



Proper Use of Sealed Air Corporation Trademarks

Trademarks must be used properly and consistently or their value and usefulness will be diminished. Improper and inconsistent use can result in the loss of all trademark rights. Although the rules presented below are intended to illustrate proper trademark usage in advertising literature, publicity releases, published bulletins, business forms, correspondence (internal and external), packages, containers and labels, it is equally important to correctly use trademarks in other forms of written and oral communication.

To help protect a trademark, several important guidelines should be observed when using trademarks in advertising literature, displays and signs, product packaging, labels, business documents and correspondence.

I. General Rules

The following rules should be followed when using a trademark, particularly when applying the trademark to goods or displaying the trademark on advertising or other printed media.

- Spell the trademark correctly. Do not deviate from the established spelling, including appropriate spaces, hyphens, or other punctuation.
- Use the trademark consistently. Each deviation creates a new, different trademark. Do not use hyphenated variations or combine the mark with other words.
- Use capitalization consistently. The preferred method uses all capitals for the trademark, but if the mark is to be stylized, always use the same stylized format.
- Use the trademark only as a brand name in combination with the common name for a specific product. The trademark must be used at least once in conjunction with the generic name of the product on every label, container, or text referring to the trademark. Moreover, it is excellent practice to use the term "brand of" between the trademark and the generic name as follows:
 - Correct: BUBBLE WRAP® brand of cushioning material (cushioning material is the product)

- Correct: BUBBLE WRAP® cushioning material (cushioning material is the product)
- Incorrect: BUBBLE WRAP®
- **Use a trademark only as an adjective. A trademark should never be used as a verb or noun.**

A test for correct usage in a sentence is: "Would a complete thought be conveyed if the trademark were eliminated from the sentence?" If the answer is yes, the usage is correct. If the answer is no, the usage is incorrect and should be reconsidered and revised.

- Removing "BUBBLE WRAP" from the following sentence does not affect the meaning:
 - *BUBBLE WRAP® cushioning material is useful for packaging components.*
- Removing " BUBBLE WRAP" from the following sentences destroys the meaning:
 - *BUBBLE WRAP® is useful for packaging components. (Improper use as a noun)*
 - *BUBBLE WRAP® those components to prevent damage. (Improper use as a verb)*
- Use a registered trademark only on goods recited on the registration certificate. Do not use a trademark on a product other than the one for which it registered. For example, a mark registered for packaging film should not be used on packaging equipment. Contact the Sealed Air Law Department for advice if a currently registered trademark is to be used on a new or different product and with any questions regarding whether a mark is registered in a particular jurisdiction and for what products.
- Do not designate a trademark as registered if, in fact, it has not yet been registered. Registered means having been approved by the relevant Trademark Office the country at issue. Mismarking is deemed "fraud" in many countries. Mismarking can result in civil and criminal penalties.
- If a trademark is not registered, it should be designated as a trademark by the use of the word "trademark" or the symbol "™" in close association with the trademark in the text or in a footnote. The words "brand of" are equally

effective and serve as a convenient bridge between the trademark and the generic name of the product. Exact form varies on a country-by-country basis. If in doubt, contact the Sealed Air Law Department.

- A trademark should always be written in a manner that distinguishes it from the rest of the text and makes it more conspicuous than the generic name of the product. If a trademark is used with noncapitalized words, it should be capitalized. If used with capitalized words, it should be put in quotation marks. The following formats illustrate:

Capitalization	CRYOVAC film
Quotation Marks	"CRYOVAC" film
Boldface Type	CRYOVAC film

- Trademarks should be used only in a manner and form consistent with this Trademark Guide.

Certain trademarks may be subject to licensing restrictions and agreements. Any deviation from the terms in such contracts may place Sealed Air in breach of such contracts. Consult the Law Department with questions about proper trademark use or proper trademark form.

II. Trademark Notice

A "notice symbol" or "marking" that signifies to the customer or consumer that the "mark" being used is a trademark should be placed adjacent to the trademark. "Marking" is important because it places others on notice of the owner's trademark rights and discourages them from adopting the same or similar trademarks for their products. Proper marking, therefore, helps to reserve the trademark for the owner and prevent confusion that could result if competitors use similar trademarks.

Proper marking also gives the owner more legal rights should an infringement occur. For example, damages can be recovered in the United States only for infringements that occur after the infringer has notice of existing trademark rights. Proper marking for a registered mark serves as constructive notice of such rights. Placing the proper marking on a trademark is compulsory in some countries, e.g., China, Indonesia (no penalty for noncompliance), Costa Rica (\$50 penalty for noncompliance) and Zaire (registration may be nonenforceable if the marking is omitted). Omitting the proper marking results in the loss of criminal sanctions such as injunctions and seizure remedies against infringers.

Registration notice differs from country to country. Various terms used to indicate that a trademark is registered include "Marca Registrada" or M.R. (Spain and Argentina), "Marque Déposée" (France and Zaire), "Registered Trademark" or ® (United States and United Kingdom), "Eingetragene Warenzeichen" (Germany), and

"Marchio Registrato" (Italy). The following additional countries also use the R in a circle, ®, to indicate that a mark is registered in that country:

Belgium	China (People's Republic)
Costa Rica	Denmark
Ecuador	Guatemala
Hungary	Luxembourg
Netherlands	Nicaragua
Poland	Sweden

However, use of the ® and ™ is becoming accepted in most jurisdictions. The following suggested markings are, therefore, acceptable for most countries:

- Proper notice or marking for registered trademarks: ®
- Proper notice or marking for unregistered trademarks: ™

Alternatively, an asterisk can be used in place of the ® or ™ to direct the reader to a footnote giving registration notice in one of the following forms:

- For unregistered trademarks:
 - *Trademark
 - *Trademark of Sealed Air Corporation
- For registered trademarks:
 - *Registered Trademark
 - *Marca Registrada
 - *Marque Déposée
 - *Registered Trademark of Sealed Air Corporation
 - *Registered in U.S. Patent and Trademark Office (US only)
 - *Reg. U.S. Pat. Tm. Off. (U.S. Only)

The following examples indicate correct usage of various marking schemes:

- JIFFY* Mailers
- OPTI™ brand of shrink-wrap film
- JIFFY® Mailers
- JIFFY® brand of mailers

For the example marked with "*", use a footnote giving registration notice in one of the forms described above, e.g., "JIFFY is a registered trademark of Sealed Air Corporation"

III. Specific Uses

Generally, a trademark should be used with proper notice and with a generic description of the product the first time the mark is used on a page, e.g., “BUBBLE WRAP® cushioning material provides better, longer lasting protection and reduces solid waste.” Thereafter, the mark can be used without the notice, but *always* with the generic product description - e.g., “BUBBLE WRAP cushioning is reusable and recyclable.” Stylized marks should always be used in their particular typeface or logo form. Preferably, the mark will be distinguished from surrounding text in some manner – by appearing in "UPPER CASE" and/or in **bold typeface**, e.g., BUBBLE WRAP or **BUBBLE WRAP**. The mark should always be used with a generic description of the product *each time the mark is used*.

IV. Use of Sealed Air marks by others

Other companies, when mentioning our products in their material, should

- Make our marks typographically distinctive
- Use them as adjectives and
- Identify them with the appropriate footnote.

Example:

BUBBLE WRAP* cushioning material

*Registered trademark of Sealed Air Corporation