



## Guidelines for licenses to use the Memory of the World logo

This note is to discuss the principles in using the Memory of the World Logo or Emblem. These principles will have to be contained within the general principles of the UNESCO, but take into account the special purposes of the Memory of the World programme. It is suggested that a right to use the logo will be available for two main reasons:

- To indicate that the documentary object is entered upon the Memory of the World register
- To associate a company or an organisation with the objectives of the Memory of the programme, and for an economic consideration.

Restricting the use of the logo becomes an important element in defending the value of the logo to a sponsor. At the same time, the logo should be associated directly with the documentary heritage included in the Memory of the World register(s), it is by this association with valuable and outstanding examples of the world's documentary heritage that the primary value of the logo is created.

These guidelines have to be co-ordinated with the general policy for the protection and use of the name, acronym and logo of UNESCO.

### What is to be protected?

The object of the protection is the Memory of the World logo. It has not been decided which *versions* of the logo should be defined. It is suggested that there should be three versions – on the international, regional and national level.

The form of the logo for these three versions would have to be decided. It is suggested that the international level logo.

For the regional and national versions, the logos of UNESCO and the Memory of the World are accompanied by a *text* indicating the version.

One may consider whether these ranges of logos are sufficient, or whether one would like to introduce special classes. In some cases “gold” licenses are awarded to a strictly limited number of sponsors.

One may want to introduce something similar in this licensing scheme in order to offer a special status to international sponsors making an exceptional contribution to the Memory of the World programme.

The object of protection is the:

1. Memory of the World logo (international version accompanied with the UNESCO logo).

*[Reproduction of correct linked logo]*

2. UNESCO linked logo with Memory of the World logo (regional version accompanied with the name of the regional committee)

*[Reproduction of correct linked logo]*

3. Memory of the World logo (national version accompanies with the name of the national commission)

*Reproduction of correct linked logo]*

### Using the logo by regional or national committees

It is suggested that regional or national committees may use the logo for their own documents. This does not imply the authority to negotiate licences, see sect. 4.

#### **2. Use by regional or national committees**

When a regional or national committee has been established and recognised by UNESCO (for regional committees) or the national commission (for national committee), this committee may use the logo appropriate (see sect 1) for its own activities.

This permission may be revoked by the UNESCO at any time.

### Using the logo for documentary heritage part of the Register(s)

There are foreseen three different types of registers corresponding to the international, regional and national levels. Documentary heritage is entered into one of the registers; this process is outside the scope of these guidelines.

The use of the logo should be permitted by the documentary heritage included in the register; at the same time one should take care to restrict the use of the logo, not to inflate its commercial value.

A principle of “close association” is suggested for the use of the logo for registered documentary heritage.

This imply that the logo can be used for a document on display, but not the institution itself – the manuscript of Ibsen’s “A Doll’s House” may be displayed in a case bearing the logo, but the National Library, being the host to the manuscript, may not use the logo more generally, for instance for its entrance hall, on general stationary *etc.*

Likewise, the principle will guide the use of the logo for publicity or other material – the logo may only be used in presentations of the documentary heritage itself.

Only the host institution will be permitted to use the logo for publications – for instance a scholar analysing the documentary heritage will not be permitted to include the logo in a paper, monograph, text-book *etc.*

For publishing on the web, the same principles apply.

For the web, care also should be taken to secure the logo in a way which makes it difficult to copy from the site, and be used by third parties outside the control of the Memory of the World programme.

One may consider procedures in which UNESCO may decide or guide such use, and one may consider responsibility or liability of the host institutions in cases of use violating these principles.

#### **3. Principle of close association**

Documentary heritage included in a register may be associated with the appropriate logo. The logo may only be used in as close association to the registered heritage as circumstances allow, and should not be generally associated with the host institution, its general facilities *etc.*

For documentation, the logo may be used in presentations, discussions and analysis of the material by the host institution.

The host institution is permitted to use the appropriate logo for its own website when presenting the documentary heritage. For web sites, the logo should be appropriately secured against copying.

### Licences to third parties to use the logo

It is believed that sponsors to the Memory of the World programme may be motivated by a licence to use the logo for associating itself with the objectives of the programme.

This requires setting out who negotiate such a license.

