



IVD Australia Ltd

Use of the IVD Australia logo Policy

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1 EXECUTIVE SUMMARY

1.1 IVD Australia

In vitro (literally "in glass") diagnostics (IVDs) comprise the instruments and reagents that are used to perform pathology tests requested by General Practitioners or specialist Physicians. These tests are generally performed in accredited Public and Private pathology laboratories across Australia, but IVDs also include over-the-counter tests such as blood glucose meters for diabetes testing or home pregnancy test kits. Supply of IVD products is regulated for the Government by the Therapeutic Goods Administration.

IVD Australia Ltd (IVD Australia) was formed in July 2009 as a Company Limited by Guarantee. It is a Not-for Profit company, whose sole aims are to promote the safe and effective use of IVDs within the Australia Community and to advance the interests of its members.

IVD Australia is the peak body representing Australian sponsors and manufacturers of *in vitro* diagnostics. IVD Australia represents multinational companies, local distributors and Australian manufacturers of IVDs. Our members currently supply products valued at over \$800,000,000 and they employ over 2500 people across Australia.

IVD Australia is the principal reference point for members, the government, the media and consumers to communicate about issues relating to the in-vitro diagnostics industry. IVD Australia membership provides numerous benefits, including the ability to interact and network with key decision makers, regulators and colleagues and ensures that industry has a unified voice, because together we are stronger.

The IVD Australia logo provides members with a tool that contributes to their strategic branding. Use of the IVD Australia logo represents an organisation's adherence to the tenet that ethical business practices are an integral component of a sustainable industry.

1.2 Obligations of Membership

IVD Australia members are required to comply with the provisions within the Constitution, and IVD Australia Code of Practice as published and amended from time to time. In addition, there is an expectation that members will comply with all relevant legislation, including but not limited to:

- Therapeutic goods provisions as outlined in *therapeutic Goods Act 1989, Therapeutic Goods Regulations 1990, Therapeutic Goods Orders*, and all other relevant standards and regulations for in-vitro diagnostics;
- Fair terms of trade and consumer law as outlined in the *Competition and Consumer Act 2010*;
- Advertising provisions as outlined in *Therapeutic Goods Advertising Code 2007*.

2 GUIDELINES FOR USE OF THE IVD AUSTRALIA LOGO



Dimensions: 2 cm x 4.62cm

2.1 Alteration of the IVD Australia logo

The IVD Australia logo cannot be altered in any way.

2.2 Approved Uses of the IVD Australia logo

- Company letterhead
- Company invoices and receipts
- Company banners
- Main page of website ('home page'), but not a webpage regarding any commercial product or service, including any product download page
- Company Email signatures
- Reception area or other displays
- Permanent signage
- Exhibits and displays at trade shows and educational events
- Fact sheets referring to in-vitro diagnostics in general¹

2.3 Prohibited Uses of the IVD Australia logo

- Product labels and containers
- Advertising that appears to endorse members' products or services
- Radio and television advertising
- Any printed or electronic material other than that specified for approved use above

2.4 Approval required

- Members only need to seek approval of using the IVD logo if they are using it in a format that is not currently detailed in this policy document.

¹ The IVD Australia logo must not be used on promotional materials for products or to endorse products in any way.

2.5 General guidelines for use of the IVD Australia logo

The following guidelines apply to the use of the IVD Australia logo on all materials:

1. IVD Australia will provide the electronic artwork for the IVD Australia logo to members upon request. The complete IVD Australia logo must always be reproduced from this electronic artwork; only resizing is permitted.
2. Any member unable to reproduce the IVD Australia logo from the electronic version provided should contact IVD Australia Secretariat for assistance.
3. Under no circumstances should a member attempt to recreate the IVD Australia logo or any version thereof. Members must not redesign, redraw, animate, rotate, or alter the proportions of the IVD Australia logo. Members must not render the IVD Australia logo in a three-dimensional form.
4. The IVD Australia logo must appear by itself; it may not be combined with any other graphic or textual elements and may not be used as a design element of any other logo or trademark.
5. On all materials, the height of the IVD Australia logo should never be less than one centimetre in height. IVD Australia may, at its discretion, permit variations on review of the artwork. Individual pre-approval must be granted by the Secretariat, in writing.
6. The IVD Australia logo, or any part thereof, must not be used as a decorative element, background, or pattern.
7. The IVD Australia logo may be accompanied by the following text:
 - a. Member XXXX
 - b. '[Trading name] is a member of IVD Australia'

3 RULES & REQUIREMENTS OF USE

3.1 Requirements to be met prior to use of the IVD Australia logo

The IVD Australia logo cannot be used unless:

1. IVD Australia issues a membership certificate endorsing the use of the IVD Australia logo in accordance with this policy with the statement.
2. The organisation is a financial member of IVD Australia. The use of the IVD Australia logo will not be permitted should the organisation cease to be a financial member of IVD Australia.

3.2 Period of use

IVD Australia will issue approval for use of the IVD Australia logo each year with renewal of membership to IVD Australia. Thereafter, the member may use the IVD Australia logo in accordance with the requirements specified in this policy.

