

## Using the REALTOR® Marks Correctly

Every member knows that one of the privileges of membership he/she receives, when all the principals of a firm have joined the Board, is a license to use the term REALTOR® in connection with the firm's name. But are you also aware of the rules governing such use and the reasons for those rules?

Two rules govern the use of the term REALTOR® in connection with a firm name. The first rule requires that the term REALTOR® not be a part of the firm's actual name, including either its corporate name, or any fictitious name under which the firm operates. The term is only to be used "with" the name, not as a part of the name. The second rule reinforces the first by requiring that some form of punctuation be used to separate the term REALTORS® from the company name, even where they appear on separate lines.

Both of these rules serve a similar purpose that is related to the structure of the Board of REALTORS® and the National Association. Long ago it was decided that the membership of the Association would consist of individuals rather than their firms. Firms would not be members of the Association. This decision was based on the great importance placed upon the pledge made by each member to abide by the Code of Ethics. This pledge is a personal commitment not related to, or made in connection with an individual's affiliation with a particular firm. The term REALTORS® is used, as provided by these rules, to emphasize that the principals of the firm are the members and have made that personal commitment to the obligations of membership. A business entity could never make such a personal commitment to the obligations of membership.

The rules serve another purpose as well. Since membership is voluntary and conditioned upon compliance with the Code of Ethics and other terms of membership, individuals occasionally terminate their membership, and simultaneously terminate their license to use the term REALTOR®. The legal formalities involved in changing a business or corporate name are cumbersome and often involve time and expense. Preventing use of the term REALTOR® as a part of the name eliminates the need to pursue such proceedings and the unauthorized use of the mark which would occur during those proceedings.

It is important that all members of the Salt Lake Board of REALTORS adhere to these rules. It is the responsibility of individual Boards to monitor the use of the term REALTOR®. Please review your company name and your corporate papers to make certain you are not misusing the term.

For more information on the use of the REALTOR® trademark, please contact the Board Office or log on to

<http://www.realtor.org/letterlw.nsf/pages/trademarkmanual>