

Trademark Guidelines For Use by OEM's Who Have Entered Into a Reseller Agreement with Tridium ("Resellers")

Form of Marks. The Tridium trademarks identified in the Reseller Agreement between Reseller and Tridium ("Marks") are licensed to Reseller pursuant to the terms set forth in that Reseller Agreement ("Reseller Agreement"). Tridium shall provide Reseller with a copy of such Marks in appropriate digital or camera-ready format. Reseller must use the Marks only in the exact form of approved camera-ready artwork or electronic artwork received by it from Tridium. Tridium may alter, modify, or change its Marks at its sole discretion at any time. At no time may Reseller or its Authorized Reseller Partners (as defined in the Reseller Agreement) change or modify any Tridium Mark. Capitalized terms used below have the meanings given them in the Reseller Agreement except as otherwise expressly provided.

Tridium Marks License. Reseller may use the Tridium Marks in connection with building automation systems, energy systems, security systems and other products or systems sold, installed or advertised by it that include all or a part of the Niagara Framework only in accordance with Section 3 of the Reseller Agreement. Reseller and its Authorized Reseller Partners and must use the Marks as required by these Trademark Guidelines.

Guidelines for Trademark and Logo Placement Within Printed or Electronic Materials Related to product containing all or any part of the Niagara Framework® or Niagara AX Framework®.

The following guidelines must be followed on all (i) external product packaging and on any media containing the product (such as, by way of example, disk, CD-ROM, tape); (ii) the accompanying documentation and information of any type intended to provide the user with information about the design, installation or use of the product ("**Technical Materials**"), (iii) web pages featuring information about the product, and in GIF images or other images that point to any page of any Tridium web site via hypertext link; and (iv) on electronic or tangible marketing collateral featuring the product, including, without limitation, advertisements, direct mail, retail store displays, brochures and datasheets, and on all other written materials, building or truck signage, or trade show displays used by Reseller that use any of the Tridium Marks (items identified in clauses (i) through (iv) above being referred to individually or collective as "**Promotional Materials**"). In no event shall Reseller and/or its Authorized Tridium Partners distribute any such materials without adhering to the guidelines below.

Logo Usage

Printed Promotional Materials for products or systems enabled by the Niagara Framework or Niagara^{AX} Framework must feature the applicable Powered by Niagara logo on the same page in which the first reference to Niagara Framework, or Niagara^{AX} Framework, technology appears and on the front page or cover of such materials, except in the case of press releases or any other printed materials in which no other logo is used, and in which use of the logo is not practical. In addition, all Promotional Materials, including, without limitation press releases, must also mention, in the body of the text, that the product or system is based upon, or includes components of, the Niagara Framework, or the Niagara^{AX} Framework, as the case may be.

In Promotional Materials that acknowledge **BACnet®**, **LonWorks®**, and/or **Modbus®** names or marks, the applicable Powered by Niagara Mark must receive equal treatment in a similar manner.

Color Promotional Materials must feature a full color version of the applicable Powered by Niagara logo. **Black-and-white Promotional Materials** may use the black-and-white version of the logo.

The applicable Powered by Niagara logo must appear within all Promotional Materials for **products or systems that incorporate all or any part of the Niagara Framework** as the control system operating infrastructure.

Logo placement on Promotional Materials other than web pages and other forms of **electronic promotions** must be at least 32mm (width).

In the case of **oversized advertisements**, the Powered by Niagara logo must be one column wide based on a five column layout.

Color Promotional Materials must feature a full color version of the applicable Powered by Niagara logo. Black-and-white ads may use the black-and-white version of the logo. All reproduction guidelines provided by Tridium from time to time must be met.

Logo placement on **web pages and other forms of electronic promotions** must be at least one-fifth the screen width, or one-inch in size (width), whichever is smaller. There must be a minimum of ¼ inch clear space surrounding the border of the logo, or 30 percent of the height of the "N" in Niagara, whichever is greater, unencumbered by other graphics or copy. The logo may be shown within the lower border area of the page. The lower or outer edge of the logo must always maintain at least ½ inch clear space from the edge of the page.

The Powered by Niagara logo must be positioned over a contrasting background.

All logos and text required under the above guidelines must appear as stand-alone items within the Promotional Materials. Photographs, diagrams or other depictions of any Tridium product(s) bearing the Powered by Niagara logo, or any other text required by the above guidelines, will not satisfy any of such requirements.

