

AMERICAN BOARD OF FAMILY MEDICINE, INC.

TRADEMARK USE POLICY

ADOPTED EFFECTIVE OCTOBER 25, 2023

This Trademark Use Policy (“Policy”) is issued by the American Board of Family Medicine, Inc. (“ABFM”) effective October 25, 2023.

1. GENERAL STATEMENT.

The ABFM is dedicated to improving public health through the certification of family physicians and the establishment of training standards and research. As a result of constantly evolving technology and laws, the ABFM must monitor the use of its intellectual property. These considerations have led the ABFM to establish policies balancing the need to restrict use of the ABFM’s intellectual property with permitting physicians to inform the public of their status with the ABFM.

The ABFM has a compelling interest in ensuring that its name and insignias are properly used and to prevent any unauthorized use. This includes preventing the unauthorized commercial use of ABFM trademarks, especially where such use misrepresents an individual’s status with the ABFM. The deceptive use of ABFM intellectual property is a violation of ABFM policy, including the [ABFM Guidelines for Licensure, Professionalism, and Personal Conduct](#), as well as a violation of federal and state law. The ABFM may enforce its intellectual property rights to the fullest extent permitted by law.

While unauthorized use is strictly prohibited, the ABFM permits limited uses of its trademarks under this Policy. Diplomates and other eligible entities and individuals may use certain intellectual property to inform and promote a certification of achievement or other eligibility offered through the ABFM. This Policy is intended to set forth the permitted uses of certain ABFM marks as well as the expectations for such use. This permission is extended by the ABFM with the express direction that the rights granted herein be used in a responsible manner that is truthful and accurate in all respects.

2. TRADEMARK OWNERSHIP.

The ABFM and its affiliates own a variety of trademarks, service marks, certification marks, logos and imprimaturs (“Marks”), including without limitation the following: American Board of Family Medicine, ABFM, ABFP, Journal of the American Board of Family Medicine, JABFM, ABFM MC-FP, ABFM Maintenance of Certification for Family Physicians, Maintenance of Certification for Family Physicians, MC-FP, Pisacano Leadership Foundation, Universal Hub, CKSA, Continuous Knowledge Self-Assessment, Family Medicine Certification Longitudinal Assessment, Knowledge Self-Assessment, ABFM Foundation, PRIME Registry, Center for Professionalism & Value in Health Care, FMCLA, PHATE, DABFM, ABFM National Journal Club and Starfield Summit. While most Marks are registered with the United States Patent and Trademark Office (“USPTO”), the ABFM and its affiliates may also own Marks that are not registered.

3. DEFINITIONS.

ABFM Imprimatur. The term “ABFM Imprimatur” shall refer to the imprimatur displayed below, which the ABFM has registered with the USPTO:



Board Eligible. The term “Board Eligible” shall have the same meaning defined under established ABFM policy. Generally, the term shall refer to a physician who completed¹ an ACGME-accredited Family Medicine residency training and is eligible for certification for seven (7) years after the date of residency completion. In addition, the physician must maintain eligibility status by engaging in the Certification Entry or Resident Entry Process and adhere to the ABFM Guidelines for Professionalism, Licensure, and Personal Conduct and such other policies periodically established by the ABFM.

CAQ Board Eligible. The term “CAQ Board Eligible” shall have the same meaning defined under established ABFM policy. Generally, the term shall refer to a physician who completed an ACGME-accredited fellowship program and is eligible for Certificate of Added Qualification (CAQ) for seven (7) years from the date of fellowship completion. In addition, the physician must hold a valid certificate in Family Medicine issued by the ABFM and adhere to the ABFM Guidelines for Professionalism, Licensure, and Personal Conduct, and such other policies periodically established by the ABFM.

Certification Marks. A “Certification Mark” is a mark that is owned by the ABFM for use by a Diplomate or professional affiliate of the Diplomate to display, represent or express a Diplomate’s certification with the ABFM. The ABFM maintains the sole right to apply for, register, implement, own and control any Certification Mark under this section. Certification Marks include DABFM and the Mark displayed below:



Diplomate. The term “Diplomate” shall mean a Diplomate of the American Board of Family Medicine and shall generally refer to an individual who has obtained certification with the ABFM and has met and continues to meet all required components for maintaining ABFM Family Medicine Certification, as periodically established by the ABFM.

¹ The verification date is the date that the residency program verifies a physician’s completion of training, not the date on which the ABFM seeks or receives the verification information.

Permissible Marks. The term “Permissible Marks” applies only to the following Marks registered by the ABFM with the USPTO:

- (1) American Board of Family Medicine;
- (2) ABFM; and
- (3) Certification Marks.

4. UNAUTHORIZED USE.

Unless specifically authorized by written approval of the ABFM or as authorized in this Policy, no person or entity shall be permitted to use, reproduce, or display any Mark or other ABFM intellectual property for any purpose. The misuse of any Mark, or any use that falsely suggests or implies a certification status that does not exist with the ABFM, is a violation of this Policy and the ABFM’s Guidelines for Professionalism, Licensure, and Personal Conduct.

5. AUTHORIZED USE & DISPLAY OF PERMISSIBLE MARKS.

The individuals or entities identified in this Section 5 are authorized to use the Permissible Marks under this Policy as described below. No other Mark may be used without the advance written consent of ABFM. Any use or display made pursuant to this Section 5 shall also comply with the requirements for use and display of the Permissible Marks contained in Section 6.

5.1. BY DIPLOMATES. A Diplomate may use or display for public view any Permissible Mark for the purpose of reflecting the Diplomate’s current and active status with the ABFM. A Diplomate may copy or reproduce the Permissible Marks in connection with the Diplomate’s medical practice or professional career to promote the physician’s certification status with the ABFM, including, if applicable, completion of a CAQ, so long as such use is accurate and complete. A Diplomate shall be permitted to use, copy, reproduce or display a Certification Mark for any purpose to reference the ABFM in connection with the Diplomate’s medical practice or professional career.

5.2. BY BOARD OR CAQ BOARD ELIGIBLE PHYSICIANS. A Board Eligible physician may use or display for public view any Permissible Mark except Certification Marks in connection with (1) seeking or verifying formal certification or credentialing applications, and (2) seeking or verifying employment. Other than as provided in this Section 5.2, a Board Eligible physician may not use a Permissible Mark, including any use or display, for the purpose of representing that the physician is Board Eligible. Board Eligible physicians are not permitted to use any Certification Mark. CAQ Board Eligible Physicians may use or display Certification Marks for which they have complied with the relevant certification standards of the ABFM, but may not use or display any Certification Mark related to CAQ certification prior to completion of the CAQ and compliance with any other certification standards relevant to such Certification Mark.

5.3. BY PRACTICE. A medical practice or professional organization that employs a Diplomate is allowed to use the Permissible Marks solely in reference to the Diplomate, in the same manner as a Diplomate under Section 5.1 and subject to the same restrictions and limitations as a Diplomate under Section 6 of this Policy.

5.4. BY FORMER DIPLOMATES. An individual who was formerly a Diplomat of the ABFM, but is not a currently certified Diplomat, is required to include the beginning and ending dates of the individual's certification status with the ABFM anytime the individual uses or displays a Permissible Mark. A former Diplomat is prohibited from using any ABFM intellectual property, including any Permissible Mark, to state, suggest or imply that the former Diplomat is a currently certified Diplomat, Board Eligible or CAQ Board Eligible. A former Diplomat may not use any Certification Mark.

6. REQUIREMENTS FOR USE AND DISPLAY.

Uses of the Permissible Marks in accordance with this Policy must meet the requirements contained in this Section 6.

6.1. TRADEMARK SYMBOLS AND ATTRIBUTION. Any use of the Permissible Marks under this Policy shall require the appropriate registration symbol, where applicable. For registered trademarks, the symbol (®) is required. A Diplomat using a Permissible Mark shall include a notice of trademark attribution where appropriate on all media or other publication or materials. By way of example, the following usage is appropriate: ABFM® certified, AMERICAN BOARD OF FAMILY MEDICINE® certified.

6.2. INTERNATIONAL USAGE. Any use of a Permissible Mark outside of the United States, other than incidental use, is prohibited. Incidental use shall include the following uses: (a) providing educational materials or information containing any Permissible Mark at conferences, seminars, or similar events outside the United States, provided that the material or information identifies the United States as the country of the Diplomat's certification and license; (b) authoring articles and other similar educational materials (excluding marketing brochures and the like) containing any Permissible Mark for distribution to multiple countries that include the United States, provided that such materials identify the United States as the country of certification and license; (c) using any Permissible Mark on a website that is not specifically targeted at, but is viewable from, outside the United States; and (d) distributing business cards containing any Permissible Mark to other individuals while temporarily traveling outside the United States.

6.3. ALTERATION. Any use of a Permissible Mark is required to contain the proper capitalization, spelling, and usage. Permissible Marks that contain design elements may not be modified in any way, such as through the changing of proportions (compressing, stretching) or the addition of embellishments such as shadows or outlines. Permissible Marks that contain color may only be used in their original color schemes as provided by the ABFM or in black and white/grayscale. Any modification of any Permissible Mark is strictly prohibited. The modification of any Mark constitutes a breach of this Policy.

