

SAMPLE SEAL MEMO

[date]

MEMORANDUM FOR: Rhonda Jackson
Director, Office of Administrative
Operations

Barbara Fredericks
Assistant General Counsel
for Administration

THROUGH: Victor Powers
Director, Office of Organization
and Management Support

FROM: [name and title of agency contact/advocate for outside use]

SUBJECT: Request for Permission to Use Official Department of Commerce
Seal

This is a request for permission by an outside organization, namely *[name of outside entity]* to use the *[name of agency]* emblem. *[provide one or two paragraphs on nature of outside organization and their proposed use of agency emblem]*

Generally

The use of the Department of Commerce seal by an outside organization is governed by Department Administrative Order 201-17. Specifically, Section 5.01 of the DAO states that:

.01 A request from an individual or organization outside the Department to use the Department seal, or any request by an operating unit proposing to use the seal in a manner not covered by this Order, shall be approved by the Director, OAO, with the concurrence of the Assistant General Counsel for Administration and the Office of Chief Counsel for Technology.

.02 Requests to use the seal shall be directed to the Director, OAO, who will coordinate the necessary reviews and concurrence on behalf of the CFO/ASA. The review of the Director, OAO, shall ensure that any request for the use of a Department seal shall meet the following criteria:

- a. use of the seal by the outside party must satisfy some interest of the Department;

- b. the use may not result in embarrassment to the Department;
- c. there must be no conflict with trademark rights; and

- d. there can be no endorsement, favoritism, or other appearance of impropriety toward the entity using the seal.

.03 To support the need for complete and considered review, all requests to use Department seal shall include the following information:

- a. a specific description of how the Department seal will be used, including its size and proximity of the seals, logos, emblems, or banners of other organizations, agencies, businesses or corporations. When available, the request shall be accompanied by a draft document (representing the final product), which clearly demonstrates where the Department seal will be placed;

- b. a specific description of the Departmental interest(s) that will be satisfied, supported, or fulfilled through the requested use of the seal;

- c. a description of the Department's relationship, if any, to the requesting party; and

- d. operating unit requests shall be accompanied by a brief statement explaining how the use of the seal in the given circumstance will not result in embarrassment to or a perception of favoritism or endorsement by the Department.

Proposed Use of the Department's Seal

[Description of How Agency Seal

Provide the following:

A specific description of how the Department seal will be used, including the location of the seal, the size and proximity of the seal to the seal, logo, emblem, or banner of other organizations, agencies, businesses or corporations. When available, the request shall be accompanied by a draft document (representing the final product), which clearly demonstrates where the Department seal will be placed. Attach copy of mockup if possible.]

Determinations

Attached is a mockup showing how the *[name of agency]* seal will be used by *[name of outside organization]*. We have reviewed this proposed use in light of the provisions of the DAO and have made the following determinations:

In Satisfaction of Agency Mission

We have determined that the proposed outside use of the *[name of agency]* seal furthers the agency's mission because.....

No Embarrassment to Department

We have determined that the proposed outside use of the *[name of agency]* seal is not likely to cause embarrassment to the Department because.....

No Conflict With Trademark Rights

We have determined that there are no trademark related issues, such as trademark infringement or dilution, relevant to this outside use of the *[name of agency]* seal, since the emblem is not being used in a way that would suggest that it was the property of the outside organization, nor is it being used in any other way that would cause harm to the agency's trademark rights in the emblem. To this end, we have reviewed and approved of *[name of outside organization's]* proposed use, shown in the mockup, and will request that the outside organization use the following notice in conjunction with their use of the emblem:

“The *[name of agency]* ® or ™ emblem is a [registered?] trademark of the [name of agency], used with permission.

Note: to determine if the emblem is a registered trademark, and whether or not to use the ® or ™, consult with trademark counsel Phil Greene, (202) 482-1984. For example, it might read as follows: “The NOAA® emblem is a registered trademark of the National Oceanic and Atmospheric Administration, used with permission.”

No Endorsement or Favoritism Issues

Further, there do not appear to be any appearance of endorsement or favoritism issues with respect to this proposed use, nor does there appear to be any other appearance of impropriety, because...

Recommendation

Accordingly, permission is sought under the DAO to enable *[name of outside organization]* to use the *[name of agency]* seal as it has proposed. If you approve, please sign below where appropriate. Please be assured that this permission does not extend beyond this individual use.

Victor Powers Date
Director, Office of Organization and Management Support

Barbara Fredericks Date
Assistant General Counsel for Administration

Rhonda Jackson Date
Director, Office of Administration Operations