approved on a case-by-case basis.
- Products must clearly display the licensed marks; hand-drawn facsimiles or substitute logos are not allowed.
- LTFN Marks cannot be altered in any way. For example, do not:
  - adapt, alter, modify, animate, abbreviate or shorten any trademark, name or logo



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- combine or hyphenate a trademark with another prefix, words, letters, numbers, symbols, or other designs or logos
  - use LTFN name next to another product, business name or service, or use a slash mark (/) with another word or name
  - use or refer to LTFN Marks in any way that is inaccurate, untrue or misleading
  - use LTFN name as part of any other product, service, organization or program
  - use improper spelling
- LTFN Marks cannot be used together with the marks of any other profit or non-profit entity (e.g. schools, conferences, institutions, individuals, organizations, corporations, etc), unless appropriate approvals are obtained from LTFN.
  - To the extent a LTFN Mark is colourful, specify the correct colour code/Pantone/hex code to be used in all colour designs.

### ***External Use of Trademarks – Prohibited Uses***

**Unless you have prior written permission from LTFN, third parties may not use LTFN Marks to show or imply an affiliation with LTFN.**

Certain activities may constitute infringement or dilution of LTFN's trademark rights and are not permitted. Please review the following list of ways to avoid unauthorized uses of LTFN Marks.

Without express prior written consent of LTFN:

- Do not use LTFN Marks in a manner that is likely to give the impression or implication of affiliation or association between you, your products or services, and LTFN, or any of its products, services, materials, technologies, programs or offerings. Only parties with written permission are allowed to use LTFN's trademarks in accordance with the applicable terms.
- Do not use a LTFN Mark in a manner that is likely to cause confusion about the origin of any product, service, material, course, technology, program or offerings.



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- Do not use a LTFN Mark in any materials, including promotional materials.
- Do not use LTFN Marks as or as part of a company, charity, club, product, service, course, solution, technology or program name.
- Do not use LTFN Marks in a manner that is likely to dilute, defame, disparage or harm the reputation of LTFN.
- Do not use any trademark, name or designation that is confusingly similar to any LTFN Mark.
- Do not copy or imitate any LTFN trade dress, type style, logo, product packaging or the look, design or overall commercial impression of any LTFN website, blog or other materials.
- Do not register or use any domain name that incorporates any LTFN trademarks or names.
- Do not register or seek to register a trademark, copyright or name that is confusingly similar to a LTFN Mark.

### ***New Trademarks – Best Practices***

These points provide guidance on best practices in the creation and selection of brand names, logos or other marks for new LTFN products, services, department, operations, etc.:

- Address ownership of original artwork designs (copyright or licence from artist).
- Have marks vetted from various cultural, linguistic and legal perspectives, including:
  - community advisors to ensure new marks are culturally appropriate and reflective.
  - marketing specialists to ensure new marks remain consistent with the “LTFN brand” and will resonate with the public and consumers; and
  - legal advisors to ensure compliance with intellectual property laws (i.e. trademark search and infringement; connection with other entities; name misuse; improper use; confusion with similar marks; distinctiveness; misrepresentation).



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- Engage legal counsel to conduct trademark search to determine whether the marks are available and provide risk analysis.
- Assess viability, cost and expediency to alternatively seek a licence or permission from another trademark owner before using or registering the proposed mark.

### **Disclaimer**

This Trademark Policy is not intended to serve as legal advice. Should you have any questions regarding your legal rights or duties, please consult your own legal counsel.

Please contact Malcolm P. Macpherson at, Whitelaw Twining, 2400 - 200 Granville St, Vancouver, BC V6C 1S4 Email : [MMacpherson@wt.ca](mailto:MMacpherson@wt.ca) if you have any questions about this Trademark Policy or the authorized use of LTFN Marks, or to request consent for authorized use.

This policy has been approved by the Chief and Council of Lheidli T'enneh on the date of September 05, 2024.

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor

Chief Councillor



# Lheidli T'enneh and Logo – 1828130



## Lheidli T'enneh

**Application number**  
1828130

**Registration number**  
TMA1008037

**Type(s)**  
Design

**Category**  
Trademark

**CIPO Status**  
REGISTERED

**TM5 status**  
LIVE/REGISTRATION/Issued and Active



The trademark application has been registered with the Office.

**Filed**  
2017-03-20

**Registered**

## Index headings

LHEIDLI T'ENNEH

## Vienna information (Code & Description)

- 3.7.1 Eagles, falcons, vultures, condors
- A Birds or bats stylized, in shadow or in silhouette
- 3.7.24 silhouette
- 3.7.16 Birds in flight or with outspread wings

## Services (Nice class & Statement)

- 35 (1) Administration of cultural and educational exchange programs; advertising and business management consultancy; advice and information concerning commercial business management; advice in the field of business management and marketing; advice relating to the organisation and management of business; advisory and consultancy services in the field of export, export services, export promotion information and services; advisory services for business management

## Claims

Used in CANADA since January 01, 2014

2018-11-01

**Registration Expiry Date**

2033-11-01

**Registrant**

Lheidli T'enneh First  
Nation  
1041 Whenun Rd  
Prince George  
BRITISH COLUMBIA  
V2K5X8

**Documents**

[View documents](#)

## Action History

Action	Action date	Due date	Comments
Filed	2017-03-20		
Created	2017-03-20		
Formalized	2017-03-27		
Search Recorded	2018-03-06		
Approval Notice Sent	2018-03-06	2018-04-03	
Approved	2018-04-26		APPROVED BY PROGRAM EX200M1
Advertised	2018-05-02		Vol.65 Issue 3314
Allowed	2018-08-17		
Allowance Notice Sent	2018-08-17	2019-02-17	
Registered	2018-11-01	2033-11-01	

**Date modified:** 2024-05-24

## Towfiq Islam

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**From:** Towfiq Islam  
**Sent:** September 3, 2024 10:52 AM  
**To:** LTFN council  
**Subject:** FW: Lheidli T'enneh trademarked Logo [WT-LAW.FID1933474]  
**Attachments:** Lheidli T'enneh Trademark Policy\_DRAFT.pdf

Good Morning Council Members

As decided and advised on August 15, 2024, council meeting, I have engaged lawyer to draft "Lheidli T'enneh Trademark Policy".

