



# Guidelines for the Protection of Intellectual Property



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Creating a Better World



# **Guidelines for the Protection of Intellectual Property**

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## Foreword

It has been since long that many Scout Organizations, at all levels, have been facing difficulties from unauthorized suppliers of Scout Uniform materials, badges, publications etc.

In other words the intellectual properties that belongs to the Scouts is being used by those who are not entitled for its use. This is too great extent is due to our weakness as many of our Scout organizations have not protected it legally.

The APR Financial Resources Sub-Committee identified this issue and decided to create awareness on this matter by publishing a guide book.

We hope this guidebook will be helpful in creating awareness on the importance of Intellectual Property Protection and that National Scout Organizations will take appropriate steps in this direction.

On behalf of the World Organization of the Scout Movement I would like to Congratulate the APR Financial Resources Sub-Committee for initiating this document and its member Mr. Kazumaza Maehara who prepared the basic text of this guidebook.

Abdullah Rasheed  
Regional Director



## Introduction

Every day there are reports in the world media of violations of Rights relating to Intellectual Property. Such reports refer to police action associated with criminal activity as well as civil action taken to protect Intellectual Property. In addition, there are regular reports of Trade and Governmental negotiations dealing with the sale of counterfeit and/or pirated goods.

The illegal downloading of music and the copying of motion pictures is an everyday occurrence around the world.

These are international problems which occur in most, if not all countries. They are also examples of the violation of Intellectual Property Rights which legally belong to others.

Common examples of Intellectual Property within Scouting are emblems, (trade) marks and names. However paintings, drawings, publications, photographs and certain ideas can also be protected and should be totally respected by others.

The major problem is that most people do not have the knowledge, information or awareness as to why we need to respect, and protect Intellectual Property and the steps to take to protect Intellectual Property.

These Guidelines have been prepared so as to assist you in understanding What is Intellectual Property; Why we need to respect and protect Intellectual Property; and How we can protect our Intellectual Property.

## What is Intellectual property?

### Definition

When you hear the word "Property" you may think of a parcel of land or an amount of money.

However, there are many other forms of property that are valuable because of what they can produce. An example is a specially designed piece of machinery which produces goods for sale.

In addition, there is another form of property that adds value because of a new idea or it is something which has been newly created. A good example is a book. While the book is made from paper and ink the value of the book does not come from the paper and ink but instead the value comes from what is written in, and conveyed by the book.

In every case it is people that create value through their intellectual thinking, creative ideas and activities.

A number of works created from a person's intellectual activities may be subject to, and protected by what are known as "Intellectual Property Rights". These Rights are not to be found in any one particular body of legislation. Instead, they are protected under a variety of laws depending on the particular item or character of the "Property" in question.

## Examples of Intellectual Property

Only people can create Intellectual Property. Such Property then becomes valuable because it either creates assets or provides benefits which help everyone in their daily routines.

The following are traditional categories of Intellectual Property

- **Patents**

This is a form of legal protection traditionally employed to protect major inventions in the areas of science, engineering and manufacturing.

- **Design Patents**

Registration of this form of patent is traditionally used when newly designed products make their first appearance in the public domain.

- **Utility Models**

The use of Utility Models as a means of legal protection is normally associated with the registration of "small" inventions in the fields of engineering and manufacturing.

- **(Trade) Marks**

A trademark is a protected sign which is used to distinguish the products or services of one business from another. When goods or services have their own (Trade) Mark this is recognized as a proof of the quality of the product or services and is a proven means of attracting customers to use that product.

Trademarks are often recognized by the ® sign (registered trademark) or ™ sign (Trademark) next to the logo, but there is sometimes no Mark.

### • Copyright

Copyright protects works of literature and art, intellectual creations with an individual character. Copyright also protects computer software.

Copyright is a common form of legal protection which is granted to a range of parties including authors, writers, painters, composers, film directors and e-game developers.

Each of the above categories is the by-product, the essence of one or more individuals using a range of skills such as

Creativity

Intelligence

Inspiration

Logic

Consideration

Imagination and

Hardwork

### Intellectual Property in Scouting

We, in Scouting can readily identify several kinds of valuable Intellectual Property.

We have developed, designed, written or created various emblems, (trade) marks, names, songs, artwork, programs and publications. Each of these can be protected as items of Intellectual Property. Protection would normally be available as either Trademarks or by way of copyright.

To illustrate, both the World Scout Emblem and the World Scout Pin have been registered as Trademarks which are protected against infringement by what is known as the "Madrid Agreement." This Agreement, and its Protocol has been given the force of law in more than 70 Countries and States. Refer to Appendix (IV)

In relation to the World Scout Emblem, for example, all National Scout Organizations (NSOs ) are required to register every existing, or proposed, use of the Emblem with WOSM. This is to ensure that WOSM can unify and identify its members, as well as providing a source of funding to the Scouting movement while still retaining control of its Emblem.

For commercial use, every NSO is bound by this obligation and WOSM regularly enters into license agreements which generate a 10% royalty on the manufacturing cost of goods sold by NSOs for profit and which carry the WOSM emblem.

Non-commercial use, on the other hand, only requires NSOs to ask for permission while specifying the non-commercial use (more information on this is available in a document named "World Scouting's Brand & Its Trademarks, Conditions of use and commercialisation" available on [www.scout.org](http://www.scout.org)).

Each NSO is therefore requested to ensure that any commercial use of the WOSM Emblem is duly registered with WOSM and that the commercial use of that Emblem is authorized by a valid license agreement. In the event that individual NSOs have not already entered into a valid license agreement they should contact WOSM without delay so as to regularize that situation. Refer to Appendix (IV)

Each of us as individuals may have an opportunity to become the holder of our own Intellectual Property Rights. Accordingly, as we protect our own Property Rights we must also protect and respect the Rights of others.

## Protection of Intellectual Property

### Advantages

Having spent considerable amounts of time, energy and financial resources in developing our particular intellectual property (e.g. our (trade) marks, emblems, programs, songs publications etc.) it is essential that we protect our legal rights to establish our ownership and use them accordingly.

Our Intellectual Property, in the form of our Scout Method, programs, publications etc., is a very important resource which attracts young people and leaders to Scouting and that helps ensure that they enjoy Scouting.

Our Intellectual Property is also a potential source of financial income in the same way as many corporations and individuals make profits from selling, licensing etc. their Property, for a fee, to others.

The use of our Intellectual Property in enhancing and promoting the image of Scouting is another positive advantage. In addition, such property can be used very effectively in establishing and maintaining regular communication with the external "mass media" in each country.

There have been several instances where our Intellectual Property has been exploited by outside parties.

Common examples of the violation of our Property include outside parties reprinting scouting publications, using our emblems etc. for commercial gain without having obtained the prior approval of the particular NSO. While such violations may occur more frequently in countries where Scouting is attractive and popular they can occur in any country.

Therefore, it is very important that we register and protect our Intellectual Property as soon as possible. This ensures that we have both the legal right to prohibit others from using our Property without our authorization or permission as well as preventing the dissemination of unauthorized publications containing incorrect and potentially damaging information about Scouting .

No one should have a “free ride” to use our Intellectual Property without first obtaining our permission.

### **Disadvantages**

A possible disadvantage to owning and using our Intellectual Property could be that we are seen as having become too commercially-minded, and devoting too much time seeking financial income instead of devoting time to Scouting. This is an unlikely outcome, however it is one that should be recognized.

While we need to be vigilant to avoid creating such a perception that our goal is to make money, the community should also recognize that to grow and continue Scouting’s mission and objectives in our respective countries, we also need to raise funding.

### **Steps to Protect Intellectual Property**

In order to fully protect our Intellectual Property there are certain steps that we must take.

#### **Register our Intellectual Property**

It is important that registration takes place as soon as possible. Registration is done at the appropriate Government Office in each country. This is often either the Patent Office or the Intellectual Office.

While WOSM has registered its own emblems, (trade) marks, names etc each NSO needs to register its own Property in its respective country so as to ensure that they have full protection.

There is a common agreement (the Nice Classification) between Countries that everything that we create; manufacture or produce is classified into one or more of 34 categories (from category 1 to category 34). In addition, every service that people provide is also classified into a further 11 categories (from category 35 to category 45).

As a guide, it is recommended that emblems, marks, names etc are registered under the following product categories:

- 16 - paper, paper goods and stationery
- 18 - leather goods and traveling goods
- 22 - rope and canvas goods
- 25 - clothing and footwear
- 28 - toys, playing goods and sporting goods,
- 35 - Advertising; business management; business administration; office functions.
- 41 - education, training, amusement, sport and cultural activities.

### **Copyright**

In many countries it is not necessary to register publications to ensure that they are fully protected. This is because in such countries copyright protection is automatically given to the writer or publisher at the time of publication. However, in some countries Copyright protection exists the moment a work is created. In addition copyright protection can also be given to training etc programs if they are in printed form, and if they are "unique" in content to the country in question.

In order to ensure that the NSO is recognized as the owner of the copyright protection for all its publications, it is recommended that

the writer and/or the publisher assign any rights they may have to the NSO; ideally before the writing of the publication has commenced. Also, the addition of a copyright mention (© symbol in the book, with the name of the owner (NSO name for example) and the date of publication is strongly recommended.

An example of such a mention, could be:

© "Name of National Scout Association", "Month Year"

### **Search Registrations and Applications of others**

To ensure that our application for registration will be approved it is necessary to check to see whether any similar (trade)marks, emblems etc have already been registered or are in the process of registration.

This step is recommended not only to ensure that your proposed application will be successful but also to ascertain whether parties other than Scout Organizations have registered traditional Scouting property.

### **Seek Out Actual Violations and Obtain Evidence.**

All Scouts and Leaders should be aware of any violations of Intellectual Property belonging to Scouting. In the event that violations do occur, and before any prosecutions can be made, full details of the violation (e.g. quality of the violation, time, location, by whom etc) need to have been reported to the relevant NSO and then duly recorded.

In the event that it is intended to lay a formal complaint with the appropriate authority it will be very useful if it is possible to provide full details including being able to Purchase/obtain a copy of the product in question (Physical proof) Provide photographs of the product. Make video and/or sound recordings in appropriate cases.

### **Filing and Prosecuting a Complaint**

Once the appropriate evidence has been obtained a complaint can then be lodged with the appropriate authority. This will either be a criminal or civil matter depending on the relevant jurisdiction,

There will be a formal process to follow which will include drafting formal affidavits to enable the authorities to commence prosecution, and hopefully obtain a conviction.

In proceedings of this nature it is important to co-operate fully with the authorities including, when appropriate, with the police.

### **Obtaining Legal Advice.**

As the processes for both registering and protecting Intellectual Property may vary between countries, regions etc it is important that legal advice is obtained from people who are specialized in Intellectual Property laws.

It is also important to realize that there are no international laws relating to Intellectual Property. There are certain Agreements which have been ratified by many countries, such as the Madrid Agreement and the TRIPS Agreement. Accordingly it is necessary to seek appropriate advice in your own country.

## Overall Conclusion

In summary, it is important to recognize that

Our Intellectual Property needs to be fully protected as it comprises some of our most important financial and operational resources. Also, they have to be protected in order to keep/maintain scout image and status.

We must use every endeavor to ensure that non scouting parties are not able to use our Intellectual Property in any way without receiving appropriate authority to do so from the relevant NSO.

We must appreciate that it may not be easy to fully protect our Intellectual Property. Accordingly, we must seek appropriate legal advice to ensure maximum protection.

In order to assist NSOs in protecting their Intellectual Property it is recommended that "peer visits" be conducted between NSOs as a means of exchanging ideas and experiences.

# Appendixes

## **Appendix I**

- Sample provision's in NSOs
  - Korean Law
  - Malaysian Law
  - Philippines Law

## **Appendix II**

- A suggested Check List of steps to take for the protection of Intellectual Property in your own Country

## **Appendix III**

- World Scout's Brand and its Trademarks.

## **Appendix IV**

- Brand Management Feasibility Study

## Appendix I

### Sample provision's in NSOs

**Extract from  
Korea Scout Association's Scout Movement  
Fostering Act  
(Law No. 2118, July 28, 1969)  
(Second Amendment Law No. 4541, March 6, 1993)**

**Article 7 (Business of Supporting Body)**

Any person or body supporting the Scout Organization (hereinafter referred to as "Scout Support Body") may carry out any necessary business for profit making with the approval of the Minister of Culture and Sports.

**Article 8 (stop order for Profit- Making Business)**

In the event that the Scout Support body carrying on profit- making business as prescribed in Article 7 misappropriates profits earned from a relevant business for a purpose other than the body's management, the Minister of Culture and Sports may a order a suspension of business and take a complementary measures, if necessary, in respect to the relevant Scout support body.

**Article 9 (Report of Business)**

The Scout management body must report to the Minister of Culture and Sports on the matters related to a business plan, state of business progress and past records as ordered by the Minister of Culture and Sports.

**Article 10 (Prohibition of Use of Similar Title)**

1) No person other than the organization shall use its title in a way that is likely to induce others to believe that it represents the Scout management body.

2) Any symbol decided by the body shall not be used unless one is a member of the Scout management body.

### **Article 11 (Penalty)**

1) Any person who violated the provisions of Article 10, Paragraph 1, shall be punished by a penalty not exceeding Korean Won 100,000.

2) Any person who violates Article 10 Paragraph 1 shall be fined.

### **Supplementary Provisions**

1) (Enforcement date) This act shall enter into force as of the date of its promulgation.

2) (Interim Measures) The Boy Scouts of Korea and Girl Scouts of Korea which are both corporate juridical persons, at the time this Act enters into force, shall be deemed as Scout management bodies respectively pursuant to Article 4.

**Extract from**  
**Laws of Malaysia Act 409**  
Scout Association of Malaysia  
(Incorporation) Act 1968  
(Revised-1989)

### **Section 12**

No person, other than the Corporation or a person authorized in writing so to do by the Corporation shall sell or expose for sale any badge, token or emblem specifically adopted for use by a Scout under the Rule of the Corporation.

### Section 13

(1) No person, not being a Scout, shall publicly wear, carry or bear in such manner as to convey the impression that such person is a Scout any badge, token or emblem specifically adopted for use by a Scout under the Rules of the Corporation.

(2) No person shall without lawful authority and excuse have in his possession –

(a) any device which so closely resembles any badge, token or emblem specifically adopted for use by a scout under the Rules of the Corporation as to lead to the belief that the device in question is such badge, token or emblem; or

(b) any badge, token or emblem containing any words or characters so closely resembling any words or characters ordinarily used to describe any Scout as to be calculated to deceive, mislead; or

(c) any badge, token or emblem bearing the word “Boy Scout” or “Boy Scouts”.

13 A. Any person contravening any of the provisions of this act shall, on conviction be liable to a fine not exceeding five hundred ringgit or to imprisonment for term not exceeding one month.

**Extract from  
Boy Scouts of the Philippines  
Constitution and By-Laws (1975)**

**Article XIV**

Uniforms, Badges and Insignia

**Section 89.**

The uniforms, badges and insignia of the Boy Scouts of the Philippines shall be copyrighted and/ or patented and shall be made available to and used only by duly registered Scouts, officials and other members and individuals who have satisfactorily complied with the requirements prescribed by the organization. No alterations of or additions to the official uniforms, badges and insignia as prescribed, or of the rules and regulations covering their use, may be authorized by any Scout official or administrative body of the Boy Scouts of the Philippines, except by the National Executive Board.

**Section 90.**

The uniforms, badges and insignia of the Boy Scouts of the Philippines shall be used only on such occasions under conditions and for purposes not inconsistent with the principles of Scouting.

**Section 91.**

Local Councils shall be authorized to adopt special emblems for particular purposes in harmony with national policies and to permit their use upon the official uniforms in accordance with rules and regulations prescribed by the National Executive Board, but such emblems must be approved in advance by the Board as to purpose and design.

## Appendix II

### Check List

#### **A suggested Check List of steps to take for the protection of Intellectual Property in your own Country**

##### **What item of Intellectual Property was violated? Was it**

- An Emblem
- A (Trade) Mark
- A Name
- A Publication
- Artwork/Design

##### **Was that item of Intellectual Property legally registered? If so what is its:**

- Registration Number
- Registration Date
- Product Category/Class

What form of Intellectual Property ( eg the name of a specific product, publication etc ) was violated?

In what location was the violated item of Property found?

What was the date when the violation was found?

How many of these items were found?

What was the average price at which the particular item was being sold?

When was the violation reported to your NSO?

Has legal advice been sought in relation to the violation? If so when and from whom?

*Please do not forget that if you have any concerns, worries or problems in relation to any issues concerning intellectual property do not hesitate to contact:*

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## Appendix III

# World Scout's Brand and its Trademarks


Conditions of use and commercialisation

Pack

**1**




IDENTIFICATION SYSTEM FOR MEMBER ORGANISATIONS AND PARTNERS

Pack 1 is aimed at using the World Scout Emblem for non-commercial purposes; you can show that you are a part of World Scouting and you can co-brand with partners for non-profit activities.

Item	Contents of the pack	Applications	Conditions
 <p>The World Scout Emblem</p>	<ul style="list-style-type: none"><li>• Original graphic files of the World Scout Emblem</li><li>• Brand Identity Guidelines</li></ul>	<ul style="list-style-type: none"><li>• Educational materials and products</li><li>• Training material and products</li><li>• General NSO management material and products</li><li>• Scout publications</li><li>• Promotional material</li></ul> <p>The same application for co-branding your non-profit activities with non-Scout partners</p>	<p>WOSM membership</p> <p><b>FREE</b></p> <p>Ensure that any co-branding with partners does not imply a commercial use of the brand item</p> <p><b>FREE</b></p>

## Pack 2 IDENTIFICATION SYSTEM FOR MEMBER ORGANISATIONS AND PARTNERS



Pack 2 is aimed at using the World Scout Emblem and encouraging the use of the World Scouting Brand Logo for non-commercial purposes. You can show that you are a part of World Scouting, you can co-brand with partners for non-profit activities, and you can contribute to the development of the World Scout Brand.

Items	Contents of the pack	Applications	Conditions										
 <p>The World Scout Emblem</p>	<ul style="list-style-type: none"> <li>Original graphic files of the World Scout Emblem</li> <li>Brand Identity Guidelines and Manual</li> </ul>	<ul style="list-style-type: none"> <li>Educational material and products</li> <li>Training material and products</li> <li>General NSO management material and products</li> <li>Scout publications</li> <li>Promotional material</li> </ul>	<p>WOSM membership</p> 										
 <p>The World Scouting Brand Logo</p>	<ul style="list-style-type: none"> <li>CD with the original graphic files of the World Scouting Brand Logo in the five working languages</li> <li>Access to free downloading of artwork in the graphic design section of the Media Centre of scout.org</li> <li>Brand Protection secured by the World Scout Bureau</li> <li>Legal follow-up ensured by the Brand Legal Management Unit of the World Scout Bureau</li> <li>Integration of your activities in the Global Marketing Plan</li> </ul>	<ul style="list-style-type: none"> <li>Educational material and products</li> <li>Training material and products</li> <li>General NSO Management material and products</li> <li>Scout Publications</li> <li>Promotional material</li> </ul>	<p>The pack 2 has 5 years of validity</p> <table border="1"> <tr> <td data-bbox="767 902 929 997">Based on NSO World Fee Categories</td> <td data-bbox="929 902 1048 997">Five-year contribution to the Brand Development</td> </tr> <tr> <td data-bbox="767 997 929 1048">Category A</td> <td data-bbox="929 997 1048 1048">USD 125</td> </tr> <tr> <td data-bbox="767 1048 929 1099">Category B</td> <td data-bbox="929 1048 1048 1099">USD 250</td> </tr> <tr> <td data-bbox="767 1099 929 1150">Category C</td> <td data-bbox="929 1099 1048 1150">USD 375</td> </tr> <tr> <td data-bbox="767 1150 929 1193">Category D</td> <td data-bbox="929 1150 1048 1193">USD 500</td> </tr> </table>	Based on NSO World Fee Categories	Five-year contribution to the Brand Development	Category A	USD 125	Category B	USD 250	Category C	USD 375	Category D	USD 500
Based on NSO World Fee Categories	Five-year contribution to the Brand Development												
Category A	USD 125												
Category B	USD 250												
Category C	USD 375												
Category D	USD 500												

Pack **3**

## COMMERCIAL USE AND LICENSING SYSTEM

Pack 3 is aimed at using the World Scout Brand and its Trademarks in a commercial way to generate additional income for a National Scout Association, a Scout shop, or a Scout event. A commercial license may be obtained under the conditions listed below. Misusing the World Scout Brand and its Trademarks is considered an act of theft. Every member of the Movement needs to take responsibility and help preserve its integrity.

