ASCB Use of Name Policy

Background

The American Society for Cell Biology is recognized by the Internal Revenue Service as a 501(c)(3) charitable organization approved to conduct its educational and scientific activities. It is a violation of the Internal Revenue Code's ban on private inurement and private benefit for a charitable organization to allow its name to be appropriated for use for private aggrandizement. A charity's name may be properly used only in pursuit of its mission or, if, for the benefit of a private person or entity, only by determination of its governing board.

The U.S. Trademark and Patent Office has granted Trademark Registrations to the American Society for Cell Biology for the marks and accompanying ASCB logo(s): "ASCB®" and "The American Society for Cell Biology®" (the "ASCB Names"). As a trademark registrant, ASCB has the right and obligation to prohibit the unauthorized use of its marks for any commercial purposes. Registered marks are not to be used by anyone other than the trademark registrant or its designee or licensee for the promotion of goods or services.

Individual Use of the ASCB Names

No one is permitted to:

- Use for the benefit or advancement of any person, or company, the ASCB Names or the endorsement of ASCB except as expressly permitted by the ASCB governing board (Council) or written policy; or
- Use publicly his/her affiliation with the ASCB for political activity, religious matters, commercial gain, or lobbying activity (except as requested by ASCB for ASCB purposes).

This does not prohibit anyone from making factual statements, provided that in context the statements are not misleading.

- For example, it is acceptable to list accurate information on a personal vita, a bio for an article, a listing as a speaker, such as: "... an ASCB member," or "... an ASCB [editor, officer]."
- Similarly, it is acceptable for a scientist to cite ASCB presentations and publications in commonly-accepted style for an audience of peers, academic administrators, and the like.

It is not acceptable to use the ASCB name in any misleading manner (e.g., to imply endorsement, suggest that an abstract has been peer-reviewed) to support a claim about research procedures, research results, or commercial products.

- For example, it is not acceptable to say "As described in a poster presentation at the ASCB Annual Meeting, ABC product/procedure was found to be effective."

Further, higher standards apply where there are references made to ASCB in materials that will be read by the public, media, government, regulatory agencies, and others for whom a factual reference to ASCB could be mistakenly interpreted as approval or endorsement of research by ASCB.

- For example, it is not acceptable, unless addressing scientist peers, to say "Our ABC product/procedure was the subject of a poster presentation at an ASCB Annual Meeting."

While the sample statements may be factual, they are incomplete and misleading. They misleadingly suggest that there was some level of quality or peer review and/or endorsement by ASCB of the work, product, procedure, and/or claims. The implication is that the research technique and results
were subject to--and approved pursuant to--a level of review or analysis by ASCB. In such a situation, ASCB can be referenced only along with a statement explaining what it means to make a poster presentation or present a showcase at the ASCB Annual or other Meeting.

- Thus, for example, it is acceptable to state that:

  "ABC product/procedure was the subject of a poster presentation or showcase at the ASCB Annual Meeting. ASCB poster presentations and showcases are not peer-reviewed and no endorsement by ASCB has been made nor should any be inferred."

- Alternatively, one could say:
  "Title"
  "XXX was one of the ASCB Annual Meeting Poster Presentations or Showcases (which are not peer reviewed)."

It is the person's obligation to ensure that any statements made in connection with the ASCB name are accurate in content and meaning. The ASCB name is not available for use in connection with the promotion of a commercial product or service unless approved by the ASCB Executive Director or her designee in writing.