

RESOLUTION NO. 2019-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA, APPROVING A FEE SCHEDULE FOR THE “CITY OF NORCO TRADEMARK AND LICENSING PROGRAM”

WHEREAS, the “Horsetown USA” trademark was registered with the United States Patent and Trademark Office on July 3, 2007 (Registration No. 3,257,952), serving as the signature of a community branding effort initiated by the City Council and the stated intent of the trademark registration was to promote public awareness of the City of Norco and enhance its economic development opportunities; and

WHEREAS, the mark has been effectively utilized in positioning the City of Norco as a desirable Southern California tourist destination, emphasizing the community’s Western-inspired qualities conveyed through its culture, architecture and equestrian lifestyle. Because “Horsetown USA” truly captures the essence of Norco, its use in promotional materials is potentially compelling; and

WHEREAS, after registration in 2007, licensing agreements were prepared and wide range of businesses, from real estate offices to souvenir shops, immediately took advantage of the opportunity to co-brand their diverse products with “Horsetown USA.” However, no monetary value was attached to the newly-minted trademark and the conditions regulating its use lacked sufficient specificity to fully protect the City’s interests; and

WHEREAS, the City of Norco Trademark and Licensing Program will protect and promote the indicia (name, logos, graphics, marks, etc.) owned by the City of Norco; and

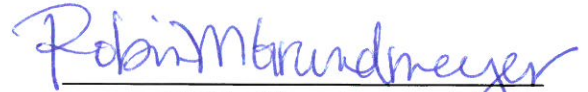
WHEREAS, the goal is to ensure proper use and application of City of Norco trademarks, to strengthen relationships with retailers, licensees, community organizations, and residents, and to generate revenue that funds community promotion initiatives and programs ; and

WHEREAS, in order to comply with and assure protection under federal, state, and international trademark laws, the City of Norco is required to monitor and control all uses of its trademarks.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Norco does hereby resolve as follows:

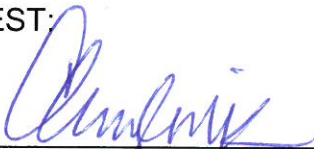
SECTION 1. The City Council shall establish fees for the applications and agreements to be used or issued for use of City trademarks as shown in Exhibit A, effective July 1, 2019.

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on May 1, 2019.



Robin Grundmeyer, Mayor
City of Norco, California

ATTEST:

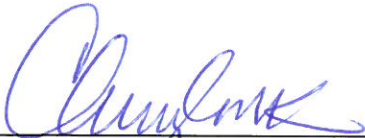


Cheryl L. Link, CMC, City Clerk
City of Norco, California

I, Cheryl L. Link, City Clerk of the City of Norco, California, do hereby certify that the foregoing Resolution was adopted by the City Council of the City of Norco, California, at a regular meeting thereof held on May 1, 2019 by the following vote of the City Council:

AYES:	GRUNDMEYER, HANNA, BASH, HOFFMAN, NEWTON
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on May 1, 2019.



Cheryl L. Link, CMC, City Clerk
City of Norco, California

Attachment: Exhibit A - Trademark and Licensing Program Fee Schedule



CITY OF NORCO

TRADEMARK AND LICENSING PROGRAM

Fee Schedule

One-Time Use License

A One-Time Use License is for individuals, businesses or organizations that wish to use a City trademark on a custom-made product. The product must be customized and cannot be purchased from an existing licensee. The specific product will be manufactured only once for personal, non-commercial use by one member of the Norco community and will not be resold. Approval to use a trademark for a one-time application only does not constitute approval to use the trademark again, or in connection with any other item, or to change the design in any way. The licensee, as well as all products and designs, must be pre-approved before any products are manufactured, sold, distributed or marketed.

Example of a One-Time Use Licensee: A community organization that requests to order a single product (i.e., a flag) for a community event, a local business that requests to order one item (i.e., window sticker, monument sign) to show community pride on its storefront, etc.

License Fees:

Non-Refundable Application Fee	\$25
One-Time Fee	\$25

Crafter License

The Crafter License is for use of City trademarks on domestic handcrafted items sold to individual consumers via events or direct sales. The Crafter License is designed to provide small, home-based entrepreneurs with an opportunity to partner their creativity with the brand recognition of the City of Norco in creating unique items incorporating City trademarks. Under a Crafter License, anticipated sales may not exceed 100 units or sales revenue may not exceed \$2,500 in one contract year, whichever is lower. A Crafter License allows for sales to individual consumers only, not via wholesale or a third party retailer. Items must be hand-made, as no commercially manufactured items are permitted under this license. Sales may only be conducted through retail stores located in the City of Norco. The Crafter License is annually renewable as long as products, designs and distribution plans do not change. The licensee, as well as all products and designs, must be pre-approved before any products are manufactured, sold, distributed or marketed.

Example of a Crafter Licensee: An individual producing domestic handcrafted items in the home with City trademarks and selling/distributing to individual consumers via

events or direct sales, such as craft fairs, holiday events, street festivals, farmers markets or local retailers.

License Fees:

Non-Refundable Application Fee	\$25
Annual Fee	\$50

Local License

The Local License is for production of emblematic merchandise to be sold strictly by a local individual or company located in the City of Norco and for community pride or décor inside local businesses. The Local License is annually renewable as long as products, designs and distribution plans do not change. The licensee, as well as all products and designs, must be pre-approved before any products are manufactured, sold, distributed or marketed.

Example of Local Licensee: Retailer/manufacturer located in the City of Norco with a valid City business license that requests to mass produce approved commercial item(s) (i.e., stickers) and distribute/sell through channels within the City of Norco; local business that requests to display a saleable product on/in a separate (nonsalable) item that bears a City trademark (i.e., glassware that is used to serve beverages, however the glassware is not actually for sale), etc.

License Fees:

Non-Refundable Application Fee	\$25
Annual Fee Based on Number of Individual Product Types Licensed with a City of Norco Trademark	1-3 Products: \$50 4-6 Products: \$75 7-10 Products: \$100 11-19 Products: \$150 20+ Products: \$200

Standard License

The Standard License is for production of emblematic merchandise to be resold through various retail distribution channels, such as items for sale in local, regional and national retail outlets. This license is intended for companies that are capable of extensive production and retail distribution of their products. The Standard License is annually renewable as long as products, designs and distribution plans do not change. The licensee, as well as all products and designs, must be pre-approved before any products are manufactured, sold, distributed or marketed.

Example of Standard Licensee: Retailer/manufacturer outside of the City of Norco that requests to mass produce approved commercial item(s) (i.e., stickers) and distribute/sell across multiple distribution channels outside of the City of Norco.

License Fees:

Non-Refundable Application Fee	\$25
Annual Fee Based on Number of Individual Product Types Licensed with a City of Norco Trademark	1-3 Products: \$500 4-6 Products: \$750 7-10 Products: \$1000 11-19 Product: \$1500 20+ Product: \$2000

Partnership License

The Partnership License is for the use of City trademarks by a third party to promote or advertise that party's business (commercial or charitable) in a way that directly implies association with the City of Norco. A Partnership License is granted to entities with official sponsorship relationships with the City and is limited to initiatives, materials, events or other community activities that are co-sponsored (i.e., monetarily) by the City of Norco. The Partnership License is annually renewable contingent upon 1) a formal sponsorship/partnership agreement with the City of Norco and 2) products, designs and distribution plans do not change. The licensee, as well as all products and designs, must be pre-approved before any products are manufactured, sold, distributed or marketed.

Example of a Partnership Licensee: A local community organization promoting its legitimate agreement/partnership with the City of Norco by including a City trademark on event or program promotional/informational materials.

License Fees:

Non-Refundable Application Fee	\$25
Annual Fee	\$100

Promotional License

The Promotional License is for companies or manufacturers that wish to produce products used as promotional items. A product bearing a City trademark is considered a promotional item when it is used to increase the sales of another product, increase a company's brand recognition or further a company's association with the City without a formal partnership/sponsorship agreement. Promotional items are not commercial products, as they are not directly sold for profit. The Promotional License is annually

renewable as long as products, designs and distribution plans do not change. The licensee, as well as all products and designs, must be pre-approved before any products are manufactured, sold, distributed or marketed. Promotional items may or may not be co-branded and include, but are not limited to, the following:

- Products being given away in conjunction with a consumer promotion
- Products co-branded with corporate and City trademarks
- Products used as rewards/gifts
- Products used as dealer loaders

Example of a Promotional Licensee: A business using a City trademark solely to bring attention to a product, product display or service to increase sales, but not to sell the actual item bearing a City trademark. This could include a realtor's advertising, open house signage or promotional materials; a vehicle with a corporate logo and a City trademark; free giveaway items bearing a City trademark and a corporate logo, etc.

License Fees:

Non-Refundable Application Fee	\$25
Annual Fee	\$300