

# TRADEMARK & CLAIMS POLICY

Climate Neutral Certification Program

*(vs 1.0 - September 2020)*

Climate **Neutral** Group 

for better business

Climate Neutral Group (CNG) wants to accelerate the transition to a net-zero carbon economy. We help our clients to reduce their carbon emissions and their environmental impact, by offering 4 services: (1) we calculate your carbon footprint, (2) we advise you how to reduce your emissions, (3) we offer credible offsets for emissions that cannot be reduced (yet), and finally, (4) we offer a practical and impactful certification program that allows certified Clients to proudly use the Climate Neutral Trademark. For more information, see: <http://www.climateneutralgroup.com/en>.



This Trademark & Claims Policy, together with the Climate Neutral Standard and Assurance Protocol, have been developed for the revised Climate Neutral Certification Program, based on a series of stakeholder consultations following the [ISEAL Codes of Good Practice](#). This document becomes mandatory from the 1<sup>st</sup> of January 2021 onwards (unless a valid contract between CNG and its client states differently). This document is available in English, which should be considered as the official and binding version. This Trademark & Claims Policy is publicly available for free from our website and printed in a limited edition. or more information related to the Climate Neutral Certification Program, please consult our website: [www.climateneutralcertification.com](http://www.climateneutralcertification.com) or mail to: [certification@climateneutralgroup.com](mailto:certification@climateneutralgroup.com).

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# 1 Introduction

*This Trademark & Claims Policy complements the Climate Neutral Standard and the Assurance Protocol. It describes the different Climate Neutral Trademark options (further referred to as 'trademarks') as well as the rules regarding trademark use and claims-making in regard to the Climate Neutral Certification Program. All certified Clients (further referred to as 'Clients') are expected to accurately follow the rules stipulated in this document, so that misuse or misleading use of the trademark is prevented, legitimate claims are made and the overall program's integrity and credibility is protected.*

## 2 Rulebook

### 1. General provisions

Clients, -whether certified for their organisation, product(s) and/or service(s)-, always commit to:

- A. Adhere to this policy document to their best knowledge and capabilities;
- B. Intend to display the trademark, off pack and/ or on-pack (if permitted), accompanied by a (short) claim or explanation, in order to be recognizable as a certified Client;
- C. Publish the information related to the Client's certification status on the Client's website (and in its Annual Report, if applicable), see criterion [see criterion 5.1 of the Standard, point 1 to 4 only](#);
- D. Agree that CNG may publish the same information related to the Client's certification status on the CNG website(s), and may also publish the brand-name or brand-logo (or other identification<sup>1</sup>) of the certified product(s) or service(s)<sup>2</sup>;
- E. Not share the trademark with other organisations, except for organisations assigned by the Client, such as manufacturers or design companies of the packaging material for the certified product, or end-users<sup>3</sup> (i.e. the brand-owner or retailer) of the certified product or service;
- F. Obtain approval from CNG prior to external communication about the Climate Neutral Certification Program and/or prior to making claims or using the trademark, following the rules stipulated in [section 8](#).

NOTE: In the event the Client and its end-user(s) have agreed that trademark use and claims making is handled by the end-user, the end-user may contact CNG for trademark approval and claims use instead. In that case, all rules stipulated in this document then apply to the end-user, however the final liability and responsibility for accurately following these rules remain with the Client.

<sup>1</sup> E.g. product-name, product-logo, service-name, service-logo.

<sup>2</sup> It is the responsibility of the Client to seek consent from end-users to display the brand-name or brand logo.

<sup>3</sup> End-users are usually brand-owners or retailers. End-users are the last link in the supply chain, that sell the certified product or service to consumers, usually under a 'brand-name'. Consumers are NOT considered to be an end-user.

## 2. What Climate Neutral Certification trademarks options are available?

For the different certification scopes (i.e. organisation, product or service), two trademark options are offered. Clients may decide which trademark option to use, and whether to use the coloured (blue), black-and-white or transparent version (for product certification only). The trademark is available in English and Dutch, but can be made available in different languages on request if text size allows (e.g. French, German), yet a longer lead time is expected. To obtain high resolution trademarks (in .eps or .png), kindly contact: [communication@climatenutralgroup.com](mailto:communication@climatenutralgroup.com).

Certification Scope	Organisation	Product	Service
<b>Option 1:</b> Trademark with label			
<b>Option 2:</b> Trademark without label			

Table 1: Trademark options (for available formats and colors, see page 9)

## 3. How to use the trademark and claims?

Certification Scope	'Off-pack'	'On-pack'	'On-service'
Organisation	x		
Product	x	x	
Service	x		x

Table 2: Use of trademark and claims

- **For certification of the organisation:** Trademarks and (text) claims shall be made generally and in relation to the organisation, and clearly refer to the GHG emission sources covered under the agreed boundaries of the organisation itself (see [criterion 2.1 and 2.2 of the Standard](#)). Also, claims shall be made in such a way that they cannot be associated with a certain product or service delivered by the organisation or products and services in general (see also [section 4](#)).
- **For certification of a product:** Trademarks and (text) claims shall be made (i.e. printed) on the certified product(s) itself, following the rules in [section 5](#), and not on any other (non-certified) products. Claims and trademark use may also be off-pack, following the rules in [section 4](#). All claims shall clearly refer to the GHG emission sources covered under the agreed boundaries of the certified product e.g. from 'cradle-to-gate,' 'cradle-to-shelf' or from 'cradle-to-grave' (see [criterion 2.1 and 2.2 of the Standard](#)).
- **For certification of a service:** Trademarks and (text) claims shall be made in such a way that they can be directly associated with the certified service, following the rules in [section 6](#) (and [section 4](#), if applicable). If the Client requires tools or equipment in order to provide or execute the service, such as transport vehicles or machinery, trademarks and claims may be printed thereon. All claims shall clearly refer to the GHG emission sources covered under the agreed boundaries of the certified service (see [criterion 2.1 and 2.2 of the Standard](#)).

## 4. How to use trademarks and claims 'off-pack'?

Trademark and claims may be used 'off-pack', such as in general company brochures or on other press-work, on the company's website, in advertisements, in social media, in company reports (e.g. annual reports), on company vehicles or fleet (provided the Client does not provide transport-related services<sup>4</sup>), etc. For certification of a product or service, 'off-pack' use is allowed, provided that the name or another unique identifier of the certified product(s) or service(s) is clearly mentioned.

## 5. How to use trademarks and claims 'on-pack'?

Trademark and claims may be used 'on-pack', as illustrated through below pictures in figure 1.

- In the case of only outer-packaging (e.g. if the product still needs to be repacked in units for onwards selling or consumption), trademarks and claims may be printed on the outer-packaging material.
- If no packaging is used at all, trademarks and claims may be printed on or attached to the product itself.
- If a product consists of many ingredients, and an exception is granted that only a significant part of these ingredients has been included in the boundaries (see [criterion 3.1 of the Standard](#)), this shall then be clearly communicated through an explanatory text accompanying the trademark.

NOTE: If the packaging material itself is certified (and not the content therein, i.e. the product itself), the trademark may be printed on the packaging material, but the claim shall clearly describe that it is the packaging that is certified (and not the content). Ideally, the trademark shall be printed on a less visible place, e.g. on the inside, back-of-pack or side-of-pack.