Items	Contents of the pack	Applications	Conditions
 <p>The World Scout Emblem</p>  <p>The World Scouting Brand Logo</p>	<ul style="list-style-type: none"> <li>• CD with the original graphic files of the World Scouting Brand Logo in the five working languages, graphic files of the World Scout Emblem</li> <li>• Brand Identity Guidelines and manual</li> <li>• Access to free downloading of artwork in the graphic design section of the Media Centre of <b>scout.org</b></li> <li>• Brand Protection secured by the World Scout Bureau</li> <li>• Legal follow-up ensured by the Brand Legal Management Unit of the World Scout Bureau</li> <li>• Integration of your activities in the Global Marketing Plan</li> </ul>	<p>Any application on products intended to be commercialised with the objective to generate profit margins comparable to the usual market rates.</p> <p>Application on products to be commercialised as service to members of the NSOs (or each NSA of a NSO) with a small profit margin will not be subject to royalty.</p>	<p>The commercial use of the World Scout Emblem or of the World Scouting Brand Logo is subject to the granting of a license by the World Scout Bureau, which includes a <b>10% royalty fee on the manufacturing costs of the products intended for commercialisation.</b></p> <p>Any commercial use needs to be duly registered by the World Scout Bureau and shall be authorised through the granting of a license.</p> <p>You will need to:</p> <ul style="list-style-type: none"> <li>• Obtain a license on a given product</li> <li>• Estimate production quantity</li> <li>• Declare any additional production</li> <li>• Estimate duration of life of the product</li> </ul>

## Information HISTORICAL AND LEGAL BACKGROUND INFORMATION

The World Scout Brand and Trademarks have a history. By reading some of the records of the various World Scout Conference resolutions and decisions made by the World Scout Committee you can better understand the terms of use and conditions.

### Items

### Resolutions, decisions and circulars



The World Scout Emblem

#### World Scout Conference Resolution 13/1961 Conception of the World Scout Emblem (WSE)

#### World Scout Conference Resolution 5/1969

- Defined the emblem
- Defined the role of the World Scout Bureau to act on behalf of the Movement to control protection of the Emblem and to license whenever appropriate its reproduction in any form intended for sale
- Encouraged Members to wear it as a sign of Unity
- Provided merchandising articles for the NSOs

#### World Scout Bureau Circular 4/1974

Established a use policy for the WSE – free usage for identification purposes (« Cat. A ») and 10% royalties on manufacturing costs for commercial purposes (« Cat. B »)

#### World Scout Conference Resolution 10/1988

Called for the NSOs to cooperate by ensuring proper legal protection of the WSE in their country on behalf of WOSH.

#### World Scout Bureau Circular 40/1988

Was sent out urging NSOs to register the WSE. A questionnaire, dealing with matters of use and status of registration was included with the circular.

#### World Scout Committee Decision, Meeting 09/2006

Reaffirmed that the World Scout Emblem is the property of the World Scout Bureau.

#### World Scout Committee Decision, Meeting 03/2007

Decided on the conditions of use and commercialisation of the World Scout Emblem contained in this document.

#### World Scout Committee Decision, Meeting 04/2006

The World Scouting Brand Logo was developed in 2006 by the World Scout Bureau within the frame of the new Brand Strategy.

It is a registered trademark which belongs to the World Scout Bureau (legal entity representing the World Organization of the Scout Movement). The World Scout Bureau is the owner and entity in charge of the management of the World Scouting Brand and its trademarks.

#### World Scout Committee Decision, Meeting 09/2006

Affirmed that the World Scouting Brand Logo is the property of the World Scout Bureau.

#### World Scout Committee Decision, Meeting 03/2007

Decided on the conditions of use and commercialisation of the World Scouting Brand Logo contained in this document.





The World Scouting  
Brand Logo

**Special**

## PRODUCTION AND SALES OF OFFICIAL SCOUT ITEMS

The World Scout Shop (Scout Resources Sàrl) enjoys a monopoly over sales of official Scout items such as the World Scout Badge, the World Scout Flag and the World Scout Pin. You can either buy these items at the World Scout Shop or get a specific licence to produce them under special conditions.

Items	You buy them at the World Scout Shop	You want to produce and sell
 <p>The World Scout Badge</p>	<p>The conditions of sales are available on the website of the World Scout Shop</p> <p><a href="http://www.worldscoutshop.org">www.worldscoutshop.org</a></p> <p>The World Scout Shop is the official commercial entity of the World Organization of the Scout Movement</p>	<p>The commercial use of the World Scout Emblem or of the World Scouting Brand Logo is subject to the granting of a license by the World Scout Bureau, which includes a <b>10% royalty fee on the manufacturing costs of the products intended for commercialisation.</b></p> <p>Any commercial use needs to be duly registered by the World Scout Bureau and shall be authorised through the granting of a license.</p> <p>You will need to:</p> <ul style="list-style-type: none"> <li>• Obtain a license on a given product</li> <li>• Estimate production quantity</li> <li>• Declare any additional production</li> <li>• Estimate duration of life of the product</li> </ul>
 <p>The World Scout Flag</p>	<p>Scout Resources Sàrl Les Longerais Boréal FR - 74730 Metz-Tessy France</p> <p><a href="mailto:score@worldscoutshop.org">score@worldscoutshop.org</a></p>	<p>You will then:</p> <ul style="list-style-type: none"> <li>• Get a specific licence according to the conditions of Pack 3</li> <li>• Adhere to precise production specifications</li> <li>• Obtain authorisation to begin production after quality control has been completed by the Brand Legal Management Unit of the World Scout Bureau</li> </ul>
 <p>The World Scout Pin</p>		

**Support**

## SERVING OUR MEMBERS, SUPPORTING OUR PARTNERS

The Brand Legal Management Unit of the World Scout Bureau is the entry point for any questions you may have. You can also receive our support for the creation of designs and their protection in your country... We look forward to hearing your suggestions and your requests.

Support	Contact	More information
<ul style="list-style-type: none"> <li>- Legal protection and follow-up</li> <li>- Design creation</li> <li>- Audiovisual creation</li> <li>- Licensing contracts</li> <li>- Customisation of products</li> </ul>	<p>Brand Legal Management World Scout Bureau Rue du Pré-Jérôme P.O. Box 91 CH - 1205 Geneva Switzerland</p> <p><a href="mailto:brand@scout.org">brand@scout.org</a></p>	<p>More information and FAQs are available on line at</p> <p><a href="http://www.scout.org/media">www.scout.org/media</a></p>

## Appendix IV

# Brand Management Feasibility Study

## Brand Management

Feasibility Study  
CR 31/08/07

### 1. INTRODUCTION

The launch of the study was approved by decision of the World Committee in April 2005. The decision covers the protection of the existing emblem and the study of future possibilities concerning the new brand logo.

The object of the feasibility study is to determine how to best manage and protect the various elements of the World Scout Brand, while looking at possibilities of turning brand investment from a cost into a profit centre<sup>1</sup>.

### 2. OBJECT OF STUDY

"The image is an economic resource in its own right. Linked to the scout brand it can become the challenge for development and growth"<sup>2</sup>.

Brand creates value as soon as it is recognised. But to create this recognition and attract attention, Scouting needs a brand that tells a story that best conveys the identity and values of the Movement. However, to become a world level brand, and to benefit more concretely from its image, the Movement needs to position itself differently, with a more commercial goal<sup>3</sup>.

This study would determine what is the strategy to follow in order to maximize the scouting image and to truly make it an economic resource for the World Organization of the Scout Movement.

The elements of the brand are:

- The World Scout Emblem, defined in 1969
- The new Brand Logo, designed in 2006

The focus of this study is centred around the protection of the World Scout Emblem, as well as the future possibilities of protecting the new Brand Logo. More specifically, I will explain what is the present situation of the protection and what could be improved in the future.

<sup>1</sup> "Branding Process & Communication Strategy", Progress report (Nov. 2005 – Apr. 2006) and Decisions by the World Scout committee, 29 Apr. 2006, p. 5.

<sup>2</sup> "A challenge for development & growth : Towards a communication strategy", PowerPoint Presentation, Board of the World Scout Foundation, Richard Amalvy, 17.09.2004.

<sup>3</sup> Scout.Boom.Comm, Scouting's Profile, Training manual Strategic priority 7, Ch. 6.3, p. 96, Richard Amalvy, September 2003.

## 2.1 Existing brands

- World Scout Emblem (WSE)

Registered on the 15<sup>th</sup> December 1988, under the Madrid Agreement, to be renewed by December 15<sup>th</sup> 2008.



