

Tridium Reseller Agreement – OEM

Trademark Guidelines

Form of Marks. The Tridium Marks are licensed to Reseller pursuant to the terms set forth in the Reseller Agreement of which this Exhibit B is a part. Tridium shall provide Reseller with a copy of such Marks in appropriate digital or camera-ready format. 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 change or modify any Tridium Mark.

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 and this Exhibit B.

Guidelines for Trademark and Logo Placement Within Printed or Electronic Materials.

The following guidelines must be followed on all **Promotional Materials** and on all building or truck signage, or trade show displays used by Reseller that use any of the Tridium Marks. In no event shall Reseller and/or its Authorized Tridium Partners distribute any such materials without adhering to the guidelines below:

Printed **Promotional Materials** for products or systems enabled by the Niagara Framework must feature the Powered by Niagara logo on the same page in which the first reference to Niagara 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 Powered by Niagara mark must receive equal treatment in a similar manner.

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

Appropriate trademark/service mark descriptive information must be displayed within all **Promotional Materials** in any form for products or systems that include the Niagara Framework as follows: “[*insert name(s) of mark(s)*] is(are) a registered trademark of Tridium, Inc.” For example:

“Niagara Framework and the logos used herein including such mark are registered trademarks of Tridium, JACE is a trademark 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 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 Reseller trademark or registered mark descriptive references appear.

The 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 powered by Niagara logo. Black-and-white ads may use the black-and-white version of the logo. All reproduction guidelines provided by Tridium 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. 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.

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. In no event shall Reseller and/or its Authorized Reseller Partners distribute any product or system incorporating all or any part of the Niagara Framework 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 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 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. Tridium will cooperate with Reseller to brand JACE's sold by Reseller and/or implementation(s) of the Licensed Materials developed by Reseller with Reseller's Marks as reasonably requested by Reseller in accordance with Tridium's branding guidelines in effect as of the date of the request. Tridium may charge Reseller a set up fee and/or per product fee to cover any one time or ongoing costs of providing such branding. 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.

If you have specific questions pertaining to any Tridium Mark, please contact Tridium Marketing at: (804) 747-4771.

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