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# Intellectual Property Use GUIDELINES



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I hereby acknowledge and agree to abide by these Food & Spirit, LLC Intellectual Property Use Guidelines by submitting my signature when registering for any Food & Spirit program. Food & Spirit is a limited liability company organized under the laws of the State of Washington.

Note that these guidelines may be updated at any time. Please review your updated Intellectual Guideline Document on your CFSP/CFSP Dashboard.

## INTELLECTUAL PROPERTY USE GUIDELINES

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As Certified Food & Spirit Practitioners, we all have a responsibility to take the measures necessary to protect the Food & Spirit intellectual property ("IP"). In fact, complying with these guidelines is essential for the following reasons:

- They fortify your reputation as a Certified Food & Spirit Practitioner.
- They ensure you are in compliance with the Certification Program's Training Agreement.

## QUICK INTELLECTUAL PROPERTY OVERVIEW:

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### WHAT IS A TRADEMARK?

A trademark is a word, name, symbol, or device (or any combination) that identifies the goods or services of a person or company and distinguishes them from the goods and services of other persons or companies. A trademark assures consumers that the quality of those goods and services will be consistent and aid in their promotion.

**TRADEMARK AS DEFINED BY USPTO:** <http://www.uspto.gov/>.

### WHY IS IT IMPORTANT TO USE OUR MARKS CORRECTLY?

Rights to a trademark can last indefinitely if the owner continues to use the mark to identify its goods and services. If trademarks are not used properly, they may be lost and an organization's most important asset may lose all of its value. Rights may be lost not only because of the owner's improper use of a trademark, but through the public's improper use of the trademark. This includes its consumers—our participants and Certified Practitioners.

### WHAT IS A COPYRIGHT?

A copyright is a "bundle of rights" granted to the creator of "original works of authorship" for a period of time. Copyrights protect a wide variety of expression including text, audio, and visual works. The creator of a copyrighted work has the right to decide how the work is copied, distributed, displayed, performed, and adapted into new works (the bundle of rights).

**COPYRIGHT AS DEFINED BY** <http://www.copyright.gov/>.



# Intellectual Property Use GUIDELINES

## WHY IT IS IMPORTANT FOR US TO PROTECT OUR COPYRIGHTS AND WHAT IS COVERED?

CFSP's copyrighted materials include all Food & Spirit (Food and Spirit), Certified Food & Spirit Practitioner Program (CFSP), Whole Detox (WD), and Deanna Minich's books, audios, visual and textual contents (including the Certified Food & Spirit Practitioner Program and Whole Detox modules), the text, pictures and videos of websites, social media, and numerous other creations. References to these works will be conveyed as "Food & Spirit" in the text below for simplicity purposes.

These materials are some of the most important assets of our organization. Food & Spirit must ensure that these works are not used without our prior written consent, and if/when we do grant permission for others to use them, we need to make sure the materials are properly credited to her. Without proper attribution, these works may lose value for both you as a Certified Food & Spirit Practitioner as well as to Deanna Minich as the trademark owner.

## EXAMPLES OF FOOD & SPIRIT INTELLECTUAL PROPERTY

Trademarks include but are not limited to Food & Spirit's

- Images and or text from books, articles or products
- Images and/or text from our program materials
- Images and/or text from our websites, including "locked" pages programs
- Images from any social media
- Audio and/or video

Shown images here are included in this Intellectual Property Guideline, but not limited to:





# Intellectual Property Use GUIDELINES

## HOW TO USE AND NOT USE FOOD & SPIRIT INTELLECTUAL PROPERTY

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As a Certified Food & Spirit Practitioner, we naturally want you to tell others about your experience and training. However, when talking about Food & Spirit, or using the material, it is important to do so carefully.

### PROPER REFERENCE TO FOOD & SPIRIT TRADEMARKS:

- To the extent you refer to Food & Spirit and to your training (our “Name Trademarks”), please be sure to include the appropriate ™ or ® symbol on the first use of each trademark in the text of the website, email, or other material.
- Refer to the Food & Spirit Intellectual Property List above.
- If you make multiple references to any of the Name Trademarks, and choose not to include the ™ or ® symbol for each and every reference, be sure to include an attribution of our ownership of these trademarks within the credit notice section of your website or other promotional material. This is the correct format: “\_\_\_\_\_ and \_\_\_\_\_ are trademarks of Food & Spirit.
- If you refer to a slogan or quotes trademark, you must always include: the ™ symbol, and an attribution of our ownership of those slogan trademarks within the credit notice section of your website or other promotional material as shown in the example above.

### PROPER USE OF FOOD & SPIRIT COPYRIGHTED WORKS:

- Any copyrighted content generated by Food & Spirit whether text, images, audio-visual or otherwise, should not be used without first obtaining permission from Food & Spirit to do so, or unless specifically authorized by Food & Spirit.
- You must attribute copyright ownership to Food & Spirit for all authorized uses.
- This should be depicted by the copyright notice (“©”) and the name Food & Spirit, LLC. For example: “© Food & Spirit, LLC (Used with permission).”
- If your display of our materials also contains content that you have developed or which is unique to you, the appropriate reference is: “Content on this webpage contains the copyrighted material of Food & Spirit, LLC © (Used with permission).”
- Should you publish images which are copyrighted works of Food & Spirit, be sure to note the copyright information next to or beneath the image: © Food & Spirit, respectively.