- World Scout logo / World Scout Pin<sup>4</sup>

Registered the 9<sup>th</sup> December 1997, to be renewed by December 9<sup>th</sup> 2007.



Note: There is an important difference between the Emblem and the World Scout Pin. The Pin is one of the possible applications of the Emblem. The World Scout Badge is another example of an application of the World Scout Emblem.

- Centenary Logo

Registered the 12<sup>th</sup> June 2003, could be renewed in 2013.



## 2.2 Functions of a brand

In order, to protect the identity and values associated with the World Scout Brand, it would be necessary to register it as a trademark<sup>5</sup>, which according to the World Intellectual Property Organisation (WIPO<sup>6</sup>), "is a distinctive sign which identifies certain goods or services as those produced or provided by a specific person or enterprise".

This document aims to clarify the following points:

- Brand Strategy: A more elaborate strategy for 2008
- Carry out brand management: resources (financial and human)
- Protection

<sup>4</sup> Conversation with Ladislav Klément ex-Director of the World Scout Shop and first Director of SCORE. Circular 12/1995.

<sup>5</sup> What is the difference between a "brand" and a "trademark"? A brand is a word, name, symbol, color, scent or sound used in trade to distinguish goods or services. A trademark is a legal construct designed to protect consumers from confusion as to the source of the goods or services.

<sup>6</sup> WIPO is based in Geneva.

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- Investment

### 3. BRAND PROTECTION

Hereafter, I will expose what the current situation is concerning the WSE (internally and externally) as well as the present status of the new Brand Logo.

#### 3.1 The World Scout Emblem (WSE)

The World Scout Emblem was created by Baden-Powell. The fleur-de-lys, which indicated “north” on old maps, is a reminder that Scouts must be as reliable as a compass; they must respect Scouting’s ideals, in order to find their way in life.

The three “petals” symbolise the three duties: duty to God, duty to self and duty to others. The two stars represent truth and knowledge, and the ten points of the stars symbolise the ten articles of the Scout Law.

##### 3.1.1 Internal Perspective (Status within WOSM)

The WSE was first conceived at the World Conference in 1961, in resolution 12/61. It was then promoted in a second resolution in 1969.

The resolution 5/69 more specifically:

- Defined the emblem
- Defined the role of the World Scout Bureau to act on behalf of the Movement to control protection of the Emblem and to license whenever appropriate its reproduction in any form intended for sale
- Encouraged Members to wear it as a sign of Unity
- Provided merchandising articles for the NSOs

##### 3.1.2 External Perspective (Legal Protection)

The WSE was registered for the first time in 1972, under the Hague system<sup>7</sup> and the protection ended under this system on June 8<sup>th</sup> 1987.

As a renewal was no longer possible under the Agreement of the Hague, the emblem was registered as a trademark under the Madrid Agreement in 1988. Initially, this protection covered 24 countries, and could be extended to all countries by individual registrations. Today, the Agreement covers 78 countries, including the EU, China & many others.

The initial protection period has a length of 10 years that then can be renewed indefinitely for 10 year periods. Therefore, the renewal procedure will have to be completed before the 15<sup>th</sup> December 2008, date at which the protection ends.

##### 3.1.3 Property of the WSE

The WSE, as a registered trademark is more than just a design, it is a brand, which is something that has value. However, despite the importance of the WSE and its value, there is quite a confusion about the ownership of the Emblem.

###### 3.1.3.1 Lack of clarity

As explained above, the 12/61 and 5/69 resolutions were the basis for the creation of the WSE. The resolution 5/69 also announced that use and reproduction of WSE was authorized to Member Associations and their members in forms not intended for sale.

Moreover, the Conference recognized the value of the emblem and directed the World Scout Bureau to act on behalf of the Movement by controlling the protection of the Emblem and to license whenever appropriate its reproduction in any form intended for sale. Nevertheless, these resolutions did not address the question of ownership of the WSE.

However, in the course of my research I have found several references<sup>8</sup> of the WSB giving license to use the WSE commercially to SCORE<sup>9</sup>, but also a partnership between the World Scout Foundation and Wenger (Swiss Army Knives)<sup>10</sup>. This displays the lack of clarity in the

<sup>7</sup> Which only covered 14 countries at that time.

<sup>8</sup> Indication of transfer of rights are found in the “Statutes of the Scout Resources International Association”, at art.11 and 14, March 1995 and also in Circular 12/95, which contained a description of SCORE (see point 1.1.3. of the description of SCORE), June 1995.

<sup>9</sup> SCORE stands for Scout Resources and is the official shop of the World Organization of the Scout Movement (WOSM). It operates as an association with headquarters (Scout Resources International) at the World Scout Bureau in Geneva, Switzerland, and an operational centre (Scout Resources, Sàrl) close to Annecy, France.

<sup>10</sup> “Basic Agreement of commercial co-operation and mutual benefit scheme between the World Scout Foundation Geneva, Switzerland and the WENGER S.A. Delémont, Switzerland regarding the launching of the official World Scout Knife”, May 1989.

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ownership of the WSE even within the legal bodies of WOSM and could lead to complicated legal situations if it is not clarified.

Adding to this confusing situation, resolution 10/88 called for the NSOs to cooperate by ensuring proper legal protection of the WSE in their country on behalf of WOSM. Following this resolution, the circular 40/88 was sent out urging NSOs to register the WSE. A questionnaire, dealing with matters of use and status of registration was included with the circular.

Part of the answers were compiled into a list, dating from January 1989<sup>11</sup>, that contains information about the status of registration of the WSE throughout the world. Unfortunately, the information is today somewhat outdated and the data is incomplete, as some countries "intended to register" but it was never determined whether they did or not. Moreover, the list contained information for "only" 49 countries, compared to the 155 countries in which there are recognised Scout Associations today.

This has led to a complicated legal situation as the WSE now is or may be legally owned by the NSOs in certain countries<sup>12</sup>, while in others it has been registered by the World Scout Bureau Inc. (WSB Inc.).

As both the ownership and the status of registration of the WSE are unclear, any effective protection is problematic.

### 3.1.3.2 Different legal entities that benefit from the WSE

The lack of clarity is due to the fact that the following entities manage the use of the WSE and can benefit from the revenue of it:

- World Scout Bureau (WSB)  
As the resolution 5/69 specified that the WSB is to act on behalf of the Movement by controlling the protection of the Emblem and to license whenever appropriate its reproduction in any form intended for sale.
- World Scout Foundation (WSF)  
As it signed an agreement with Wenger and directly receives the revenue generated by this licensing. It also perceives voluntary donations connected to the sale or production of the World Scout Badge, which was encouraged in resolution 10/88.
- SCORE  
The statutes of SCORE clearly state that the WSB, through decision by World Scout Committee<sup>13</sup>, transferred rights to use the WSE in the sale of merchandising articles.

### 3.1.3.3 Proposed solution

This situation could be resolved, internally (meaning within the Organization), by an amendment to the World Scout Constitution and/or a World Conference Resolution that would specify that the WSE is the property of WSB Inc.<sup>14</sup> and that it is responsible for its management.

As for clarifying the situation externally (in regards to third parties), an added article to the World Scout Bureau, Inc. Statutes could mention the WSE as being part of the "resources" of WSB Inc. and that it officially belongs to WSB Inc.

<b><i>Internally (Constitution of WOSM)</i></b>	<b><i>Externally (Legality within Swiss law, Statutes of WSB Inc.)</i></b>
Constitution	Statutes of an association under Swiss Law (art. 60 ss. Civil Code)
General Assembly (GA) = World Conference	GA

11 See List of status of registration throughout the World, January 1989, in background documents.

12 See the new updated list displaying the status of registration throughout the World, July 2006, in the appendix.

13 See Circular 12/95, "What is SCORE?", point 1.1.3.

14 WSB Inc. is the legal entity of the WSB.

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Governing Board (GB) = World Committee 12 elected members (14 with Secretary Gen. & tresurer)	GB
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Only one legal entity should manage the brand and manage the benefits from the use of the brand.

### 3.1.4 Financial Aspects

The study examined the possibilities of turning brand investment into a profit centre by offering a solid legal base. The income generated by the use of the Scout Brand could be reinvested in the brand protection, making it self sustaining, while any excess could serve as a regular income for the WSB. A solid legal base would facilitate the development of co-branding partnerships as well as other possibilities.

#### 3.1.4.1 Payments of royalties

- The payment of royalties: A file exists and contains the information regarding the status of payment of royalties.  
This list displays that only very few NSOs (less than ten) regularly pay any royalties on the use of the WSE. According to M. Bernard Le Roux (Manager of SCORE), the amount was never very high (a few thousand per year). However, since two years, there has been a better follow-up on royalties that are due and the amount perceived has been an average 10'000 Frs per year.  
Also since two years, the royalties are directly paid by NSOs and Scout Shops to the WSB. Previously, royalties were paid to SCORE. However, M. Le Roux, did not want it to go into the profit of SCORE as it then had to be split between the members of SCORE and the WSB, and not all to the latter as it should have been.
- Until now, the NSOs had the choice between:
  - 1.) Buying the badges directly from SCORE (royalties are directly included in price)
  - 2.) Producing their own badges and/or products bearing the WSE and paying a licensing fee to SCORE (since 2 years to WSB)

Additionally to this previous choice, they were encouraged, through resolution 10/88 to voluntarily donate a certain amount to the WSF. This donation's amount is determined by the NSOs and some of them (BSA for example) buy the badges from SCORE and also donate to the World Scout Foundation (WSF).

Added to the choice of payment, which already is cause for confusion, the NSOs have had to determine whether any royalties are due or not, which is not a very easy task. However, I will come back to this in point 3.1.4.3.

