<div align="center">
OPENPOWER FOUNDATION
TRADEMARK AND LOGO USAGE GUIDELINES
</div>

These OpenPOWER Foundation Trademark and Logo Usage Guidelines ("**Guidelines**") address the authorized uses of OpenPOWER Foundation's ("**OpenPower**", "**OpenPOWER Foundation**", or the "**Foundation**") trademarks and logos. The OpenPOWER Marks may only be used by OpenPOWER management, members, and licensees in accordance with these Guidelines. Neither OpenPOWER members nor non-members may use OpenPOWER's Marks unless they first obtain a written license from OpenPOWER (except with respect to Foundation members' use of the OpenPOWER marks for website links on members' websites, which use does not require a separate license agreement but must be in strict accordance with these Guidelines). Please see Section 1 below on how to request a license.

OpenPOWER reserves the right to modify these Guidelines from time to time as it deems necessary.

The trademarks and logos owned by the Foundation are collectively referred to in these Guidelines as the "**Marks**" or the "**OpenPOWER Marks**".

1.   Approval for Use of OpenPOWER Marks and Trademark License

Foundation members in good standing may use the Core Marks (as defined below) (a) to indicate membership in the Foundation and (b) on the members' websites as links to the Foundation's website, which uses do not require a separate license grant and approval, but must still be in strict accordance with these Guidelines. For all other uses of any OpenPOWER Mark, you must comply with the following procedure for obtaining OpenPOWER's approval:

1.1   License Request. Before any use of any OpenPOWER Mark, you shall submit a License Request via <u>OpenPOWER Ready Request Form</u> to <u>ready@openpowerfoundation.org</u> for approval.

1.2   Review. After receiving the License Request, the [board of directors] of OpenPOWER, in its sole discretion, will decide whether the requested use is approved. In approving or disapproving the proposed use, the [board of directors] shall consider whether the proposed use complies with these Guidelines. Though OpenPOWER [board of directors] will act with its sole discretion in approving or disapproving the proposed use, the board of directors will make such decisions free of any unfair discrimination among those proposing a use of an OpenPOWER Mark.

1.3   Denial. If the use is not approved, you may not use the OpenPOWER Mark(s) as proposed.

1.4   Approval. If OpenPOWER approves your License Request in full or in part, OpenPOWER shall issue to you an Application Approval Statement that describes (a) which Mark or Marks you are granted a license to use and for (b) what purposes. You only have a

license to use the specific approved Mark(s) or category of Marks listed in the Application Approval Statement (e.g., the category of Marks referred to as the "Core Marks", or the category of Marks referred to as the "READY Marks"), and only for the specific purposes described in the Application Approval Statement. If you desire to obtain a license to use additional Marks or to use the Marks previously licensed for additional purposes, you must submit another License Request.

2.   Scope of License and Trademark License Agreement

By approving your use of a Mark, OpenPOWER grants you a limited, non-exclusive, non-sub-licensable, non-transferable, non-assignable, revocable, royalty-free license to use the Marks listed in the Application Approval Statement for the specific purposes described in the Application Approval Statement pursuant to the terms of the Trademark License Agreement, available from admin@openpowerfoundation.org. Your use of the approved OpenPOWER Mark must be in accordance with the Trademark License Agreement and these Guidelines. Your failure to adhere to the Trademark License Agreement and these Guidelines may result in termination of your right to use the approved Marks.

3.   OpenPOWER Core Marks.

3.1   List of Core Marks. The following marks are referred to herein as the "**Core Marks**":

A.   The following word marks (the "**Core Word Marks**"):

OPENPOWER®

OpenPOWER®

B.   The following logo (the "**Core Logo**"):

3.2   Permitted Uses of Core Marks. The Core Marks listed above may be used for the following purposes:

(i)   Indicating your membership in the OpenPOWER Foundation if you are, in fact, a member in good standing of the Foundation; and

(ii)   Promoting events, contests, and industry activities—other than the sale of products or services—organized or sponsored by you that support the mission of OpenPOWER and which have been approved by OpenPOWER as indicated in the Application Approval Statement.

