

USING "SHOP WITH A COP" FOR FOP LODGE FUND RAISING ACTIVITIES

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The Grand Lodge and the Office of the General Counsel have received numerous questions from State and subordinate lodges concerning use of the phrase "Shop With A Cop" for fund raising activities, either through their own internal efforts or through the use of a professional fund raising company.

On December 27, 2002, the Grand Lodge entered into an agreement with CJW, Inc., the owner of a federal trademark registration for the phrase "Shop With A Cop", concerning use of "Shop With A Cop" by the Grand Lodge and all FOP State and subordinate lodges.

Under the Agreement, the Grand Lodge and all State and subordinate lodges may use the phrase "Shop With A Cop" for fund raising purposes to provide toys, clothes, and other necessary items for needy families. There is no fee for using the phrase, so long as the lodge in question does not use a professional fund raising company. When using the phrase "Shop With A Cop" on printed materials, lodges must add the sentence "*Shop With A Cop is a registered trademark of CJW, Inc.*" at the bottom of such printed materials.

If a professional fund raising company assists the Grand Lodge, a State lodge or a subordinate lodge, the Agreement specifies that the Grand Lodge, State lodge or subordinate lodge may permit the professional fund raising company to use the phrase "Shop With A Cop" only if the following conditions are met:

1. The fund raising company must use the phrase "Shop With A Cop" solely for the purpose of raising funds for the lodge's program of providing toys, clothes, and other necessary items for needy families.
2. The lodge permitting the professional fund raising company to use "Shop With A Cop" must use the approved Sublicense Form available upon request from the Grand Lodge offices.
3. The professional fund raising company receiving permission to use "Shop With A Cop" must pay a fee to CJW, Inc. in accordance with an agreed upon Fee Schedule, unless a different fee is negotiated between CJW and the professional fund raising company. The Fee Schedule is available upon request from the Grand Lodge offices.
4. The Sublicense Form and fee must be sent to CJW, Inc. prior to the professional fund raising company's use of the phrase "Shop With A Cop".
5. The permission granted by the lodge to the professional fund raising company for use of the phrase "Shop With A Cop" must be for use in a limited geographic region, equal in scope to the geographic region served by such lodge. However, upon written permission from CJW, Inc., "Shop With A Cop" may be used in geographic regions not presently served by a State or subordinate lodge.

6. The permission granted by the lodge to the professional fund raising company for use of the phrase "Shop With A Cop" must be limited in time for a period not to exceed one year.
7. When using the phrase "Shop With A Cop" on printed materials, lodges must add the sentence, "*Shop With A Cop is a registered trademark of CJW, Inc.*" at the bottom of such printed materials. **This applies even if a professional fund raising company is not used.**

Please use the following checklist whenever your lodge is utilizing a professional fund raising company. A lodge must be able to answer "Yes" to all items on this checklist in order to be in compliance with the Agreement.

- _____ Is the fund raising company using the phrase "Shop With A Cop" solely for the purpose of raising funds for the lodge's program of providing toys, clothes, and other necessary items for needy families?
- _____ Have you completed the approved Sublicense Form?
- _____ Has the professional fund raising company paid the fee to CJW, Inc. in accordance with the agreed upon Fee Schedule?
- _____ Has the Sublicense Form and fee been sent to CJW, Inc. prior to use of the phrase "Shop With A Cop" by the professional fund raising entity?
- _____ Have you notified the professional fund raising company, in writing, that the permission to use "Shop With A Cop" is limited to the geographic region served by your lodge?
- _____ Have you notified the professional fund raising company, in writing, that the permission to use "Shop With A Cop" is limited in time for a period not to exceed one year?
- _____ On all printed materials using the phrase "Shop With A Cop, does the sentence "*Shop With A Cop is a registered trademark of CJW, Inc.*" appear at the bottom of such printed materials? (Note: **This applies even if a professional fund raising company is not used.**)

Various State and subordinate lodges have also asked if any issues are raised if the name of the fund raising effort is changed from "Shop With A Cop" to something different. As long as the new fund raising effort name is not confusing with "Shop With A Cop", then a State or subordinate lodge may use the new name. A new name which is close to or which might be confused with "Shop With A Cop" could present problems.

If you have further questions, contact Larry H. James, Esq., FOP General Counsel, at 614-229-4567 or LJames@cbjlawyers.com, or Jeffrey D. Houser, Esq., FOP Associate General Counsel, at 614-229-4530 or JHouser@cbjlawyers.com.