#### 3.1.4.2 A single brand management fund

In order to act in a coherent way, the entity that owns and manages the brand should also have the faculty of managing the revenues generated by it. For example, in terms of brand management, it would be wise to reinvest revenues generated by the brand into a "brand management fund", managed by the WSB, which would help cover the expenses of the legal protection and general brand management.

#### 3.1.4.3 Analysis of current violations and their reasons

Until now, the use of the WSE has not been monitored very closely, as it is both time-consuming and expensive since it would involve an investigation in every country. Moreover, the potential pirates are in most cases the Scouts themselves, mainly because of the ambiguous situation in regards to the ownership and appropriate legal use of the WSE. In addition, these facts contribute to the problem:

- The situations in Taiwan (Republic of China) and South Korea are the most problematic as there is a lot of merchandising for which no royalties are paid. The main reason for this being that there has not been any licensing agreement between the WSB and the NSOs of these countries. The fact that the NSOs have registered the WSE in their country in their name, following the request to do so by the WSB, may also contribute to the fact that they do not pay.
- There are also some known cases of violations by certain individuals who use the WSE for

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- their own personal benefit.
- The constant change in leadership of the NSOs contributes to the general misinformation about the proper use of the WSE and the royalties that are due for its use.
- There has been an attempt to clarify the situation through a circular but it hasn't been acknowledged by all NSOs, and consequently some NSOs continue to pay royalties, while others have never done so.
- Additionally, as previously mentioned, the royalties payment system is unfortunately complicated<sup>15</sup>. Indeed, whether royalties are due or not depend on how the WSE is used. Circular 4/1974 was sent out to clarify this issue. However, since then (more than 30 years), little has been done to remind these decisions and this royalty system, which remains to be clarified or improved through simplification.
- This study will therefore propose a more straightforward solution for the remuneration of the use of the Scout Brand.
- As previously mentioned, the special case of the World Scout Badge, which is an important financial support to the WSF, also creates an ambiguous situation<sup>16</sup>.

### 3.1.5 Antecedents of potential partnerships

During the kick-off workshop of the feasibility report, some partnerships were also brought up, they included:

- A project that involved the production of chocolate bars with added vitamins with Jacobs and Suchard in 1990/1992<sup>17</sup> was aborted because of the lack of sufficient legal protection on the Scout brand.
- There is an existing sponsorship between Dick Smith Food and CareerOne and the Scouts Australia.

### 3.2 Conclusion: The link between brand management and governance

Up to now, it has mostly been up to NSOs and/or the WSB to manage and protect the WSE appropriately. This has led to an inconsistent management and ineffective protection.

A more unified and centralized management and protection system should therefore be considered. This is also one of the recommendations contained in the study<sup>18</sup> conducted by Saba & Co.<sup>19</sup>, as it would "streamline the management process of licensing, royalties or equivalent".

This is why it has been proposed to modify the statutes of WSB Inc. and the Constitution of WOSM to provide a centralized management of the WSE and future Brand logo by the WSB.

### 3.3 The New Brand Logo

The new Brand Logo, composed of the WSE + SCOUTS + Claim "Creating a Better World", was developed during January 2006 with the help of Interbrand and will be registered before October 1<sup>st</sup>. However, the registration process in other countries is planned to continue in the coming months (see below in point n° 4 Future Perspectives).

## 4. FUTURE PERSPECTIVES

Since the current registration of the WSE is coming to the end of its protection period, it is part of this study to evaluate the necessity of maintaining the protection or if some adaptation is needed. The object of the study is also to consider how to best protect the new brand logo.

### 4.1 Existing International Systems for protection of Intellectual Property

Hereafter, you will find a brief explanation<sup>20</sup> of the existing protection systems, which are followed by the proposed actions.

#### 4.1.1 The Madrid Agreement and Protocol

The Madrid system for the international registration of marks (the Madrid system) established in 1891 functions under the Madrid Agreement (1891), and the Madrid Protocol (1989). It is

<sup>15</sup> See background document "A legal approach of the World Scout Emblem and of the World Scout Badge" by M. Luc Panissod, p. 5 in particular.

<sup>16</sup> Ibidem.

<sup>17</sup> Unfortunately, no written documents concerning this discussed partnership exist.

<sup>18</sup> "Saba study presented to WOSM on September 5, 2006", Saba & Co, recommendation I & III, p. 3.

<sup>19</sup> Saba & Co. is a Firm specialized in Intellectual Property, that have drafted a study (see footnote above) on how to proceed for registration of the new brand logo . It includes estimates of the costs involved.

<sup>20</sup> For a more detailed presentation of the different international protection systems, see "Saba study presented to WOSM on September 5, 2006".

administered by the International Bureau of WIPO located in Geneva, Switzerland<sup>21</sup>.

This Agreement currently covers 78 countries, which include the EU, the United States, China and many others.

The main advantage of the system is the single registration process that covers all the member countries and reduces costs greatly.

#### **4.1.2 African Systems**

There are two African Organisations for Intellectual Property, the first covers French-speaking African countries (OAPI) and the second the English-speaking countries (ARIPO).

#### **4.1.3 Other countries**

As for the rest, the registration processes must be done individually, country by country. This is done through Intellectual Property Protection firms that have branches throughout the world.

#### **4.1.4 Classification system**

To simplify and unify the international protection of brands, a classification was developed through the "Nice Agreement".

The Agreement establishes a classification of goods and services for the purposes of registering trademarks and service marks. The trademark offices of the contracting States of the Nice Agreement are required to include in the official documents and publications the numbers of the classes of goods and/or services.

The Classification consists of a list of classes—there are 34 classes for goods and eleven for services—and an alphabetical list of the goods and services. The latter comprises some 11,000 items. Both lists are, from time to time, amended and supplemented by a Committee of Experts on which all contracting States are represented. The eighth edition of the Classification entered into force on January 1, 2002.

Although only 72 States are party to the Nice Agreement, the trademark offices of more than 130 States, as well as the Secretariat of WIPO, the Benelux Trademark Office, the African Intellectual Property Organization (OAPI) and the Office for Harmonization in the Internal Market (Trade Marks and Designs) of the European Communities, actually use the Classification<sup>22</sup>.

### **4.2 Details of Proposed Protection**

There are quite a few possibilities for protection taking into account the different systems, classes and countries in which the Scout Brand could be registered. These are the most pertinent solutions that were determined.

#### **4.2.1 The World Scout Emblem**

As mentioned above, the protection period for the WSE will end in 2008. However, pending the possible protection of the new brand logo, the registration will be renewed but will cover different classes which form a better basis for the protection of the essential activities of Scouting (the Scout's "core business"). These are: Education, publications, scout uniforms or clothing and advertisement.

#### **4.2.2 The New Brand Logo**

A similar solution is considered for the new Brand Logo as it will also need to cover the "core business" of Scouting, and the registration process will be completed in the coming months.

#### **4.2.3 Summary**

More specifically, we propose to:

- Maintain protection on the WSE (protection ends in 2008), if the new Brand Logo (including claim) is not yet protected, but by covering the "core business" of scouting and keeping an option open for the use of additional classes.
- Register the brand logo + Claim also covering the "core business" ("Emblem + SCOUTS + Claim").
- Given the previously mentioned list of status of registration throughout the World, it




<sup>21</sup> For more information, visit: <http://www.wipo.int/madrid/en/>.

<sup>22</sup> For more information, visit: <http://www.wipo.int/classifications/nice/en/>

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would be necessary to start a “case by case” negotiation with NSOs which have registered the WSE in their country in order to prepare a potential decision at the World Scout Conference in Korea.

- Make use of copyrights on publications, adaptation rights, translation rights.

<b>Brand (Trademark)</b>	<b>Registration (Renewal)</b>	<b>Royalties</b>	<b>Classes<sup>23</sup></b>	<b>Protection system (Countries covered)</b>
World Scout Emblem (fleur de lis or Arrowhead) 	Protected until 2008, renewable for 10 years	Except for a few cases, the royalties system was for the most part unsuccessful. A fixed payment (Premium) protection system has been planned.	4 Classes were protected up to now (n° 8, 14, 25, 30). However, it would be best to renew the protection while covering the « core business ».	WIPO <sup>24</sup> , but only in Germany, Austria, Benelux, Egypt, Spain, France, Italy, Liechtenstein, Morocco, Portugal and Switzerland.
Brand Logo 	To protect separately or not? Protection of Brand Logo + Claim below also covers the Brand Logo component alone.	Fixed payment (Premium) protection system has been planned	In 4 classes minimum “core business” (classes n° 16, 25, 35 et 41)	WIPO + ARIPO <sup>25</sup> + OAPI <sup>26</sup> + individual countries (see Saba & Co. Study for more information)
Brand Logo + Claim 	To be protected in English only. Protection covers the other separate components (Brand Logo alone & WSE)	Fixed payment (Premium) protection system has been planned	In 4 classes minimum “core business” (classes n° 16, 25, 35 et 41)	WIPO + ARIPO + OAPI + individual countries (see Saba & Co. Study for more information)

### 1.1 Reasons of Choice

The initial choice of elements to protect was composed of the WSE alone, the bloc “Emblem + SCOUTS” as a brand logo & finally the brand logo (“Emblem + SCOUTS”) with the Claim “Creating a Better World” in the five official languages of WOSM.

However, SABA & Co. recommend in their study<sup>27</sup> to register the Brand Logo and Claim as one “block” and register it in English only. This would help protect each component of the mark separately without incurring additional charges for registering two separate trademarks.

<sup>23</sup> See background document “Classification of Nice” for a complete list.

<sup>24</sup> WIPO is the World Organisation of Intellectual Property, it is based in Geneva.

<sup>25</sup> The ARIPO is African Regional Industrial Property Organisation for English-speaking African countries.

<sup>26</sup> The OAPI is the African Intellectual Property Organisation for French-speaking African countries.

<sup>27</sup> Op Cit. 17, recommendation IV, p. 3.