Content of Text

In all **Technical Materials** for products that include both the Niagara Framework, or Niagara^{AX} Framework and a component developed by Reseller or a third party that do *not* bear the Reseller logo, Reseller must clearly indicate that such products include a component that is made by a party other than Tridium.

In all **text** about products that include the Niagara Framework or Niagara^{AX} Framework, such as, by way of example and not limitation, press releases, data sheets, and web site pages, the text must include a separate paragraph indicating that the product uses the Niagara Framework or the Niagara^{AX} Framework, as the case may be. For example, either of the following one-sentence paragraphs would be appropriate: "The *[insert name of product]* is powered by the Niagara Framework," or "The *[insert name of product]* was built using the Niagara^{AX} Framework."

Trademark and Service Mark Information

Information indicating that the Tridium Marks are trademarks of Tridium must be displayed within all Promotional Materials in any form for products or systems that include the Niagara Framework or Niagara^{AX} Framework as follows: *[insert name(s) of mark(s)]* is (are) (a) trademark(s) of Tridium, Inc.] For example:

"Niagara^{AX} Framework, JACE and the logos used herein including such marks are trademarks of Tridium."

Trademark information must be displayed in a bold typeface of 10-point size or larger, but not larger than any Reseller trademark if the Reseller trademark information is smaller than 10 font. In no cases, however, shall the or Reseller trademark information be of a smaller font than generally customary in the industry for printed material of similar nature, text font size, and style. Further, this information must be displayed in the same area that the Reseller trademark or

trademark descriptive references appear.

Guidelines for Logo Placement on Products.

The following guidelines must be followed on all products or systems implemented or installed by Reseller using all or any part of the Niagara Framework or Niagara^{AX} Framework. In no event shall Reseller and/or its Authorized Reseller Partners distribute any of such products or systems without adhering to the guidelines below:

Hardware Products. If the Niagara Framework is embedded into hardware components within a system installation, those hardware components must contain the applicable Powered by Niagara logo. In the case of products or systems bearing the Reseller logo, the Niagara logo must have at least ¼-inch of clear space maintained, or 30 percent of the height of the “N” in Niagara, whichever is greater, between the outer edge borders of two logos.

A 1.5 inch logo size (width) is preferred; however, if space is limited, logo placement on product must be at least one inch in size (width) or 30 percent of the size of the OEM logo, whichever is greater. There must be a minimum of ¼-inch clear space surrounding the border of the logo, or 30 percent of the height of the “N” in Niagara, whichever is greater, unencumbered by other graphics or copy.

Software Products. The applicable Powered by Niagara logo must appear on the home page display for any system comprised of components enabled by Niagara Framework.

Logo placement on software products must be at least one-fifth the screen width, or one-inch in size (width), whichever is smaller. There must be a minimum of ¼ inch clear space surrounding the border of the logo, or 30 percent of the height of the “N” in Niagara, whichever is greater, unencumbered by other graphics or copy

Branding.

All Products. Reseller must brand all Hardware and Licensed Materials that are designated by Tridium as being brandable with Reseller’s Marks. Reseller will cooperate with Tridium to brand such Hardware and Licensed Materials as reasonably requested by Reseller in accordance with Tridium’s branding guidelines in effect as of the date of the request. Reseller shall pay the set up fee and/or per product fee to cover any one time or ongoing costs of providing such branding as set forth on the applicable Price List, and shall purchase all labels required. In no case shall Tridium be required to participate in branding in a manner that Tridium believes to be infringing any trademark or other right of any third party, or otherwise to be contrary to Tridium’s business interests. Tridium will, at Reseller’s request, provide Reseller with a master copy of all Documentation for the Licensed Materials for copying and distribution with the Licensed Products sold by Reseller. Reseller may revise such Documentation (i) to the extent, and only to the extent, necessary to accurately reflect information related to Reseller’s implementation of the Licensed Materials, and (ii) to remove Tridium’s Marks and replace them with Reseller’s Marks, *except that* Reseller may in no case alter any Tridium copyright notice included in the Documentation. Reseller will, upon the request of Tridium, promptly provide Tridium with a copy of any revision of the Documentation distributed, or intended for distribution, by Reseller.

JACE 8000 Hardware. If Reseller purchases JACE 8000 Hardware without a branding clip, Reseller must procure a branding clip bearing Reseller’s brand for each unit of such Hardware. Reseller may not redistribute JACE 8000 Hardware without such a branding clip.

If you have specific questions pertaining to any Tridium Mark, please contact the Tridium

marketing department. at: (804) 747-4771.

BACnet, ASHRAE, LonWorks and Modbus are the trademarks of their respective owners.