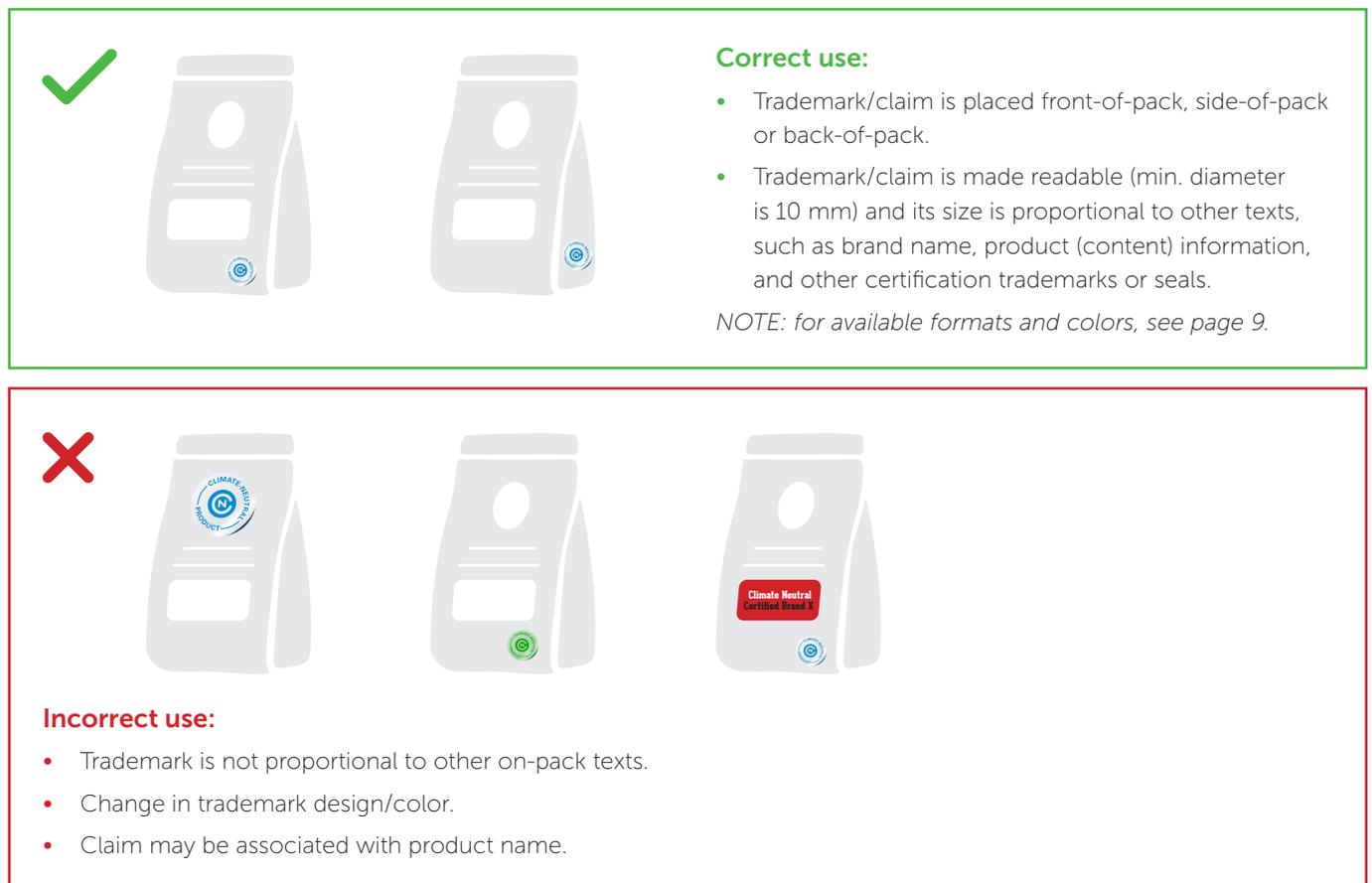


Figure 1: Examples of correct and incorrect use of trademark and claims

<sup>4</sup> Otherwise, trademark or claim may suggest that the service is certified.

## 6. How to use trademarks and claims 'on-service'?

Trademark and claims may be used 'on-service', meaning that the claim or trademark may be printed on tools, equipment or another tangible item that is used in order to provide or execute the service, such as transport vehicles, machinery, equipment, etc.