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### 4.3 Protected classes

As mentioned above, the registration will cover the “core business” of Scouting. Here is a more detailed description of what they include, as well as other classes that could potentially be used:

<i>Types of Business</i>	<i>N° of Class</i>	<i>Types of products/services protected by the class</i>	<i>Use for the Scouts</i>	<i>Entities having use of the class</i>	<i>Exceptions</i>
<b>“Core Business”</b>	41	Education, training, entertainment, Sporting & cultural activities	Education & Scout training	WSB, NSOs	
	25	Clothing, footwear, headgear	Scout Clothing (uniforms)	WSB, NSOs	World Scout Badge & Flag of World Scout Movement <sup>28</sup>
	16	Paper, printer matter, instructional and teaching material, etc.	Scout Publications & training material	WSB, NSOs	
	35	Advertising, business management; business administration, etc.	Scout Advertising	WSB, NSOs	World Scout Badge & Flag of World Scout Movement
<b>Examples of other classes that could be used</b>	8	Hand tools and implements (hand-operated); cutlery, etc.	Scout Swiss Army Knives	WSB	It could be possible to have a special license for the use of this class by NSOs or for special international scouting events (Jamboree or Moot)
	14	Horological and chronometric instruments, etc.	Scout Watches	WSB	It could be possible to have a special license for the use of this class by NSOs or for special international scouting events (Jamboree or Moot)
	30	Coffee, tea, cocoa, sugar, etc.	Scout Chocolates	WSB	It could be possible to have a special license for the use of this class by NSOs or for special international scouting events (Jamboree or Moot)

### 4.4 Future Use of the Brand

Even though the brand will be registered in the name of WOSM, it will be available for use by many entities, these would include:

- WOSM
- NSOs
- International Scouting events such as Jamborees, Moots & Conferences
- World Scout Centres

<sup>28</sup> These are symbolic elements of the World Scout Movement that cannot be used commercially and whose distribution should remain the monopoly of SCORE.

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- SCORE (Scout Resources Inc.)
- the national Scout stores
- Third parties, Non Scouts (Partnerships)

#### 4.5 Advantages related to brand use

It is important to realise that each of these entities will greatly benefit from the use of the brand and its improved protection.

##### 4.5.1 Advantages for WOSM

- This global protection would be an advantage to WOSM as it would greatly simplify the management of the brand.
- Furthermore, with the NSOs acting as local “watchdogs” the cases of violations could be known and actions could be taken to prevent the misuse of the WSE/the Brand Logo.
- Moreover, WOSM would benefit from a regular income on the use of the brand and a monopoly on the use of the classes that aren't part of the “core business”.

All these elements would combine into making the Scout brand more attractive to future partners.

##### 4.5.2 Advantages for NSOs

- NSOs would also find many advantages in the global protection, the first being that it would free them from the necessity to manage and finance the protection of the brand.
- Secondly, the protection would simplify the rules surrounding the use of the brand, which would greatly help the NSOs who are mostly unaware of their rights or obligations in regards to the Scout brand.
- In addition, the NSOs would have a high level of legal protection and could directly benefit from legal proceedings by being the local “watchdogs” and reporting cases of violations.
- Furthermore, the NSOs would have a monopoly on the use of the brand on the “core business” of Scouting.

Finally, a global and better protection would improve the overall image of Scouting.

##### 4.5.3 Advantages for the events

The new system would guarantee a fixed revenue based on:

- the brand logo
- the event logo.

##### 4.5.4 Advantages for World Scout Centres

The World Scout Centres would benefit in the following ways:

- An educational programme and material with the official WOSM seal<sup>29</sup>
- License to use the Brand Logo on the “core business”

##### 4.5.5 Conclusion

One could summarise the different benefits from the global protection in this chart:

<b>Entities</b>	<b>Advantages</b>	<b>Image</b>	<b>Legal</b>	<b>Commercial</b>
NSOs	<ul style="list-style-type: none"> <li>• Legal Protection</li> <li>• Services</li> </ul>	<ul style="list-style-type: none"> <li>• Better &amp; Stronger</li> </ul>	<ul style="list-style-type: none"> <li>• International / Global protection</li> <li>• Protection Insurance / Warranty</li> <li>• Can report cases of violations to WOSM</li> </ul>	<ul style="list-style-type: none"> <li>• Use for the « core business »</li> </ul>

<sup>29</sup> As seen in “World Scout Centres and WOSM accredited International Scout Centres”, in 37<sup>th</sup> World Scout Conference Report, Tunisia 2005, by Edouardo Missoni, Secretary General WOSM.

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<b>Entities</b>	<b>Advantages</b>	<b>Image</b>	<b>Legal</b>	<b>Commercial</b>
WOSM	<ul style="list-style-type: none"> <li>• Legal Protection</li> <li>• Lasting funding (revenue)</li> <li>• Simplified system</li> </ul>	<ul style="list-style-type: none"> <li>• Better &amp; Stronger</li> <li>• Stronger attraction for partnerships</li> </ul>	<ul style="list-style-type: none"> <li>• Simplified and global protection</li> </ul>	<ul style="list-style-type: none"> <li>• Regular revenues from use of trademarks for « core business »</li> <li>• Monopoly on potential use of other classes</li> <li>• Possible partnerships</li> </ul>
Events	<ul style="list-style-type: none"> <li>• Unification</li> <li>• Legal protection</li> </ul>	<ul style="list-style-type: none"> <li>• Better &amp; Stronger</li> </ul>	<ul style="list-style-type: none"> <li>• International / Global Protection</li> </ul>	<ul style="list-style-type: none"> <li>• Punctual revenue</li> <li>• Possibility to develop products that are specific to the events</li> </ul>
World Scout Centres	<ul style="list-style-type: none"> <li>• Legal Protection</li> <li>• Services</li> </ul>	<ul style="list-style-type: none"> <li>• Better &amp; Stronger</li> </ul>	<ul style="list-style-type: none"> <li>• International / Global Protection</li> </ul>	<ul style="list-style-type: none"> <li>• Use for the « core business »</li> <li>• « Official seal » of WOSM on educational programme</li> </ul>

#### **4.5.6 Contractual basis**

To be able to protect and manage the brand centrally and at an international level, it would be necessary to reach an agreement at the 38<sup>th</sup> World Scout Conference in Korea.

##### **4.5.6.1 Centralised ownership and management**

This agreement would include, as previously explained, the transfer of legal rights of the WSE from the NSOs to WSB Inc. who would then be in charge of the international management and protection of the Scout Brand.

##### **4.5.6.2 The Fixed fee system (or Premium System)**

In order to simplify the management of the brand and clarify the system for the NSOs, World Scout Committee member Georges El Ghorayeb makes the suggestion of including in the agreement, a fixed fee (or premium) system calculated on the same basis as the calculation of yearly dues with slight modifications (implementation of a minimum and a ceiling for fees).

This system would undoubtedly be advantageous to all parties and would not add excessive financial obligations for the NSOs.

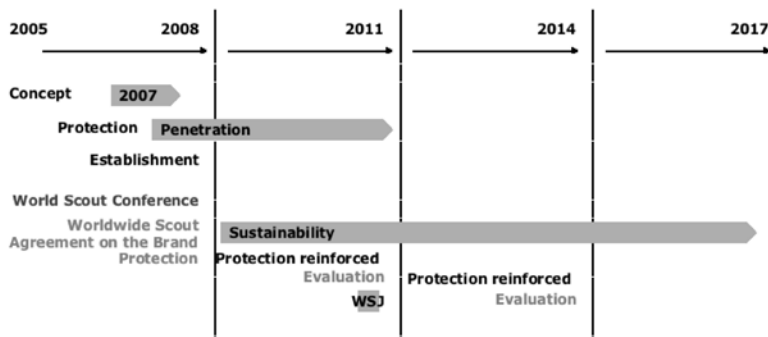
WOSM would benefit from a regular income that would partly be reinvested in the protections cost and general management.

The elements for the future agreement, its feasibility and the way to reach it will be established with the support of a specialist (Meeting with Me François Carrard, Lawyer, ex DG of the International Olympic Committee).

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#### 4.5.7 Long term vision: Time line 2005 / 2017

In order to seriously establish the Scout Brand, one must have a long term vision, as presented below:



- A long term vision
- A strong and global commitment from the Movement: The agreement reached in Korea / Contractual basis

### 5. INVESTMENT PLAN

The complete investment plan will be presented in March pending the approval of the present report by the World Committee. However, some of the elements are exposed below.

#### 5.1 Inventing a system for generating revenues

The revenue generated in order to cover investment will be different on short and long term as explained hereafter.

##### 5.1.1 During the period of establishment of the World Scout Brand (2005/2008)

The revenues that will be used to reinvest into brand protection and management will be the following:

- Royalties of sales of merchandising articles (World Scout Jamboree and new line of products from SCORE)
- revenue recentered from SCORE<sup>30</sup> and the WSF

##### 5.1.2 After the World Scout Conference in Korea (After 2008)

After a possible agreement at the 38<sup>th</sup> World Scout Conference in Korea, the revenues could be the following:

- revenues generated on the basis of a decision during the next World Conference in Korea
- Stable revenues: the creation and approval of the agreement at the 38<sup>th</sup> World Scout Conference planned in Korea in 2008, could establish an annual license system for the NSOs on the "core business" of Scouting and the non commercial activities. The fee would be calculated on the same basis as the calculations of the yearly dues.
- Recentre all the revenues related to the use of the trademarks
- Irregular income generated by:
  - 1.) NSOs or Scout shops on the other activities falling under the classes 16 and 25.
  - 2.) International Scouting Events
  - 3.) World Scout Centres
  - 4.) Third parties (non Scouts)

<sup>30</sup> Some of the profit is already redistributed to the WSB. However, money generated from the use of the WSE (WS Badge & WSE merchandise) could be reinvested a brand management fund.