Infographics and e-booklets that are posted in the Food & Spirit Tool Kit may be used in a one-on-one, non-distribution way for the purpose of educating provided proper attribution is given following the guidelines provided above. These Tool Kit infographics and any other business-related graphics shared by Food & Spirit cannot be used to promote your own business as it may be violation of copyright.



# Intellectual Property Use GUIDELINES

## IMPROPER USE OF FOOD & SPIRIT TRADEMARKS (PLEASE READ THIS SECTION CAREFULLY):

- **You may not use our trademarks, in a way that suggests that your services or any other goods you provide are being provided by Food & Spirit and not you.**
- Your services should bear a name that is unique to you and which does not incorporate any of our trademarks listed below. You are a Certified Food & Spirit Practitioner, however, it is important that you use your business name, and descriptions of your services, that do not “infringe” or incorporate our Food & Spirit trademarks. We want you to be successful and create a brand and a company name that is specific to who you are and what your style is.
- Never refer to Name Trademarks in the following ways:
  - **Domain Names** – Never use Food & Spirit, Food and Spirit, Certified Food & Spirit Professional or CFSP marks in a domain or website name, with or without additional words or letters (e.g., use as part of the domain or sub-domain for your website, examples are [www.Janesmithfoodandspirit.com](http://www.Janesmithfoodandspirit.com), [www.JanedoesFood&Spirit.com](http://www.JanedoesFood&Spirit.com), [www.JaneSmithCertifiedFoodandSpiritProfessional.com](http://www.JaneSmithCertifiedFoodandSpiritProfessional.com), or [www.JaneCFSP.com](http://www.JaneCFSP.com)).
  - **Business Names** – Never use Food & Spirit, Food and Spirit, Certified Food & Spirit Professional or CFSP marks in your own business name, or as a trademark for your own or any other products you provide (e.g., “John Smith Certified Food & Spirit Services” or “Food & Spirit Solutions”).
  - **Lower Case** – Never use the trademarks in all lower case letters. (e.g., “Learn about how food and spirit can improve your health and your life!”). This use suggests a common, descriptive, or generic meaning.

## IMPROPER USE OF FOOD & SPIRIT IP GENERALLY:

You may not:

- Use any of the Intellectual Property, or any variations or misspellings thereof or other term or terms confusingly similar to any of the foregoing, without prior express written permission or as permitted.
- Use the IP in the text of any online advertising, including search engine advertising (e.g., Google Adwords®, Google AdSense®, or similar programs at other search engines), or for bidding on keywords for any online advertising, including search engine advertising, or for any search engine optimization purposes (paid or otherwise), including in any source code, metatags, keywords, or otherwise;
- Cause or act in a way, through use of our Intellectual Property or Links on the Internet or in any search engine advertising or otherwise, that creates “initial interest confusion” which confuses potential consumers as to the source of your goods or services (i.e., using our Intellectual Property to promote your own products by suggesting they originate from Food & Spirit); or
- Use the Links or our Intellectual Property in any manner that is disparaging or that otherwise portrays Food & Spirit, any hosted member or any employee or representative of Food & Spirit in a negative light.



# Intellectual Property Use GUIDELINES

Any disputes arising regarding intellectual property, including copyrights and trademarks, shall be governed by the laws of the state of Washington. If disputes cannot be resolved, then they shall be heard by an arbitrator in Kitsap County, Washington. Arbitration shall be binding and shall be heard by an arbitrator approved by the American Arbitration Association\*\*.

If you have any confusion or would like any clarification as to which images or text are trademarked or copyrighted, you must contact us as soon as possible at [info@foodandspirit.com](mailto:info@foodandspirit.com) that we may clarify for you. Otherwise, you represent that you understand which items are trademarked or copyrighted by Food & Spirit and agree to follow these guidelines for their use.

**\*\* READ ABOUT THE AMERICAN ARBITRATION ASSOCIATION HERE:**

[https://www.adr.org/aaa/faces/home;jsessionid=KGU6MWCcO4EHi-KOiyMa0xKFIH1ExGYAHNLeL9kOvfE7l1s81iXO!-1737483504?\\_afWindowId=null&\\_afLoop=1223253108201745&\\_afWindowMode=0&\\_adf.ctrl-state=19fy2as2pw\\_4#%40%3F\\_afWindowId%3Dnull%26\\_afLoop%3D1223253108201745%26\\_afWindowMode%3D0%26\\_adf.ctrl-state%3D10rnxi39vj\\_4](https://www.adr.org/aaa/faces/home;jsessionid=KGU6MWCcO4EHi-KOiyMa0xKFIH1ExGYAHNLeL9kOvfE7l1s81iXO!-1737483504?_afWindowId=null&_afLoop=1223253108201745&_afWindowMode=0&_adf.ctrl-state=19fy2as2pw_4#%40%3F_afWindowId%3Dnull%26_afLoop%3D1223253108201745%26_afWindowMode%3D0%26_adf.ctrl-state%3D10rnxi39vj_4)