## 7. What claims and trademark use is appropriate?

- Trademark use, whether on-pack or off-pack, is accompanied by a (short) explanation (or claim) and with reference to the website [www.climateneutralcertification.com](http://www.climateneutralcertification.com)<sup>5</sup>. Ideally, claims or explanatory texts are as brief as possible. Considered as the shortest possible explanation (claim) is a URL to the CNG website or the Client's website where more information is available. If the Client makes use of the 'cradle-to-gate' or 'cradle-to-shelf' option in the case of 'certification of a product', or leaves out the use and disposal phase in the case of 'certification of a service' (see [criterion 2.2. of the Standard](#)), this shall be clearly explained in the claim.
- All explanations or claims shall be clear and transparent, and shall represent the agreed organisational and operational boundaries (i.e. overclaiming is not permitted). If certain GHG emission sources are excluded, or exceptions are made, this is clearly communicated in the claim. [Section 11](#) gives two examples of misleading claims.
- Combining the trademark with other sustainability logos, seals or trademarks is permitted, as long as these do not make an explicit climate and/or CO<sub>2</sub> claim.
- The trademark may not be placed or used in such a way that the impression can be created that the trademark belongs to a brand or organization other than Climate Neutral Group.
- For claims containing the word "CO<sub>2</sub>", the subscript functionality shall be used in on- and offline communications: CO<sub>2</sub> > 2 in subscript and in html <sub>2</sub>.

### Examples:

#### Certification of a product:

*"The total CO<sub>2</sub> emissions of this coffee have been calculated from plantation to (retailer) shelf. We endeavor to reduce these emissions and we compensate for the CO<sub>2</sub> emissions that we cannot reduce (yet) through certified climate smart coffee projects. For more information, see: [www.climateneutralcertification.com](http://www.climateneutralcertification.com)."*

#### Certification of the organisation:

*"Our organization is certified against the Climate Neutral Standard: the appreciation that our efforts are actually significant when dealing with climate issues. Our business operations have been tested against strict criteria. We reduce our CO<sub>2</sub> emissions as required by the Paris Agreement, and we compensate all CO<sub>2</sub> emissions that we cannot (yet) reduce with climate projects. This makes us 100% climate neutral. We are therefore proudly using the trademark for our climate-neutral organization. For more information, see: [www.climateneutralcertification.com](http://www.climateneutralcertification.com)."*

#### Certification of a set of products:

*"We, Company X, have worked with our suppliers to bring emissions down in their production processes. We have invested in a new spraying technique which has reduced CO<sub>2</sub> emissions with 5% per kg coffee produced. We continue to make serious efforts for further CO<sub>2</sub> reduction in our supply chains, and we compensate all remaining emissions that we cannot (yet) reduce with climate smart coffee projects in Vietnam. We can therefore legitimately say our coffee products are 'climate neutral'. For more information, see: [www.climateneutralcertification.com](http://www.climateneutralcertification.com)."*

#### Certification of a service:

*"We have made serious investments in our fleet, and we are now excited to announce that since date X our transport service leaves a net zero carbon footprint. All our trucks are now electric and use green energy generated by windmills in the Flevopolders. Our efforts have been audited by an independent verifier against the Climate Neutral Standard, and we are now allowed to display the Climate Neutral trademark for our transport service. For more information, see: [www.climateneutralcertification.com](http://www.climateneutralcertification.com)."*

**Textbox 1:** Examples of correct claims

<sup>5</sup>Or another URL owned by CNG.

## 8. Is there an approval process preceding trademark and claims use?

Publicly used designs and texts with reference to the Climate Neutral Certification Program, or which can be associated with the term 'climate neutrality', or when the Climate Neutral Trademark is used, whether by the Client or the end-user, are all subject to approval from Climate Neutral Group, as follows:

- A. **For 'on-pack' use:** Always obtain approval for packaging designs, prior to printing of packaging material (or of the certified product, if the trademark or claim is printed thereon).
- B. **For 'off-pack' use:** Always obtain approval for:
  1. publication on client's website (e.g. sustainability page), prior to public launch;
  2. press release or news item, prior to public release.

NOTE: all other off-pack communication including the use of trademarks and claims should be in accordance with above off-pack approvals and do not require separate approvals. In case of doubt, kindly contact [communication@climateneutralgroup.com](mailto:communication@climateneutralgroup.com), prior to requesting formal approval.
- C. **For 'on-service' use:** Always obtain approval, prior to public use, whether the trademark and/or claim is made on-pack or off-pack. This, because due to the great diversity and multi-interpretable definitions of services, there is a risk for (un)intended overclaiming and misleading use. In case of doubt, kindly contact [communication@climateneutralgroup.com](mailto:communication@climateneutralgroup.com), prior to requesting formal approval.