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## 5.2 Investment

- Investment in the protection
- Cost of the management which includes administration and human resources<sup>31</sup>

## 5.3 Governance & Management<sup>32</sup>

As seen before, some decisions concerning Governance must be made to enable an effective brand management. Hereafter is a brief summary of suggestions that should be examined by the Governance Review Task Force and the Committee of Constitutions.

- The World Scout Emblem and Brand Logo should be constitutional, and become an immaterial asset in the capital of the movement
- The Emblem and brand logo should also be integrated into the Statutes of WSB Inc. for the same reasons<sup>33</sup>. Mention of the World Scout Emblem appears in the latest version of the Statutes as a source of revenue, however, its ownership is not mentioned.

## 6. BENCHMARKING

A benchmarking was carried out in July-August 2006, to determine how other NGOs/IOs protect and manage their brand. This was done through interviewing the brand managers on subjects ranging from legal protection to management aspects. The subjects of the interview were:

- For UEFA, on 31<sup>st</sup> July: Mary-Laure Bollini, Junior Brand Manager
- For WWF, on 3<sup>rd</sup> August: Lynne Labanne, Brand Manager
- For the IOC, 30<sup>th</sup> August: Attorney-at-law François Carrard, Lawyer and ex-DG of IOC
- For the ICRC, unfortunately, no interview was possible (contact was not available for interview). However, the information that was gathered through diverse sources allows a general understanding on the special status of the emblems of the ICRC.

### 6.1 Protection Methods

The benchmarking showed that other NGOs have also had to make decisive choices in choosing a limited number of classes to protect their trademark, in a limited number of countries. The choice of classes was in most parts decided by the product manager and the legal department. The choice of countries to protect was in most cases influenced by where the biggest market for merchandising products was, or where the partners operated. In the case of UEFA, it was mostly the sponsors of the events they organised. This was most important because the sponsor wanted to have the exclusivity of appearing as an official sponsor. This is endangered sometimes by what is called "ambush marketing"<sup>34</sup>.

As for WWF Int., they protected their brand in the countries that they operate in.

The three emblems of the ICRC, the Red Cross, the Red Crescent and the Red Lion and Sun, are all protected under the Geneva Conventions, however the only first two are now being used. In December 2005, during a diplomatic conference held in Geneva, the present States adopted the 3<sup>rd</sup> Additional Protocol to the Geneva Conventions, which created an extra emblem, the "red crystal". This new emblem is meant to solve some of the problems and questions that the Movement has had for many years, for instance:

- The possibility, for countries that do not want to adopt neither the red cross, nor the red crescent to become member of the Movement by using the red crystal
- The possibility to use the red cross and the red crescent together

Added to the International protection of these emblems through the Geneva Conventions and their additional protocols, each State party to these are required to take steps to prevent and punish misuse of the emblem in wartime and peacetime alike, and to enact a law on the protection of the emblems.

<sup>31</sup> Brand Manager position.

<sup>32</sup> See with the Governance Work Group.

<sup>33</sup> See with Committee of Constitutions.

<sup>34</sup> "A deliberate attempt by an organisation to associate itself with an event (often a sporting event) in order to gain some of the benefits associated with being an official sponsor without incurring the costs of sponsorship" (definition from the Chartered Institute of Marketing – <http://www.cim.co.uk>).

## 6.2 Results on Management Methods

Hereafter you will find the methods used by each NGO/IO to manage their brand.

### 6.2.1 UEFA: Centralised Management Method

The representatives of the NGOs mostly agreed that having a centralized management of their brand is a better solution. This includes giving the international body the ownership of the brand(s).

UEFA has complete control over all their brands and even controls the merchandising process centrally. However, the TV rights are the most valuable in terms of generated revenue, and so merchandising is only a smaller additional source of revenue and is only done for the "bigger events", like the Euro and the Champion's League.

UEFA's main brand (the UEFA logo), is not used commercially. It is mostly used for all the publications and the national organisations (NOs) are allowed to use them freely, within the given guidelines published by the Brand Managers of UEFA.

### 6.2.2 WWF: Centralised Management with Regional "Brand Champions"

The WWF brand is managed by WWF Int. and the NOs are provided guidelines on the logo's proper use. There is a section in their Charter agreement on branding to which all NOs (National Offices) and POs (Program Offices) have signed.

However, WWF Int. has also developed a system that they call "Brand Champions". These Champions are communication staff, one in each NO, who are trained (by the WWF Int. Brand Managers) to know how to use the brand properly, and whose mission is to educate the staff by discussing brand use with them if they see it being "misused".

For commercial use of the brand, there are agreements with the NOs who license the WWF Brand, for which WWF Int. receives a fee. These agreements also contain reminders that they have obligation to conform to the brand / logo guidelines.

Moreover, any license agreements with outside companies of merchandising products are dealt in a case by case basis.

### 6.2.3 IOC: The TOP Programme

The IOC also owns the Olympic Symbol and the licensing programmes are managed by the OCOGs (Organising Committees for the Olympic Games) under the direction of the IOC. However, an important sponsorship is generated through what is called the TOP programme.

TOP stands for The Olympic Partner Programme. Created in 1985, the TOP programme, managed by the IOC, is the only sponsorship with the exclusive worldwide marketing rights to both Winter and Summer Games.

TOP companies receive exclusive marketing rights and opportunities within their designated product category. They may exercise these rights on a worldwide basis, and they may develop marketing programmes with the various members of the Olympic Movement - the IOC, the NOCs, and the Organising Committees. In addition to the exclusive worldwide marketing opportunities, partners receive:

- Use of all Olympic imagery, as well as appropriate Olympic designations on products
- Hospitality opportunities at the Olympic Games
- Direct advertising and promotional opportunities, including preferential access to Olympic broadcast advertising
- On-site concessions/franchise and product sale/showcase opportunities
- Ambush marketing protection
- Acknowledgement of their support through a broad Olympic sponsorship recognition programme<sup>35</sup>

### 6.2.4 ICRC: A special case, protected by International Law

As the emblems are protected by International Humanitarian Law (Geneva Conventions and their additional protocols), the rules concerning the use of the emblems is very strictly defined in these texts. For instance, the emblems can only be used by a restricted list of entities (mostly medical personnel) and only under certain conditions (depending if it is during a conflict

<sup>35</sup> Information found on the official Olympic website, for more information see: [http://olympic.org/uk/organisation/facts/programme/sponsors\\_uk.asp](http://olympic.org/uk/organisation/facts/programme/sponsors_uk.asp).

situation or not)<sup>36</sup>.

However, with the adoption of the new emblem and the importance of elevating the awareness of everyone to this new symbol, the ICRC has had to consider means to promote it:

*"The ICRC has [also] decided to set up, together with the Federation if the latter agrees, a fund with a twofold purpose: on the one hand to help National Societies that adopt the new emblem to promote it within their own countries and to modify the markings on their equipment accordingly, and on the other hand to finance the promotion of the new emblem internationally."<sup>37</sup>*

### 6.3 Protection of brand

UEFA & WWF Int. spokespersons both said that it was very hard to control everything, everywhere. And so, in most cases it is up to the regional or national offices to deal with cases of presumed piracy or illegal use of the brand.

For WWF, the detection and reaction to cases of illegal use or piracy of the brand is usually done by the NOs if they are the ones who discovered them. However, they can always "fall back" on the legal department of WWF Int. in case they needed some help.

Nevertheless, in the case of the IOC, they registered their symbol in all classes.

### 6.4 Functions of a Brand Manager

Although there were some slight differences between the responsibilities of the Brand Managers that were interviewed, two main missions always came back:

1. Developing the brand (assess brand platform and its perception by public/third parties)
2. Keeping the style of publications and use of logo consistent (Guidelines & Education of staff)

However, in the case of WOSM, it would be necessary in order to protect the integrity of the brand, to include in the brand manager's tasks the legal aspects concerning the protection of the different elements that compose the Scout Brand.

### 6.5 Conclusion

In conclusion of this benchmarking, it was determined that a centralised management method is commonly used and considered a more efficient way to manage a brand. This also enables a certain degree of consistency in the message, which reinforces the values of the Organization and conveys that it is a global actor.

In order to manage the brand centrally, it is therefore logical that the main body own the brand and have a certain control over it to make sure it is being used in a correct and consistent manner. It was also determined that no universal solution exists on choosing which classes and countries to register the trademark in. For classes, it depends on the type of merchandise one wants to produce (and/or protect). As for choosing in which countries to protect one's trademark, it is mostly a question of where the organisation or its partners operate.

36 For more information, see "What are the provisions of humanitarian law governing use of the emblem?", extract from ICRC Publications, "International humanitarian law: answers to your questions", found on [http://www.icrc.org/Web/Eng/steeng0.nsf/htmlall/section\\_ihl\\_in\\_brief?OpenDocument](http://www.icrc.org/Web/Eng/steeng0.nsf/htmlall/section_ihl_in_brief?OpenDocument).

37 "Towards a comprehensive solution to the question of the emblem" (4th revision), p. 35, François Bugnion, 4 april 2006.

