

BOARD OF ALDERMEN

ITEM NO. C(2)

AGENDA ITEM ABSTRACT
MEETING DATE: November 16, 2010

SUBJECT: A Request to Authorize the Town Manager to Apply for Trademark Protection for the Town of Carrboro Official Town Seal, Fire-Rescue Department Logo and Police Department Logo.

DEPARTMENT: TOWN MANAGER	PUBLIC HEARING: NO
ATTACHMENTS: A – Memo from Town Attorney B - Resolution	FOR INFORMATION CONTACT: Steve Stewart (918-7314)

PURPOSE

The purpose of this agenda item is for the Board to consider a resolution authorizing the Town Manager to apply for trademark protection for the Town of Carrboro Official Town Seal, Fire-Rescue Department Logo and Police Department Logo.

INFORMATION

Town staff recently became aware of a “Facebook” page under the title “Town of Carrboro”, which contains an image of the official town seal. The page, which is neither produced nor authorized by the Town of Carrboro, is very misleading. The site appears to be an informal community bulletin board. As a result, the Town Manager requested that the Town Attorney research what options the Town may have for protecting the seal and controlling its use by others. It was determined that a number of towns, cities and counties in North Carolina have registered their seals, and other official logos, with the Trademark Division of the North Carolina Secretary of State’s office.

Once trademark protection has been approved, the marks are protected and any use of the marks in North Carolina by others without written consent from the town is prohibited. In addition, several towns have resolutions and/or written policies outlining under what circumstances (if any) permission may be granted for use of the marks, and designating an official charged with the duty of issuing written permission.

The recent discovery of an unauthorized use of the Town of Carrboro’s official seal highlights the need for controlling the use of the seal, and other official marks developed and used by the town to identify town services. We suggest that the Board authorize the Town Manager to apply for trademark protection for the official seal, and any other marks which in the board’s discretion should be protected. Absent a written policy regarding the private use of town-owned marks, the manager would normally bring the request to the Board for approval. Since such requests are expected to be infrequent, a written policy is probably unnecessary at this time.

FISCAL AND STAFF IMPACT

There is a \$75 application fee for each “mark” to be protected. Staff time will be required from the Town Attorney’s Office and Town Manager’s office.

RECOMMENDATION

Town staff recommends that the Board of Aldermen adopt the attached resolution authorizing the Town Manager to apply for trademark protection for the Town of Carrboro Official Town Seal, Fire-Rescue Department Logo and Police Department Logo and designate the Town Manager as the official responsible for responding to requests to use the official seal (and any other protected marks).