6.4. IMPLICATION. A Diplomat may not imply or suggest that an endorsement, sponsorship, association or relationship with the ABFM exists other than to accurately and fully reflect the Diplomat's certification status. For instance, a Diplomat may not use a Permissible Mark to imply or suggest that a seminar, educational material or article is endorsed by the ABFM.

6.5. DOWNLOADABLE CERTIFICATION MARK. The ABFM may make available a downloadable Certification Mark, and a Diplomat may use a downloadable Certification Mark to provide or designate a link to the Diplomat's professional website or other social media websites,

or to a group or company page. The use of any downloadable Certification Mark is subject to the restrictions contained within this Policy for Permissible Marks.

6.6. **BOOKS OR PRINTED MATERIALS.** The ABFM does not allow the use of any Mark in the title of or otherwise on the cover of books or other publications without prior written permission of the ABFM. If you are interested in using the Marks in a publication, please submit your request to the ABFM at TrademarkUse@theabfm.org.

6.7. **STATEMENTS ON CERTIFICATION STATUS.** A Diplomate may make a general statement in promotional materials to indicate that the Diplomate is an ABFM certified physician. For instance, the physician may state that the Diplomate is “ABFM® certified.” Any general statement by a former Diplomate shall reflect that the former Diplomate’s certification status with the ABFM has terminated. For instance, a former Diplomate may provide a statement reflecting the years of certification (ex. “ABFM® certified 1999 to 2015”).

6.8. **DUTY TO UPDATE.** A Diplomate, former Diplomate, Board Eligible Physician, CAQ Board Eligible Physician, or any third party using or displaying Permissible Marks has an affirmative duty to update any usage or display of the Permissible Marks to accurately reflect changes in status with the ABFM. The duty to update under this section includes the obligation to immediately update any website, social media, or other online or print usage to remove any false or misleading information used in connection with any Mark, including any certification information reported by a physician to licensure bodies in connection with a physician’s medical license. A physician employed by a medical practice or professional organization must provide any change in status with the ABFM to the employer to allow the employer to update usage or display of the Permissible Marks. The continued use of advertising or promotional materials that contain false or misleading information will be considered a violation of this Policy by the ABFM. The ABFM may also employ technological measures to update the usage or display of downloadable Certification Marks to reflect changes in certification status, but such measures do not relieve the certified user of the duty to update the usage or display of such marks.

7. PROHIBITION ON USE OF ABFM IMPRIMATUR.

The permission granted herein shall in no way be interpreted to extend any rights to use, reproduce or display the ABFM Imprimatur. No individual or entity shall use, reproduce, or display the ABFM Imprimatur in any manner including for the purpose of promoting his or her status with the ABFM.

8. DIPLOMATE CERTIFICATES.

A currently certified or former Diplomate is permitted to display an ABFM certificate in the physician’s professional office space so long as the certificate is valid and current (or the certificate accurately states the beginning and end dates of certification). The certificate must also be the authentic certificate printed by the ABFM and provided to the Diplomate by the ABFM.

9. DUTY TO NOTIFY.

A currently certified or former Diplomate shall notify the ABFM if the individual obtains information regarding any uses or displays of logos, icons, trademarks or images that are confusingly similar to the Marks (including without limitation those trademarks identified in Section 2) or that violate any of the rules contained in this Policy, including misuse of any Marks.

Any notice provided must contain sufficient information to permit the ABFM to investigate the allegation, including a copy of the article or other medium in which the impermissible use or violation appears. Notices under this Section 9 may be sent to TrademarkUse@theabfm.org.

10. ENFORCEMENT.

The ABFM reserves the right to enforce any violation of its policies in accordance with applicable law. In the event of the unauthorized use of any Mark, or displays of logos, icons, trademarks or images that are confusingly similar to the Marks, the ABFM reserves the right to: (i) investigate any purported or suspected violation in the sole discretion of the ABFM, (ii) suspend any use or authorization permitted under this or any ABFM written policy, (iii) implement corrective action, reasonable in its sole opinion, including the revocation of certification or eligibility for certification examination for a period of time, or other corrective action that may be required to be undertaken at the user's expense, (iv) require payment of a monetary penalty, reasonable in the ABFM's sole discretion, (v) seek civil enforcement including, but not limited to, the imposition of an injunction or the recovery of a money judgment, and (vi) impose any disciplinary action on any individual who violates this or any other policy of the ABFM.