This approval will be valid until the 30th of June the following year with exceptions listed below:

- on non-renewal of membership with IVD Australia, approval ceases on 30th June of that year;
- on removal of membership by IVD Australia Board, approval ceases from the date of notification;
- on termination of membership by an IVD Australia member, approval ceases from the date of notification, in writing, of such termination, or
- following the date that approval ceases, IVD Australia will allow a 3 month phase-out period on existing pre-printed material carrying the IVD Australia logo.

3.3 Need for evaluation, re-evaluation or termination of use

IVD Australia reserves the right, at any time and without cause, to require a member to seek specific written approval or to stop their use of the IVD Australia logo, including but not limited to the following circumstances:

- IVD Australia finds, during proactive monitoring of the use of the IVD Australia logo, that it is being misused, improperly used, or used in violation of the guidelines contained in this policy; or
- The member no longer continues to meet the membership criteria of IVD Australia.

3.4 Clarity and good taste in use of the IVD Australia logo

The following requirements apply to all materials referred to in this document that feature the IVD Australia logo or refer to the IVD Australia logo, IVD Australia, or IVD Australia Codes of Practice:

1. The IVD Australia logo is the property of IVD Australia and may not be used without IVD Australia's approval. No attempt shall be made to re-create the IVD Australia logo or anything closely resembling it in any form.
2. Any use and language used in relation to IVD Australia, the IVD Australia logo or IVD Australia's Codes of Practice must be in good taste and not be deceptive or misleading to consumers, industry members, healthcare professionals, or any other audience.
3. Materials conflicting with or appearing to conflict with IVD Australia's policies and ethics, deemed offensive in any way, or containing attacks of a personal, racial, or religious nature will not be deemed to meet conditions of IVD Australia approval in accordance with this policy.
4. The IVD Australia logo shall be legible and shall be used only in formats that comply with the general guidelines for use (section 2).
5. Care shall be taken not to state or imply that the IVD Australia logo indicates that IVD Australia endorses the safety, quality, or efficacy of any product or material, or that IVD Australia endorses any goods or services of the member.
6. The IVD Australia logo shall not be advertised or displayed by a member with a non IVD Australia-member subsidiary or partner-organisation in a manner that implies approval of the non-member or that confuses the public about which organisation is a member of IVD Australia. In this regard, materials will be judged by the impression they create when viewed in their entirety.
7. The IVD Australia logo shall not be used in association with members' own trademarks in a manner that might suggest co-branding or otherwise create potential confusion as to the source or ownership of the IVD Australia logo.

3.6 Misuse of the IVD Australia logo

IVD Australia's name and logo brings with it awareness, recognition and trust. Any time IVD Australia's name or trademarked logo are misused or misrepresented, the perceived value of IVD Australia membership is placed at risk. This has a direct impact on the recognition by Australians of the credibility of IVD Australia and its members.

1. IVD Australia endeavours to protect its name and trademarked logo at all times, and seeks members' assistance in ensuring its ongoing and continued protection. If you are aware of any violations or misuse of IVD Australia name and/or trademarked logo, or you become aware of a non-member claiming to be a member of IVD Australia, please report the misuse by completing the form included in Section 4 of this policy.

Use of the IVD Australia Logo Policy

2. IVD Australia reserves the right to take action against any misuse or unfair, misleading, diluting, or infringing use of IVD Australia's trademarks, logos, or other intellectual property. Any failure by IVD Australia to exercise promptly any right under this policy will not create a continuing waiver or any expectation of non-enforcement.
3. Any non-approved use of the IVD Australia logo in relation to being a member of IVD Australia (ie: in contravention of this policy and/or IVD Australia Constitution) shall be dealt with under the Constitution of IVD Australia.
4. IVD Australia may change its logo or create new logos at its discretion. Upon reasonable notice from IVD Australia, members must promptly modify the IVD Australia logo to conform to any such changes or new the IVD Australia logo specifications, such that the member remains, at all times, in compliance with this policy.

4 COMPLAINT FORM

4.1 Complaints arising from the use of the IVD Australia logo

Complaint Submission Form

Please fill out the requested information to submit your complaint.

Publication / Location of Logo:

Date / Edition:

Details of the Complaint:

State clearly the nature of your complaint. It is not sufficient to highlight or quote words from a publication/cite a location - explain what aspects of the use of the Logo are of concern to you and why. Identify sections of the 'IVD Australia Policy and Procedures for the Use of the IVD Australia logo' you believe may have been breached.

Supporting Documentation

Attach document/s supporting your complaint.

I have contacted the organisation directly: Yes No **(please circle appropriate)**

(If yes, please provide details below)

This matter is also the subject of legal action: Yes No **(please circle appropriate)**

(If yes, please provide details below)

Complainant Information

Please provide your contact details so that you can be advised of the outcome of your complaint. Below you may request that your personal details not be provided to the organisation alleged to have committed an infringement or included in a published determination if the complaint is referred to the IVD Australia Code of Conduct Complaints Committee.

Please keep my personal details confidential: Yes No **(please circle appropriate)**

Name:

Postal Address:

Telephone:

Email Address: