



Use of Logos and Materials

Trademarks

The PAN Group (comprising Performance Assessment Network, Inc., the Institute for Personality and Ability Testing, Inc. and IPAT Holdings Limited) requires that its trademarks and those of its suppliers be acknowledged. These trademarks, where registered, are classified with respect to software, printed matter and the training of people in psychological tests. We offer the following practical advice about the legal protection of trademarks.

The ™ symbol represents a trademark, while the ® symbol represents a trademark legally registered in a particular country or countries. The appropriate symbol (™ or ®) should appear by the first reference to the trademark within any document, or in the first place where it is used prominently.

A footnote legend, indicating the ownership of the trademark, should be put at the bottom of the page or at the end of the relevant text or document. It is normal to use small print for the footnote. If it is not possible to reproduce the ™ or ® symbol, use an asterisk after the trademark and to precede the footnote legend.

A trademark should always be used as an adjective and not as a noun. For example, the statement, "The 16pf® Questionnaire is used for team building" is correct. "The 16pf® is used for team building" is not correct.

Note that when two (or more) different terms are both registered trademarks and used within the same document, then the ® symbol should appear by the first reference to each. This advice applies particularly to consultants referring to trademarks within their proposals, client reports, promotional literature, or advertising.

Copyright

General breach of copyright is theft of property and no aspect of the PAN Group's copyright or the copyright of its licensors should be infringed.

Except as set out below, it is an infringement of copyright to make a copy of any test or questionnaire component. The reproduction or translation of PAN Group-owned materials by any means is a violation, regardless of whether or not the reproduced materials are sold. Examples of materials subject to copyright infringement would include, but are not limited to, the following:

- Manuals and related texts;
- Question booklets and all questionnaire items, whether singly or in a group;
- U.S.-based, Foreign, or Custom versions of 16pf® and/or Hilson™ assessments;
- Answer sheets;
- Client report (subject to the exception below) or feedback forms;
- Profile charts as they appear on report forms (subject to the exception below);
- Score keys/patterns of answers/norms/algorithms (both paper-based and computer/internet-based);
- Software programs and accompanying documentation; and
- Training and research materials.

In relation to content of psychometric reports, a purchaser of materials related to the (i) 16pf® instrument and (ii) Hilson™ and public safety related suite of products shall be permitted to extract and use certain content (including text, graphs and profile charts) ("Report Extract(s)") solely for inclusion by such purchasers in their own summary or detailed reports further provided to test-takers ("Purchaser Reports") provided that the following conditions are complied with:

- No content or formatting of the Report Extract(s) shall be altered or adapted;
- The PAN Group's copyright and trademark statements are included within the Purchaser Report, accompanying the Report Extract(s) as follows:



- "© [insert date of copyright as included on the specific report from which the Report Extract is obtained] Institute for Personality and Ability Testing, Inc. (IPAT). IPAT is a subsidiary of Performance Assessment Network, Inc. (PAN). All rights reserved."; and
- Either:
 - "®16pf is a registered trademark of the Institute for Personality and Ability Testing, Inc. (IPAT) in the USA, the European Community and other countries. IPAT is a subsidiary of Performance Assessment Network, Inc. (PAN)"; or
 - "™ Hilson is a trademark of the Institute for Personality and Ability Testing, Inc. (IPAT) in the USA, the European Community and other countries. IPAT is a subsidiary of Performance Assessment Network, Inc. (PAN);
- the psychometric report from which the Report Extract is obtained shall be provided by the purchaser in full to the test-taker, either accompanying the Purchaser Report or separately.

The PAN Group shall not be liable or responsible to the purchaser or any test-taker or any third party for any Purchaser Report, or content thereof, in which or with which the Report Extract is used, nor for any interpretation, misinterpretation, use or misuse of the Report Extract, or content thereof, when included in the Purchaser Report, or when applied in the context of, or in conjunction with any other content within, such Purchaser Report. The purchaser shall hold harmless and indemnify the PAN Group in respect of any claim, loss, liability, damages, expenses or costs (including reasonable attorney fees and expenses) whether direct or indirect, caused or as a result of such.

A publisher's copyrights can be its most valuable property. Copyrights protect authors' creative effort and the integrity of its materials. Any infringement of copyright severely affects the ability of publishers to produce materials economically.

Moreover, in the case of psychometric instruments, illegal copying of materials in any medium (e.g., paper, computerized, or internet) leads to poor control of their use, gives respondents a bad impression, and can even disadvantage respondents. The resulting loss of income reduces the funding available for research and development of new instruments and updating of services.

Computer Software

It is also illegal to incorporate any of the components listed above into computer software used for the administration, scoring, interpretation, and reporting of results of a questionnaire or test. The profile chart as it appears on published forms is also a copyright work, and it may not be used in a computer presentation system, even one that simply generates reports when data (scores) are input into a computer.

Purchasers shall not use generic "shell systems"* to score assessments (whether original or derivative assessments) without contractual permission. Such "shell systems" are usually part of a computer-based and/or internet-based test administration, scoring and report system. Even when such permission is granted, the responsibility for installing a particular instrument on the system rests with the user, not the supplier of the system. The user is in breach of copyright if permission from the publisher has not been obtained. Some shell systems contain representations of the whole or part of profile sheets. These have been incorporated without permission and are illegal.

* A shell system is a system of computer software into which the Qualified User may insert questionnaire items and a scoring pattern from an existing questionnaire. Some shell systems allow the Qualified User to create a profile chart and/or report for use in interpreting questionnaire scores.