PGA TOUR® Official Marketing Partner Marks & Usage Manual



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Section I: Introduction

This manual contains instructions and guidelines regarding the correct usage of the PGA TOUR®, PGA TOUR Champions® and Korn Ferry Tour Marks by Official Marketing Partners ("OMPs") (for TPC® marks guidelines, please refer to the TPC Brand Manual).







The right to use a mark owned or controlled by the PGA TOUR ("TOUR Mark") can be obtained only in a written agreement with PGA TOUR, Inc. ("TOUR"). This manual will use the term "TOUR Marks" to refer to those marks defined in the individual OMP agreement, and other capitalized terms in this manual are intended to match the same defined terms in the OMP agreement as well.

It is the TOUR's hope that, in addition to protecting the TOUR Marks and the integrity of the OMP sponsorship program, these rules will also:

- Expedite approval times;
- Provide consumers a clear understanding of the OMP's relationship to the TOUR; and
- Enhance the value of the OMP's TOUR-related marketing rights.

This manual will govern TOUR's approval or rejection of OMP promotional materials submitted to TOUR in accordance with the OMP agreement. The rules and guidelines set forth herein will apply in all cases unless the OMP agreement contains an exception that expressly refers to these guidelines and creates an exception. In the event promotional materials that are inconsistent with these guidelines are approved, or if the TOUR elects to approve certain promotional materials as a one-time exception to these guidelines, such approvals may not be interpreted as amending the OMP agreement or as creating a new rule for the future. All exceptions will be granted on a case-by-case basis and will not be used as a precedent that binds the TOUR in its future decisions.

To take full advantage of these guidelines, the OMP and the TOUR must be in close cooperation regarding the OMP's promotional materials. It is the TOUR's desire that, with cooperation, this manual will help make the OMP's activations easier, clearer, and more effective.

Section II: Quick Reference

For quick and easy reference, below is a summary of the rules contained in this manual. Further details for each rule can be found in the corresponding sections of this manual.

- **1. Manner of Use.** OMP may use the TOUR Mark(s) on promotional materials in a "composite logo" or in a "stand-alone" logo, as follows:
 - (a) Composite Logos. One (1) TOUR Mark together with one (1) approved OMP Sponsor Brand Mark, with an appropriate Official Designation centered underneath. The general guidelines governing "composite logos" are:
 - There must be a clear delineation, typically a line of separation, between the OMP Sponsor Brand Mark and the TOUR Mark;
 - ii. The OMP Sponsor Brand Mark must be located on the left and the TOUR Mark is located on the right;
 - iii. The appropriate Official Designation must be used with such composite logo;
 - iv. The OMP Sponsor Brand Mark must be approximately equal to the size of the TOUR Mark in its overall dimension and visual impact; and
 - v. There may be no additional graphic elements, no tag lines or slogans, and no website addresses or other advertising elements included in the OMP Sponsor Brand Mark or composite logo.
 - **(b) Stand-alone Logo.** OMP may use the TOUR Mark alone, with an appropriate Official Designation listed underneath, in proximity to the OMP Sponsor Brand Mark.

2. General Conditions of Use.

- (a) **Designations.** TOUR Marks must always be used with an appropriate Official Designation.
- **(b) Category.** OMP may use TOUR Marks and Official Designations solely on promotional materials in connection with the OMP Category.
- **(c) No Integrated Logos.** No TOUR Mark or Official Designation may be incorporated into a single graphic design with an OMP logo or name.
- (d) Confusion as to Rights. OMP may not use TOUR Marks or Official Designations in any manner that is unclear as to the nature and scope of OMP's rights.
- **(e) No Confusion as to Advertiser.** The sizing, placement and proportion of the OMP's Sponsor Brand Marks versus the TOUR Marks must leave the impression that the OMP, not the PGA TOUR, is the advertiser.
- (f) **Right to use Tournament Names and Logos Sold Separately.** OMPs do not obtain rights to tournament names or logos through its status as an official sponsor of the TOUR. OMP may

- only use tournament names or logos in their promotions when OMP has separately secured rights to do so from the relevant tournament organizer.
- (g) Use of PGA TOUR Player Names or Likenesses. The rights granted in the OMP agreement do not include the right to use the names or likenesses of Players. Players are responsible for granting the use of names or likeness, and OMPs must obtain approval directly from the applicable Player(s). "Player(s)" means current PGA TOUR, PGA TOUR Champions or Korn Ferry Tour golfers who are eligible under the TOUR's health subsidy eligibility list.
- (h) No TOUR Marks or Official Designations Directly on Merchandise for Sale. OMP may not place TOUR Marks or Official Designations directly on merchandise for sale unless the OMP agreement expressly permits it.
- (i) TOUR Marks or Official Designations on Premium Items. OMP may place TOUR Marks and Official Designations on premium items, so long as such premium items are approved in advance by TOUR in accordance with this manual, and so long as OMP secures such items through TOUR's merchandising department.
- (j) **Confusingly Similar Marks.** OMP may not use any other logo or mark in its promotional materials that is confusingly similar to any TOUR Mark.
- (k) Conformity to Law. OMP's use of the TOUR Marks must comply with all applicable laws and regulations and shall indicate appropriate intellectual property notices.
- (l) Third-Party Marks.
 - i. *General Prohibition.* In general, the names and logos of third parties may not appear on OMP's promotional materials bearing TOUR Marks or Official Designations.