4. OpenPOWER READY Marks.

    4.1   **List of Ready Marks.** The following marks are referred to herein as the "**READY Marks**":

    A.   The following word marks (the "**READY Word Marks**"; together with the Core Word Marks, the "**Word Marks**"):

<div align="center">

OPENPOWER READY™

OpenPOWER READY™

</div>

    B.   The following logos (the "**READY Logos**"; together with the Core Logos, the "**OpenPOWER Logos**"):

    4.2   **Permitted Uses of READY Marks.** The READY Marks listed above may be used on or in connection with the products or services listed in your Application Approval Statement to indicate that such products or services support the ideals of the Foundation. OpenPOWER Ready is a mark used by the OpenPOWER Foundation to enable OpenPOWER ecosystem product developers to indicate that a product has been shown/demonstrated to meet a minimum set of characteristics and should be interoperable with other OpenPOWER Ready products. OpenPOWER Ready Definitions and Criteria are listed here: OpenPOWER Ready Criteria Document .

5. Proper Usage of OpenPOWER Marks in General

    5.1   **Typeface and Capitalization.** Unless using a stylized version of the OpenPOWER Marks (in which case you have to use the identical version provided), always use the marks in bolded format and either use (a) all uppercase letters or (b) the precise combination of uppercase and lower case letters described in Section **Error! Reference source not found.**.

    5.2   **No Modifications.** Always use the proper spelling and design of OpenPOWER Marks. You may not use any variations of OpenPOWER Marks, including without limitation similar marks, phonetic equivalents, foreign language equivalents, takeoffs, and abbreviations. You may not translate any of the Marks into any other language, even if they are used in non-English speaking countries, without the prior written permission of OpenPOWER. Variations of the OpenPOWER Marks may confuse consumers as to the source of the goods or services bearing the altered mark, and such uses may infringe OpenPOWER's trademark rights and be actionable under applicable laws.

5.3 **Trademark Symbol.** Always use OpenPOWER Marks together with the symbol that denotes the appropriate status of the mark in the relevant jurisdiction, when applicable. Trademark symbols are discussed in more detail in Section 7 below.

5.4 **Trademark Legend.** Use the OpenPOWER trademark legend in conjunction with your use of the OpenPOWER Marks to identify OpenPOWER as the owner of the marks. The legend should be printed in legible type in a location typically used for copyright and other legal notices. For example, legends are typically printed at the end of a document or advertisement, on the back of a brochure or flier, on the front cover of documentation, or at the bottom of a web page. You must use the following standard OpenPOWER legend in all marketing collateral bearing any OpenPOWER Mark:

> "[Insert all OpenPOWER Marks that are referred to or displayed in the marketing collateral] are trademarks or registered trademarks of OpenPOWER Foundation. All rights reserved. Unauthorized use is strictly prohibited."

Logo marks may be identified by the word portion of the mark, followed by the words "Design mark" (for example, "OPENPOWER Design mark").

6. Prohibited Uses of OpenPOWER Marks in General

In addition to the prohibited uses set forth elsewhere in these Guidelines, OpenPOWER does not permit you to use any OpenPOWER Mark in the following ways:

(i) As part of your own company or product name, trademark, service mark, or logo. You must also take particular care not to adopt any company or product name, trademark, service mark, or logo that is confusingly similar to the OpenPOWER Marks.

(ii) In combination with any other non-OpenPOWER trademarks.

(iii) The OpenPOWER Marks may not appear in the descriptions of goods or services used in an application to register a trademark or service mark.

(iv) The OpenPOWER Marks may not appear in or as part of an Internet domain name.

(v) In combination with other words, symbols, or numbers either as one word or with a hyphen.

(vi) To identify products or services that are not OpenPOWER's. The OpenPOWER Marks may not appear in or as part of the name of a product (including in or as part of the tagline for a product). The OpenPOWER Marks may not appear in or as part of the name of an event or a group not sponsored by OpenPOWER, including events or groups sponsored by member companies.