It is suggested that authority to negotiate licenses is distributed among the three levels of the programme foreseen – the national commissions, the regional organisations and the international level. Next, it has to be indicated who or how economic consideration for the use of the logo is to be decided.

There is believed to be pragmatic factors relevant for this apart from the three different levels. One obvious factor would be the importance and nature of the documentary heritage.

Another obvious factor would be the relation between the documentary heritage and the activity of the sponsor.

A third would be the goodwill the sponsor perceives may be gained in the community to which the documentary heritage belongs.

A fourth factor may be the nature of the contribution by the sponsor – it will typically be money, but may be goods or services in kind, for instance related to the preservation of the documentary heritage or the facilities in which it is preserved, production of digital copies, making the documentary heritage accessible to the public, *etc.*

It is suggested that such pragmatic factors best can be assessed on the level to which the contribution is made.

Therefore the authority to decide on the appropriate consideration is proposed to reside with the level granting the license.

Nevertheless, UNESCO may want to consider guiding principles in order to harmonise the considerations between the different authorised organisations.

The license should also always be limited.

Such limitations may be of different kinds, but the license should always be limited in *time*.

A maximum of four years is suggested, corresponding to the term of the International Advisory Committee to the Memory of the World programme.

This may be perceived as somewhat long, but one should take into account that the sponsor may need time to prepare the utilisation of the logo.

Limitations of other kinds should be considered, like the type of exploitation or the type of goods, services or activities the logo may be associated by the sponsor.

UNESCO may want to inform the sponsor of the more general conditions of the license, contained in these guidelines.

The authorised organisation should therefore always include these guidelines in an annex to the licence.

## 4. Authority to negotiate licenses

1. Use of the international logo can only be licensed by UNESCO.

2. On the recommendation of the International Advisor Committee, UNESCO may authorise a regional committee to licence the use of the regional logo.
3. On the recommendation of a national UNESCO commission, UNESCO may authorise a national committee to license the use of the national logo.
4. Consideration to be paid by the sponsor is decided by the organisation authorised to grant the licence.
5. The license should always be limited in time, the maximum period should be four years. The license may also be limited to what material, events *etc* the sponsor may associate the logo, and may specify what for what goods, services, activities *etc* the sponsor may utilise the logo.
6. These guidelines should always be annexed to a contract, as well as the general directive for the use of the name, acronym, logo and Internet domain names for UNESCO.

### Notifications *etc*

In order to exercise a minimum control of the exploitation of the logo, there needs to be principles of notification. It would seem appropriate if the licenses were made available to UNESCO, and that a summary report was presented to the International Advisory Board for its bi-annual meetings.

#### **5. Notification**

On concluding a license, a copy should as soon as possible be made available to the UNESCO. A report summarising the licenses concluded since its last meeting should be presented to the International Advisory Board.

### Intervention by UNESCO

One may consider whether there is necessary to have a safety valve in order to let UNESCO check that the license is in line with guidelines and other elements of UNESCO policy.

There are several ways of doing this, but one has to bear in mind that a contract is entered between an authorised organisation and the sponsor.

Though UNESCO may through its general authority direct the activity of the authorised organisations, it has no authority over the sponsors, and no authority to intervene in contracts legally concluded.

To ensure control, one may re-consider whether the organisations should be authorised to contract for licenses, and that a contract only became binding on the confirmation of UNESCO.

Another alternative would be to delay the effect of the contract until UNESCO was notified, and has had sufficient time to react if the contract contains element not desired.

The latter alternative implies less bureaucracy.

This may still be deemed less than sufficient for controlling the use of the logo.

In the case of an authorised organisation contracting a licence in breach of the principles in these guidelines, it will be a matter of the law governing the contract whether the contract will be valid.

#### **6. Intervention**

A contract shall not take effect until three months after the authorised organisation has notified UNESCO of the license.

## Role of the International Advisory Board

According to the proposed guidelines, the International Advisory Board will have a report for its bi-annual meetings on the licenses negotiated by the authorised organisations since its last meeting. It is presumed that the International Advisory Board in this way will gain insight into the operation of the licensing scheme. On the basis of such experience, the International Advisory Board may decide to advise UNESCO to revise the guidelines. Revised guidelines may then be adopted by the UNESCO, and made applicable to future licenses negotiated by the authorised organisations.

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