Potential Exceptions. TOUR will consider exceptions on a case by case basis, and will consider factors (without limitation) such as:

- a. the degree of visual separation between the TOUR Mark or Official Designation and the name or logo of the relevant third party;
- b. whether the third-party name or logo appears in such a way as to imply an association, direct or indirect, with TOUR;
- whether the third-party name or logo represents a product or service within the marketing category of another marketing partner or prospective marketing partner of TOUR;
- d. whether the third-party name or logo represents another TOUR marketing partner; and
- e. whether the third-party name or logo represents an entity with which TOUR does not wish to be associated, directly or indirectly and;
- f. the extent necessary for third party to be present.
- (m) **No Endorsement.** OMP shall not use the TOUR Marks or Official Designations to represent to any third party or to the general public that OMP's products or services have been "tested,"

selected," "approved," "warranted" or "preferred" by TOUR.

- (n) Use of TOUR Marks or Official Designations at Non-TOUR Events. There must always be a clear visual separation between the TOUR Marks or Official Designations, and the name or logo of such other event, and there must be no likelihood that the TOUR Marks or Official Designations will be located in proximity to the names or marks of the third-party sponsors of such other event. The non-TOUR event may not reflect poorly on TOUR or reduce in any way the prestige of TOUR Marks.
- (o) No Comparative Advertising. OMP shall not make any comparative claim in promotional materials using TOUR Marks or Official Designations naming a competitor or a competitor's products or services.
- (p) **Brand Standards.** All uses of the TOUR Marks by OMP must comply with the TOUR's published Brand Standards.

SECTION III: Approvals Process

Please submit creative materials to your designated account team for approval. The creative will then be distributed to the TOUR Legal and Brand Standard departments for review. All uses of TOUR Marks must be approved in advance and in writing by TOUR, in each instance of use; and OMP's actual use of the TOUR Marks must be exactly as approved by TOUR. Because each activation is usually unique in terms of the layout, relevant media, and distribution, even the most subtle differences can be important to TOUR. For example, the very same activation that is approved to appear in a "business to business" print publication may not be approved for general distribution to consumers. Or, a third-party logo approved in one activation may not be approved if the third-party logo is used slightly differently, or if another third party is substituted. Therefore, each individual activation must be approved by TOUR. When submitting the materials to your assigned Account Team, please include the following details:

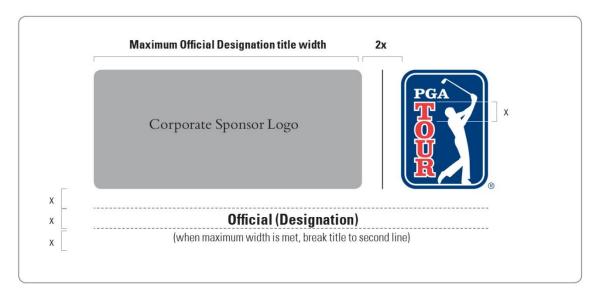
- Brief description of the material(s)
- Request approval timeframe
- Creative Type (i.e., print, online, etc.)
- Media Outlets
- Quantity/Circulation
- Release Date
- Last In-Market Date
- If Competition Photography is used, please confirm that all relevant third-party approvals have been secured. This includes any TOUR players, courses and/or logos that may appear in the image.

SECTION IV: Manner of Use

OMPs may use the TOUR Mark(s) on promotional materials in a "composite logo" or in a "stand-alone" logo, as follows:

- (a) Composite Logos. OMPs may use the TOUR Mark in a "composite logo," meaning one (1) TOUR Mark together with one (1) OMP Sponsor Brand Mark (being the specific Sponsor Brand(s) as agreed in the relevant OMP agreement), together with an appropriate Official Designation. If the OMP has rights to more than one TOUR Mark, then more than one TOUR Mark can be used in the composite logo, but regardless, the general guidelines governing "composite logos" are:
 - i. There must be a clear delineation, typically a line of separation, between the OMP Sponsor Brand Mark and the TOUR Mark;
 - ii. The OMP Sponsor Brand Mark must be located on the left and the TOUR Mark is to be located on the right;
 - iii. The appropriate Official Designation must be used with such composite logo;
 - iv. The OMP Sponsor Brand Mark must be approximately equal to the dimension of the TOUR Mark in its overall dimension and visual impact; and
 - v. There may be no additional graphic elements, no tag lines or slogans, and no website addresses, "calls to action" or other advertising elements included in the OMP Sponsor Brand Mark or composite logo.