(vii)   In a manner likely to cause confusion between OpenPOWER's services and the products or services of a third party, or in any other manner that infringes, dilutes, or impairs OpenPOWER's rights in any OpenPOWER Mark.

(viii)   In a manner that disparages, defames, or negatively portrays OpenPOWER, its mission, any of its products or services, ors its members, or in any other manner that is misleading, libelous, obscene, offensive, infringing, or otherwise objectionable, unlawful, or in poor taste.

(ix)   In a manner that may, in OpenPOWER's judgment, diminish goodwill in any OpenPOWER Mark.

(x)   In connection with any unlawful activities or to encourage unlawful activities.

(xi)   In a manner that is likely to mislead the public as to any sponsorship, affiliation, or endorsement of your company, or your products or services by the Foundation.

(xii)   In a manner that suggests your products or services have already been certified for use with any architecture, systems, designs, standards, interfaces, or specifications. Without limiting the generality of the foregoing, the Marks may not be used in combination with, adjacent to, or misleadingly near the words "approved," "certified," or "tested."

Note that Foundation may deny any person or entity with access to the logo artwork files if, in Foundation's sole discretion, the Foundation determines that the given person or entity is at that time making improper use of the Marks. The Foundation is not, however, under any duty to police compliance with these Guidelines, except as provided under the law.

7.   Trademark Symbols in General

You must always use OpenPOWER Marks together with the symbol that denotes the appropriate status of the mark in the relevant jurisdiction, when applicable. For example, in the United States, a mark registered with the U.S. Patent and Trademark Office is denoted by the symbol ®, and an unregistered mark is denoted by the symbol ^{TM} for trademark or ^{SM} for service mark. The trademark symbols are to be placed immediately after the mark in superscript (*i.e.*, TRADEMARK^{TM}, SERVICE MARK ^{SM}, REGISTERED MARK®). If you do not have the appropriate symbol keys in your word processing software, then using the ^{TM}, ^{SM}, or ® symbol in parenthetical form is also permissible (*i.e.*, (TM), (SM), (R)). Do not use the ® symbol for a mark that is not registered in the particular country in which you use the mark. Falsely indicating (whether intentionally or by mistake) that a mark is registered (*e.g.*, using the ® symbol) when it is not, triggers various civil and criminal penalties in many nations around the world.

The registered trademark symbol ® or the unregistered trademark symbol ™ (as applicable depending on the given country in which you are using the applicable Mark) should

appear with the first use of the applicable OpenPOWER Word Mark in a document, major section, web page, and/or paragraph; and *all* occurrences of the OpenPOWER Logos. Different rules may apply depending on whether the particular Mark has been registered in the particular country in which it is being used. Some of the OpenPOWER Marks have been registered in several countries around the world. You should confer with OpenPOWER as to the status of the particular OpenPOWER Mark in the country at issue. Do not use the ® symbol for the OpenPOWER Marks in any country in which the applicable OpenPOWER Mark is not registered; falsely indicating that a mark is registered may trigger various civil and criminal penalties. If there is any doubt as to the appropriate trademark symbol to be used, you should use the unregistered trademark symbol ™. Ultimately, however, OpenPOWER has the right to determine which symbol is appropriate, and you may desire to confer with OpenPOWER as to which symbol to use when in doubt. Furthermore, the following rules apply:

A. The ® or ™ symbol must appear in superscript.

B. There must be no space between the mark and the ® or ™ symbol.

Remember, if you are only referring to the Foundation in word form (such as, for example, to state "We are a member of OpenPOWER Foundation"), that is corporate name usage and no special marking or permission is required.

8. Repeated References

For repeated references to OpenPOWER Marks in a continuous document (such as a press release), use the appropriate notice symbol with any use of any particular Mark in the title of the document and with the first use of any particular Mark in the body of the text. Subsequent use of any particular Word Mark does not require further notice.

For repeated references to the OpenPOWER Marks in materials that can be easily separated and re-ordered (such as a website or transparencies), use the appropriate notice with the first use of any particular Mark on each "page." Subsequent use of any particular Mark on the same "page" does not require further notice.

