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Change is in the air for many businesses and individuals who use the Ford and Mustang names. We hate to be the bearer of unpleasant news, but we're convinced MCA members need to know the hard facts about the use of these Ford registered trademarks.

For years, Ford Motor Company has looked the other way on the use of registered trademarks by businesses who market reproduction, NOS, and used Ford parts. But no more. Ford wants businesses to understand this shift in the wind, and why it has become necessary to protect the use of their official registered trademarks.

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# Trademark Enforcement

is here. And Ford is asking all of us to please follow the guidelines.

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## Why Trademark Enforcement?

Ford tells the *Mustang Times* that, from now on, manufacturers and retailers who do not sell Ford authorized restoration parts made under Ford license will not be permitted to use Ford Motor Company trademarks as a part of their business name, nor on products that they sell.

While this is terribly frustrating for businesses who reproduce vintage Ford and Mustang parts, there are solid reasons for Ford's change in attitude. Ford Motor Company is simply protecting their interests - names that have long been a part of the company's constitution. Ford simply wants to establish guidelines for the use of these names on, and in:

- Business Names
- Advertising
- Displays
- Catalogs
- Parts
- And Other Related Uses

Ford has implemented a plan which provides necessary legal protection for Ford Motor Company trademarks, establishes guidelines for their use, and provides adequate timetables for manufacturers and retailers to make any required changes. Ford does this because owners of trademarks must exercise control over their use or risk erosion of their rights to those trademarks. Ford is simply protecting

their name, much as any business would.

Here's what Ford expects.

- "Bill's Mustang Parts" would have to change their name to delete the word "Mustang". Ditto for the Ford name.
- Bill's Mustang Parts could change their name to "Bill's Auto Parts" with "Specializing In Mustangs" without authorization from Ford Motor Company.

The following guidelines will apply to licensed manufacturers of Ford licensed products:

- 1: The use of the Ford script, or Ford script in the Oval, will not be permitted in any form, such as on advertising, stationary, packaging, signage, or elsewhere.
- 2: Use of trademarked names such as Ford, Mustang Thunderbird, and others will be allowed if they are used in block letters and a qualifying word is added to the name.
- 3: Qualifying words would be "antique," "obsolete," "vintage," "classic," "reproduction," or "restoration." Other similar words will be considered on an individual basis.
- 4: One example of a qualifying word would be "Bill's Classic Mustang Parts" instead of "Bill's Mustang Parts."
- 5: The use of trademarked symbols such as the Mustang running horse or Thunderbird emblem will *not* be authorized.
- 6: Pictures and drawings of Ford products can be used provided the trademarks on the products are not displayed in a dominant manner.
- 7: Pictures of trademarked parts on a catalog cover or in advertising are acceptable if it is obvious they are pictures of parts (versus a close-up shot showing only the trademark).

## How Soon Must We Comply?

Ford is trying very hard to work with companies and businesses who specialize in reproduction, used, and NOS Ford parts. Here's what they expect.

- 1: Manufacturers and retailers have until **January 1, 1995** to complete the change. This means the elimination of any Ford trademarks from the business name.
- 2: The use of unauthorized trademarks in advertising must stop by **July 1, 1994**.

3: The use of Ford trademarks on packaging must stop by **January 1, 1995** (requests for extensions will be considered on an individual basis).

4: The use of Ford trademarks on stationary, business cards, and other like print material is **January 1, 1995**.

### How Do We Apply?

All businesses must apply with Ford who will have to undergo a business name change or logo change. This form must be filled out and returned to Ford with the proposed name and/or logo change by **March 31, 1994**. Ford's legal department will review proposed changes. If the changes are agreeable with Ford, an agreement will be forwarded for signing by the business in question.

### Official Licensed Product Logo

Ford licensed manufacturers will be required to display the **Official Licensed Product** logo and the **four-digit licensee number** (just below the logo) on each licensed product or packaging. There are no size requirements, only that this logo and number be legible.

Camera ready art will be provided for Ford licensees to use in developing whatever format works best - stickers for existing inventory, printing on the packaging, or in some cases, hang tags.

Licensees may use the logo in their catalogs, displays, or advertising if the use makes it clear that the Official Licensed Product logo only applies to the parts that are licensed. For example, the logo cannot be used in a catalog in such a way that implies that everything in the catalog, or on a specific page, is licensed if it, in fact, is not.

Retailers who are selling licensed products can also utilize the logo in their ads or catalogs under the same guidelines as above.

### Ford Is Here With Assistance

Tom Spencer, Corporate Trademark Marketing Manager of Ford's Office of the General Counsel, says that Ford Motor Company understands the difficulties of changing a business name. Ford is taking these actions because they understand just how necessary they are. Spencer says that Ford believes that they have listened and responded to many concerns on this issue, and they will continue to make every effort to be as fair and responsive as possible.

Protecting corporate trademarks isn't a pleasant task, but very necessary as a means to protecting a company's heritage and reputation. Ford Motor Company has been the last of the Big Three to begin enforcement of trademarks and copyrights. It's up to us to cooperate with them. **MT**

Do You Have A Question About The Use Of:

# Ford Motor Co. Trademarks?

- **MUSTANG**
- *Thunderbird*
- *Cougar*
- **F-150**
- *Falcon*
- *Lincoln*
- *And Other Ford Trademarked Names*

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