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Summary of findings:

<b>BENCHMARKING RESULTS</b>	<b>UEFA</b>	<b>WWF</b>	<b>IOC</b>	<b>ICRC</b>	<b>Conclusion</b>
<b>Ownership and legal protection</b>	Centrally owned and protected as a registered trademark.	Centrally owned and protected as a registered trademark.	<i>The Olympic Symbol is owned by the IOC. It is the legal owner of the symbol and registered it (and some variations) as trademarks under the Madrid Agreement.</i>	<i>The ICRC is the legal owner of the Red Crystal (logo and name) as trademarks. The other logos have been protected through international treaties, and have not been protected as trademarks.</i>	<b>Central ownership and protection is commonly used and is considered a more efficient and logical choice.</b>
<b>Choice of classes &amp; countries to protect</b>	Choice is made case by case but decision is based on where the most profitable markets are, as well as considering in which countries the sponsors operate & other factors.	Choice is made mostly on where WWF is implanted and where they work.	<i>The Olympic Symbol was registered in every class (!) and in many countries.</i>	<i>The Red Crystal has been protected in 19 classes and in many countries.</i>	<b>Choice varies and there is no universal solution. A balanced choice must be made. Importance is where one is most likely to profit from sale of WSE merchandise &amp; where Scouts operate a lot.</b>
<b>Management</b>	UEFA controls and decides use of brand. Guidelines are given to and used by national organisations for their publications.	Centrally managed for the most part.  However, a strategy of having local "Brand Champions" in NOs was implemented in 2004. This was done at the same time as the publishing of a Guidelines booklet and a presentation of it in each country.  There are agreements with the NOs who license the WWF Brand. Additionally, there is a section in their Charter agreement on branding to which all NOs and POs have signed.  Any license agreements with outside companies of merchandising products are dealt in a case by case basis.	<i>The licensing programmes are managed by the OCOGs (Organising Committees for the Olympic Games) under the direction of the IOC. The Olympic Movement works to ensure that licensing programmes provide consumers with high-quality merchandise that suitably reflects the Olympic Image and the Olympic Movement, and properly commemorates the Olympic Games and Olympic teams.</i>  <i>However, the TOP programme represents the most important (and stable) sponsorship method.</i>	<i>International Humanitarian Law states who is allowed to use the symbols and how. It also directs each State party to the Geneva Conventions to take steps to prevent and punish misuse of the emblems in wartime and peacetime alike, and to enact a law on the protection of the emblems. The introduction of penal measures for preventing and repressing the misuse of the emblems have been undertaken by the States party to the GE Conventions.</i>	<b>Central management is the most used or considered a better solution. Especially in terms of consistency and proper use of logo. However, using "Brand Champions", like WWF, would be a good idea to make sure the brand is used appropriately in the NSOs, as well as having "watchdogs" for checking for eventual piracy/counterfeit merchandising. The TOP Programme that exists for the Olympics is also something that could be considered.</b>
<b>Remuneration / Payments for use</b>	Merchandising is centrally managed. Whereas the main UEFA brand is of free use but is only non commercial.	WWF Int. does not produce a lot of merchandising. NOs produce some under license agreements for which WWF Int. receives a fee.  Furthermore, when the NOs produce they have obligation to conform to the brand / logo guidelines.	<i>The IOC uses licensing agreements that grant the use of the Olympic marks, imagery or themes to third party companies that market and manufacture the products. The standard percentage royalty paid by the licensee is between 10 and 15 percent of the product sales revenue.</i>	<i>No remuneration is perceived.</i>	<b>NOs usually get the use of the logo for non commercial use for free. However, the commercial use is subject to royalties.</b>

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BENCHMARKING RESULTS	UEFA	WWF	IOC	ICRC	Conclusion
<b>Communication Strategies</b>	Communication strategies are mostly used to develop or improve notoriety of a competition. UEFA did so for UEFA Cup in 2004/2005 (see competition and brand book for more).	WWF Int. do communication campaigns at world level sometimes, but it is essentially the NOs that publicise the most.	<i>Licensing programmes are brand driven, designed to promote the Olympic Image and convey the culture of the host region within a controlled commercial environment.</i>		<b>Communication strategies and their results are usually studied after around 4-6 months.</b>

**7. CONCLUSION**

There are many key elements that emerge from this report that are important to point out and summarize here.

**7.1 Brand Property**

A clarification is needed surrounding the ownership of the World Scout Emblem, so that there is no future confusion. Including an article in the Constitution as well as the Statutes of WSB Inc. could be a way to clarify this issue.

**7.2 Brand Protection**

A legal protection is a necessity, due to many factors, the main ones being that it protects the Scout Brand against misuse by third parties that could damage the Scout's reputation (ex.: by the poor quality of the products or the use of the brand on products that seriously clash with the values of Scouting).

The legal protection also strengthens the image of Scouting and makes it more attractive to potential partners.

The global protection also facilitates a better management.

**7.3 Brand Management**

Managing a brand at an international level is hardly an easy task, even more so if it is done in a decentralised manner. The global protection as well as the centralised management proposed in this study would clarify and simplify the situation and contribute to sending a unified and consistent vision of Scouting to the scouts and non-scouts alike.

As said in the introduction:

*"[...] to become a world level brand, and to benefit more concretely from its image, the Movement needs to position itself differently, with a more commercial goal."<sup>38</sup>*

The benchmarking quite clearly demonstrated that other NGOs have also chosen to position themselves with this more commercial goal in mind, but also that the centralised management was recognised as being more effective and a better strategy for communication.

However, the idea of having "Brand Champions" perhaps at a national level, or even at a regional level also would be a good approach.

The TOP Programme should also be considered as a source of stable revenue.

**7.4 Brand Revenue**

A part of the stable revenue generated by brand use and sales of products should be reinvested in the World Scout Bureau:

- to constantly reinforce the protection of the brand
- to increase financial capacity which in turn may improve the service capabilities of the WSB "vis-à-vis" the NSOs.
- to reconsider the economical flow within the Movement (better adaptation of the fee system in relation with the Brand revenue)

38 op. cit. 3.

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### 7.5 Conclusion

There are many advantages to a globally protected and managed brand, here are the main ones:

- Striving for consistency in global management would facilitate the dissemination of Scout values throughout the world.
- It would make Scouting better known for its educational and social value.
- A possibility of generating enough revenue with the sale of Scout merchandise, so that the Scout Brand could contribute in the financing of the WSB.
- A stronger brand that would attract partners.

All these elements would contribute in the strengthening of the Scout image.

## 8. BACKGROUND DOCUMENTS

### 8.1 Official WOSM Documents

- Conference resolution 12/61.
- Circular n° 32/68 "World Badge – Progress Report" (FR/EN)
- Conference resolution 5/69.
- Minutes of World Scout committee & Appendix VI, n° 12/1973, 14<sup>th</sup> July 1973.
- Circular n° 4/74 « Use of the World Scout Emblem and Badge »
- Conference resolution 10/88.
- World Scout Conference document n°13.
- WSB circular n°12/1995 « Score Int. Inc ».
- Statutes of the Scout Resources International Association, 13 March 1995.
- Status of Registration of the WSE throughout the World (List), January 1989.
- Circular n° 40/1988 to International Commissioners concerning the World Scout Emblem, Jacques Moreillon, November 1988.
- Certificates from the World Scout Bureau authorising the NSOs of China, India and Greece to register the World Scout Emblem in their own name but on behalf of WOSM, (2000, 2002).
- "World Scout Centres and WOSM accredited International Scout Centres", in 37th World Scout Conference Report, Tunisia 2005, by Edouardo Missoni, Secretary General WOSM.

### 8.2 Internal WOSM Documents

- Notes of Jean Cassaigneau « Protection de l'emblème », 17 September 1987.
- Notes of Sonia Kunz, December 1997.
- « Mise en oeuvre de la priorité stratégique : Profil du Scoutisme », Project by Richard Amalvy, October 2002.
- « A legal approach of the World Scout Emblem and of the World Scout Badge », Luc Panissod, November 2002.
- Note of John Gemmil and draft of circular, February-June 2003.
- Notes of Mark Clayton (email correspondence with Luc Panissod), June 2003.
- Scout.Boom.Comm., Manual of formation Strategic Priority 7 Chapter 6.3 "Scouting's profile: Increasing resources" & Chapter 3 "Image, an asset for growth and development", Richard Amalvy, September 2003.
- Richard Amalvy's presentation to the Board of the World Scout Foundation, "Towards a Communication Strategy: A Challenge for Development and Growth", 17 September 2004.
- How to run a Scout Shop?, Bernard Le Roux, Undated.
- Concept papers "Towards a Communication Strategy", Richard Amalvy & Ferran Guimaraes, November 2004.
- « How to protect and manage your Intellectual Property Rights », Daniella Doueiry, 17 June 2006.

### 8.3 Legal Documents

- "Basic Agreement of commercial co-operation and mutual benefit scheme between the World Scout Foundation Geneva, Switzerland and the WENGER S.A. Delémont, Switzerland regarding the launching of the official World Scout Knife", May 1989.
- Registration of the World Scout Emblem to the Federal Office of Intellectual Property, 15 June

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- 1989.
- Arrangement of Madrid.
- Arrangement of Nice.
- Classification of Nice.

#### **8.4 Miscellaneous**

- Benchmarking results from Interviews of the following NGOs: UEFA, WWF, ICRC and IOC.
- « From a Toad to a World Badge », History of The Fleur-de-Lis (or Arrowhead), Piet Kroonenberg, February 2001.
- "Towards a comprehensive solution to the question of the emblem" (4<sup>th</sup> edition), François Bugnion, April 2006.
- "Saba study presented to WOSM on September 5, 2006", Daniella Doueiry, Saba & Co, September 2006.

#### **9. APPENDIX (see attached)**

- 1) "A legal approach to the World Scout Emblem and the World Scout Badge", Luc Panissod, November 2002.  
*A presentation of the confusing situation surrounding the royalties on the use of the World Scout Emblem and the World Scout Badge.*
- 2) Monitoring of study (list of participants, tasks and expected results), June 2006.  
*This document explains who is involved in the study and what are the main tasks and objectives of the study.*
- 3) "Saba study presented to WOSM on September 5, 2006", Saba & Co, September 2006.  
*A comprehensive study on legal protection of the new brand logo, includes an estimate of costs involved for international protection.*
- 4) New updated list "Status of registration of World Scout Emblem throughout the World", September 2006.  
*This document was elaborated based on a pre-existing list dating from 1989. No list or database was ever compiled since 1989. And so, even today, the information is sparse, and more work needs to be done to find out more about what is going on in the NSOs.*







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Creating a Better World

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