In all other contexts, use the appropriate notice with each and every use of the OpenPOWER Marks.

9. Use as an Adjective

Always use the Word Marks as an adjective followed by a noun. For example, the OpenPOWER® Mark should always be followed by a noun such as "specification," "technology," "architecture," or "protocol." Examples:

Okay: "*Our event promotes adoption of the **OpenPOWER®** architecture* ."

Not okay: "*Our product brings **OpenPOWER®** to you*."

Not okay: "***OpenPOWER® your product!***"

Never use the Word Marks as verbs or stand-alone nouns, or in the possessive or plural forms. For example, do not state "***OpenPOWER® provides a remote controller the power to modify the behavior of network devices.***" Rather, the Word Marks should each be followed by a noun, as described above.

10. Manner of Use of OpenPOWER Logos

10.1 Use of Digital Artwork File; No Modifications. OpenPOWER will provide authorized users with graphic samples for use in reproducing the OpenPOWER Logos. You must use the OpenPOWER Logos exactly as they are shown in the OpenPOWER digital artwork file. You may not imitate the OpenPOWER Logos in any of your materials. You may not change the colors of the OpenPOWER Logos. You may not alter the OpenPOWER Logos in any manner (including without limitation proportionally), and you should use the OpenPOWER Logos in a manner that ensures each representation of the design mark is consistent, undistorted, and clear.

10.2 Sizing. The OpenPOWER Logos cannot be larger or more prominent than your company or product name, trademark, service mark, or logo appearing on any material in which an OpenPOWER Logo appears. The OpenPOWER Logos should not be displayed in a size so small that any design feature or the registered or unregistered trademark symbol of the mark is lost and should appear in exactly the same spatial relationships as set forth in the graphics samples provided by OpenPOWER.

10.3 Background and Placement. You may not place the OpenPOWER Logos on a busy background. Each OpenPOWER Logo should appear by itself, in a reasonable size, and should have a minimum of space on either side that equals its height. Each OpenPOWER Logo must appear with the ™ or ®symbol exactly as shown in the OpenPOWER digital artwork files. With layouts where a OpenPOWER Logo appears with groups of other marks, *i.e.*, other alliances or associations, a clear zone of at least 100% of the OpenPOWER Logos size should surround the OpenPOWER Logo.

10.4 Restriction on Combination. You may not combine any OpenPOWER Logo with any other feature, including other marks, words, graphics, photos, slogans, numbers, design features, or symbols.

10.5 For more Information. Contact admin@openpowerfoundation.org for more information on the OpenPOWER Ready mark.

11. Organization Name Usage

"OpenPOWER" is not only a trademark used to identify OpenPOWER's products and services; it also serve to denote our trade organization itself. When making a reference to the Foundation, do not use any trademark symbols because corporate names in word form, used in

any manner or in any context, are not considered trademarks or service marks. When using "OpenPOWER" or "OpenPOWER Foundation" as a reference to the organization, "OpenPOWER" or "OpenPOWER Foundation" may be used as a noun or in the possessive form and no trademark symbol should be included.

12.   Website Links

You may place a link to the OpenPOWER website on your website if the link is not a prominent feature of the site or used in any way to confuse or mislead consumers, or to imply sponsorship or endorsement by the OpenPOWER Foundation of your organization. You may refer to the OpenPOWER organization name in a plain text font and format, provided this use follows the rules provided in these Guidelines, and provided that you include appropriate wording such as "This way to openpowerfoundation.org."

13.   Questions

These Guidelines provide guidance for the use of OpenPOWER Marks in the most common circumstances. However, rules or requirements may vary from country to country and use to use. Merely because a particular use is not addressed in these Guidelines does not mean that such use is allowed. Direct any questions regarding use not covered in these Guidelines to OpenPOWER at:

> **OPENPOWER FOUNDATION**
> 445 Hoes Lane
> Piscataway. NJ 08854
> 1.732.981.3434
> admin@openpowerfoundation.org