



BOARD OF COMMISSIONERS
Agenda Item Summary

Agenda Category:	Agreement	Item No:
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Meeting Date: June 1, 2021

Originating Department: Finance

Issue: In the matter of signing the Klamath County Logo Usage Agreements with Viowiess Co, Inc.

Background: Viowiess Co, Inc. has been approved for Fall, 2020 cycle Economic Development grant award. In conjunction with the Economic Development Letter of Agreement for their project, Viowiess Co. wish to enter into an agreement for use of the Klamath County logo.

Fiscal Impact: None.

Recommended Motion: Approve the Klamath County Logo Usage Agreement constituting a non-exclusive license granted by Klamath County to William Wiessmeyer dba Viowiess Co. for use of the County’s name and/or logo under the terms and conditions of the attached agreements. Authorize Chair to sign the agreement.

DONE AND DATED this _____ day of _____, 2021.

 Chair

Approved
 Denied

 Vice-Chair

Approved
 Denied

 Commissioner

Approved
 Denied

KLAMATH COUNTY LOGO USAGE AGREEMENT

The County logo is a valuable asset of our organization. We ask that you help us preserve and protect our trademark through the appropriate use of the County logo in accordance with this agreement. The following provisions are included:

THIS AGREEMENT shall constitute a non-exclusive license granted by Klamath County, Oregon (County) to Viowless Co, Incorporated (User) for the use of County's name and/or logo under the following terms and conditions:

1. Logo will be provided by County in electronic format. The County logo may be either in single color or full (process) color and must not be scaled disproportionately. The County logo may not be altered or modified in any way. Failure to follow these guidelines may endanger our legal trademark rights.
2. County reserves the right to approve all uses of its name and logo. Users must provide detailed information of how the County logo will be used. If used in a print advertisement, User must provide name and date(s) of publication. If used in a broadcast advertisement, User must provide station call letters and flight dates of ad. If used in a promotional advertisement, User must provide date of promotional event and details of promotion's purpose. For website usage linking instructions will be emailed.
3. User must provide County with a copy of final proof ONE WEEK in advance of publication or broadcast.
4. Primary Contact for all logo requests will be the Board of County Commissioners. Use of the County logo must be approved by the Klamath County Board of Commissioners. Upon approval, the Klamath County Board of Commissioners will forward the electronic files to the User.
5. County reserves the right to reject requests for use of the County logo, name, or likeness.
6. All use of County logo, name, and likeness must cease and desist upon termination of the Agreement.
7. Recipient acknowledges that the name and County logo are the sole and separate property of the County and any use hereunder shall not give rise to any right of use or ownership except as set forth herein.
8. This license shall commence the 15th day of June, 2021. This license shall expire on the 15th day of June, 2022.
9. This agreement is non-transferrable. Use of the County logo by any other person or organization is strictly forbidden without prior written approval from the Klamath County Board of Commissioners. A new logo usage agreement must be signed for the following reasons: (1) upon expiration of this agreement; (2) upon an award of a separate grant; or (3) Klamath County updates or changes its logo design.
10. In the event suit or action is instituted to enforce any of the terms of this Contract, each party shall be responsible for its own attorney fees, costs and related expenses.
11. Upon any violation of the terms of this agreement by User, Klamath County may terminate the license forthwith, and upon written notice to User to that effect, User shall cease all use of the name, logo or likeness and shall not thereafter use, broadcast, distribute or display any items, documents, ads or other materials containing County's name, logo or likeness and User becomes ineligible for grant funds for the next four (4) application cycles.

Chair
of Board of County Commissioners User

William B. Wiessmeyer // Viowless Co, Inc. Klamath County
Counsel Company Name