Appreciate if you please review, I have printed the hard copy and is with me. If you feel no further discussion is required, you could kindly stop by in my office and sign off the policy.

Once it is approved, We will post it on Website and notify all our existing and future stakeholders.

I have attached Lheidli T'enneh Logo registration document from Government of Canada as well for you quick reference.

Please see below extract of the meeting minutes for your reference :

**Councillor Gagnon, requested in camera, to discuss.**

**Chief Logan – RCMP letter read out. Letter of Support from several Organizations.**

What's the policy around our logo in public use Towfiq? Process that uses the logo, authorization from us, partnership, use the logo. The Redrum came to Council in 2021, to use the logo. Where's the BCR. That allows anybody to use our Trademark or logo. It was a motion to Council, done through emails. When someone uses our logo, its done through a letter.

LHEIDLİ T'ENNEH - MAIN BAND OFFICE

1041 Whenun Road | Prince George, BC V2K 5X8

p: 250.963.8451 or 1.877.963.8451 | F: 250.963.6954

[www.lheidli.ca](http://www.lheidli.ca)

There is no Policy, we need to develop a Policy regarding the trademark or logo. It's a sensitive subject. Moving forward, our logo is going to be on the Media for events, oh no you can't use our logo. Use our logo for monetary gain, when it comes to our trademark, issue, to put on a cap. Our trademark has not been registered for years. It's our trademark, can you imagine, that the province uses it in the province. That request was asking permission as gifts for Council. We're allowing someone to use our logo, there's nothing that governs us, in Policy. We still have to follow all Policy, cover ourselves when it comes to the trademark and logo. We can sit down and discuss in Council, then move forward. Policy around our Logo. Conversation around our trademark and logo use, what that encapsulates with Lawyer.

**Action item:** Towfiq- to discuss with the Lawyer and bring it back to the Council. Work on the Policy. – Lawyer has been contacted and assigned to develop a policy & guideline.

Thanks

Best Regards

Towfiq

**Towfiqul Islam** M.Comm ( Accounting & Management), MBA, PGD, CGA L4  
**Executive Director**

Lheidli T'enneh First Nation

1041 Whenun Road | Prince George BC | V2K 5X8

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**Lheidli T'enneh**

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**From:** Francine Rattray <FRattray@wt.ca>

**Sent:** Friday, August 30, 2024 6:42 PM

**To:** Towfiq Islam <executivedirector@lheidli.ca>

**Cc:** Malcolm Macpherson <MMacpherson@wt.ca>; Ingrid Mendez <imendez@wt.ca>; Dolleen Logan <dlogan@lheidli.ca>

**Subject:** RE: Lheidli T'enneh trademarked Logo [WT-LAW.FID1933474]

Hi Towfiq,

Please find attached a first draft Trademark Policy. Do you have any time next week to chat about this? We would like to hear your thoughts, and have a couple questions and pieces of advice around your intellectual property protection. Also a few ideas for you to consider (website, summary policy statement for easy distribution...).

Let me know some days/times you have available.

Have a great weekend!

Francine

Francine Rattray  
Litigation Counsel  
WT BCA LLP  
D 604-443-3474  
[wt.ca](http://wt.ca)

**Whitelaw — Twining**

2400 - 200 Granville St, Vancouver, BC V6C 1S4



Begin forwarded message:

**From:** Malcolm Macpherson <[MMacpherson@wt.ca](mailto:MMacpherson@wt.ca)>

**Date:** August 2, 2024 at 9:52:08 AM PDT

**To:** Towfiq Islam <[executivedirector@lheidli.ca](mailto:executivedirector@lheidli.ca)>

**Cc:** Dolleen Logan <[dlogan@lheidli.ca](mailto:dlogan@lheidli.ca)>

**Subject:** RE: Lheidli T'enneh trademarked Logo [WT-LAW.FID1933474]

Good morning Towfiq,

I will work on this right away.

Best,

Malcolm Macpherson  
National Chair of the Indigenous Practice  
WT BCA LLP  
D 604 899 1338



From: Towfiq Islam <[executivedirector@lheidli.ca](mailto:executivedirector@lheidli.ca)>  
Sent: Thursday, August 1, 2024 5:58 PM  
To: Malcolm Macpherson <[MMacpherson@wt.ca](mailto:MMacpherson@wt.ca)>  
Cc: Dolleen Logan <[dlogan@lheidli.ca](mailto:dlogan@lheidli.ca)>  
Subject: Lheidli T'enneh trademarked Logo

Good Afternoon, Malcolm

Council has decided today to prepare a Lheidli T'enneh trademark / logo policy which will be approved by council .

Also make a website note, not to use Lheidli T'enneh logo / brand without prior authorization from Lheidli T'enneh.

Appreciate if you please prepare a draft policy for council to review and approve.

Best Regards  
Towfiq



**Lheidli T'enneh**

**Towfiq Islam** M.Comm ( Accounting & Management), MBA, PGD, CGA L4

**Executive Director**

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