In addition, approvals need to be in place for all on-pack and off-pack claims made and/ or trademarks used prior to the audit takes place. Deviation from the below steps is only permitted after written approval from the Climate Neutral Group. Failure to submit the approval requests in due time (i.e. to obtain the required approvals prior to the audit and prior to public use or display), may lead to certification delays, suspension or decertification.

1. Latest 3 weeks prior to the deadlines mentioned under A, B and C, and latest 3 weeks prior to the audit date, the Client submits an approval request for all trademarks and/ or claims to CNG by mail to: [communication@climateneutralgroup.com](mailto:communication@climateneutralgroup.com).
2. CNG responds to this request within one week by mail with either:
  - a. an approval confirmation, or
  - b. required adjustments to be made.
3. If adjustments are required, the Client resubmits a revised approval request, and CNG responds again within one week.
4. During the audit, the Client demonstrates the approval mail to CB.
5. After a positive certification decision (see [section 9](#)), the Client may make claims and/or use trademarks as agreed with and approved by CNG.

## 9. When can the Climate Neutral Trademark (and claims) be used?

### For first year of certification:

- Clients that have received a positive certification decision for their first audit may start using the Climate Neutral Trademark and may start making claims. The certification decision is communicated by the CB to the Client in the form of an audit report or a certificate. Only when the certification decision is positive, the Client may make public claims and use the trademark publically.
- As Clients may sign a contract with CNG or CB at any moment during the calendar year, upon availability of the CB, the Client may request an audit outside the annual verification and certification cycle (see [Assurance Protocol, section 2.2](#)). Such exceptions should be requested to CNG, prior to making commitments to any other party (e.g. onwards buyers) or CB. Again, only when the certification decision is positive, the Client may make claims and use the trademark.

### For subsequent years of certification:

- Clients that are found compliant with the Standard after a consecutive audit resulting in a positive certification decision may continue using the Climate Neutral Trademark for another validity period (see [Assurance Protocol, section 2.5](#)).

## 10. Available Climate Neutral Certification trademark formats and colors

Climate Neutral Certification trademarks are available in blue and white for color applications (preferred use). Please adhere to the color schemes below, table 3. Black and white for grayscale applications are available also. For 'On-pack' use of the 'Product' trademark without label, extra variants are available in order to cover most used print methods and materials. For all available formats, see table 4.

For obtaining the CNG trademarks and approval, special requests, other marketing material kindly contact [communication@climatenutralgroup.com](mailto:communication@climatenutralgroup.com).

For Print	CNG Blue	CNG Dark Blue
CMYK	90 / 30 / 0 / 0 	100 / 80 / 30 / 20 
PMS (Pantone) Coated	PMS 299 C 	PMS 7686 C 
PMS (Pantone) Uncoated	PMS 299 U 	PMS 7686 U 
For Screen and Web (RGB)	CNG Blue	CNG Dark Blue
RGB	0 / 135 / 204 	19 / 58 / 104 

Table 3: Color schemes

### Climate Neutral Certification trademark with label

					
CMYK/RGB	CMYK/RGB	CMYK/RGB	Black & White	Black & White	Black & White

### Climate Neutral Certification trademark without label

					
CMYK/RGB	CMYK/RGB	CMYK/RGB	Black & White	Black & White	Black & White

### Extra available for 'On-Pack' only:

			
PMS	PMS - Transparent	Black - Transparent	White Reversed

Table 4: Available formats

## 11. What are the costs for trademark and claims use?

The program fee (excl. VAT) entitles certified Clients to use the Climate Neutral Trademark and to make claims about the Client's compliance with the Standard. The program fee structure is defined as follows:

Certification of the organisation		Certification of a product or service	
Revenue (€)	In €	Tonnage (CO <sub>2</sub> )	€/ton CO <sub>2</sub>
< 1 mln	250	0 – 1,000	1.00
1-5 mln	500	1,000 – 5,000	0.75
5-10 mln	750	5,000 – 25,000	0.50
10-50 mln	1,000	25,000 – 50,000	0.25
50-100 mln	1,250	50,000 – 100,000	0.20
100-250 mln	1,500	>100,000	0.15
250-500 mln	2,000		
500 mln-1 mld	3,000		
> 1 mld	On request		

Table 5: Program fee

NOTE: If a Client opts for both certification of its organisation and certification of (a range of) products or services, it will receive a discount on the organisation program fee (and audit fee) that is equal to the share of the certified climate-neutral products or services, compared to the total product- or service-portfolio of the Client. Thus, in the event the Client certifies its entire portfolio, it will automatically become certified for its organisation at no cost.

## 12. When is trademark use and claims-making considered to be misleading?

The use of claims and trademarks should correspond with the certification scope and the operational and organisational boundaries (see [section 3](#)), and may not give room to multiple interpretations.

### Example 1 of misleading claims

Company X provides a range of online services for customers to store their data in the cloud. This data is stored on servers that consume a lot of electricity. These servers are owned by sister-company Y. Company X is certified for the organisation, and the servers' electricity use is excluded from the scope. Company X has placed the Climate Neutral Trademark on the webpage where customers can actually upload their data, and proudly announces to be *"the first data storage centre that is climate neutral"*.

#### Why is this misleading?

The trademark may not be placed in such a way that it could be interpreted differently. In this example, and because the Trademark is directly placed on the service itself, the claim may suggest that the data uploading service is climate neutral, which is not the case.

#### What is then possible?

Company X may report about their climate-neutral organisation in its annual report or on a more general webpage, e.g. the company profile page. The claim should then clearly describe that the organisation is climate-neutral and not the service.

### Example 2 of misleading claims

Company Y produces plastic products from recycled material. Company Y is certified for the organisation and has placed the Climate Neutral Trademark on its webpage with the following claim: *"we produce our entire range of plastic products CO<sub>2</sub> neutrally"*.

#### Why is this misleading?

The claim is ambiguous in the sense that it could potentially be interpreted as if these products are climate neutral.

#### What is then possible?

To make sure the claim cannot be misinterpreted, better wording would be: *"our organisation and our production facility are climate neutral"*.

*Textbox 2: Examples of misleading claims*

## 13. When is the trademark and/or claims approval withdrawn?

The right to use the trademark and/or to make claims can be withdrawn by CNG and/or CB if:

- A. the Client ends the program contract (with CNG) or the audit contract (with CB);
- B. CNG or CB ends the program contract or audit contract, e.g. if Client does not pay respective fees;
- C. the Client is not compliant (anymore) with the Standard, or a negative certification decision has been issued, see [Assurance Protocol, section 2.4](#);
- D. the Client has deliberately committed fraud or misused the claims or trademarks.

In the case of B, C and D: CNG and the CB decide together on potential consequences, such as non-certification, claims removal, product recalls, use of remaining packaging material, penalty fees, next opportunity for re-certification, etc. Failure to receive approval by CNG, or any other forms of misuse and/ or misleading use may lead to legal intervention and in the worst-case scenario may result in removal of all trademarks and/ or claims (including public recalls).

In all cases, Clients shall sign a *'No Use of Trademark and Claims Declaration'* (available upon request from: [certification@climatenutralgroup.com](mailto:certification@climatenutralgroup.com)), which states the actions required to remove trademarks and claims and a final removal date.

## 14. How to report misuse or misleading use of trademarks and claims?

In case of misuse or misleading use noted within your own organisation, by other Clients, or by other (non-certified) parties, please contact CNG immediately at [communication@climatenutralgroup.com](mailto:communication@climatenutralgroup.com) or submit a grievance or complaint following CNG's Complaint Mechanism.

## 15. Disclaimer

Climate Neutral Group reserves the right to amend this Trademark and Claims Policy at any time, following the ISEAL Codes of Good Practice. If changes occur, a grace period will apply so that Clients will receive sufficient time to implement these changes.

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