More detail regarding the proper presentation of composite logos is found in the TOUR's Brand Standards.



Corporate Sponsor Co-branding Configuration

Use this configuration whem promoting the relationship between the corporate sponsor's official designation and the PGA TOUR **Tagline Specifications:** Univers 47 Condensed Light, condensed 90%, initial capital letter setting, centered and positioned (as illustrated)

Rejected:





• Corporate Sponsor tagline mixed with composite lockup

Official Premium Paper Sponsor

Approved:





• Corporate Sponsor tagline removed

Official Premium Paper Sponsor

Rejected:





Official Performance Car

- Incorrect orientation: Corporate Sponsor must be on the left
- Incorrect font: must be Univers 47 Condensed Light

Approved:





• Correct layout

Official Performance Car

- (b) **Stand-alone Logo.** OMPs do not always have to use TOUR Marks in a composite logo. OMPs may also use the TOUR Mark alone, with an appropriate Official Designation, in a manner that makes clear the scope and nature of the OMP's marketing relationship with TOUR. In the event OMP uses a stand-alone TOUR Mark:
 - i. The TOUR Mark must be placed in a position secondary to OMP Sponsor Brand Mark
 - ii. OMP Sponsor Brand Mark must be used within reasonable proximity of the TOUR Mark
 - iii. Official Designation must be included and must be in the immediate proximity of the TOUR Mark.

Rejected:



 Designation separated from TOUR Mark

Approved:



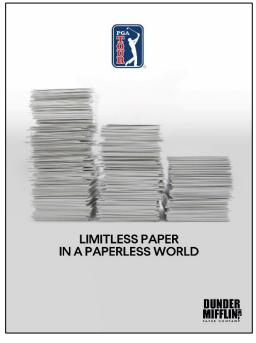
• Designation moved to appropriate proximity to TOUR Mark

SECTION V: General Use and Conditions

(a) Designations. In no event may an OMP use any TOUR Mark in any manner without an appropriate Official Designation. Once the activation is determined to be within the OMP's marketing category, the Official Designation is perhaps the most important aspect of an acceptable OMP/TOUR activation. The reason is simple: the designation explains to all consumers why the TOUR Mark appears in a promotion for a product or service that is not produced, tested, evaluated, endorsed, or provided by the TOUR. Legally speaking, trademarks indicate the source of a product or service. When a TOUR Mark is used in promotions for a product or service, it is possible for consumers to assume that the TOUR is involved in the production or delivery of the product or service, and perhaps to hold the TOUR partly liable should a problem arise. Additionally, trademarks need to be registered in connection with the goods and services they are used to sell, but the TOUR Marks are likely not registered in connection with all of the OMP's products and services. To alleviate these legal concerns, an Official Designation must be used to explain the reason why the TOUR Mark appears in connection with the products or services of the OMP. It is not because the TOUR is involved in producing, testing, evaluating, endorsing, or providing the products or services, but it is because the OMP is a sponsor of the PGA TOUR, and the OMP wants its consumers to know that it supports men's professional golf.

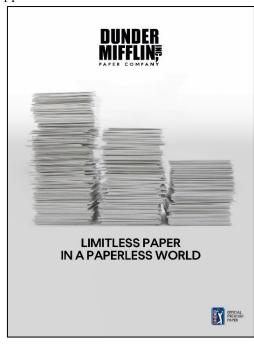
It is important to note that in addition to the marketing value of the Official Designation, the Official Designation also serves as a legal device for properly informing consumers of the TOUR's relationship to the OMP or its product or services. In other words, the copy or images in an activation alone may not be enough to clarify an OMP's marketing category in a given promotion. In those instances, the Official Designation tailored to the category must be used as well.

Rejected:



 TOUR Mark is unaccompanied by a Designation and appears as the primary advertiser

Approved:



• Designation added and TOUR lockup moved to secondary position

(b) Category. OMPs may use TOUR Marks and Official Designations solely on promotional materials in connection with the category as defined in their OMP agreement, and in the advertising, promotion and sale thereof, to the exclusion of any other business, product or service manufactured, distributed, sold or advertised by the OMP or any third party. The TOUR will not permit OMPs to use TOUR Marks in promotions for products or services outside of their product categories. In addition to the other restrictions contained in the OMP agreement, and in the limited event the OMP agreement allows the OMP to use TOUR Marks or Official Designations on packaging for Official Products, they may be used only to indicate the OMP's sponsorship relationship with TOUR, and may not be used in a manner to imply that the OMP has a license to produce licensed goods for TOUR. Further, under no circumstance, and subject to paragraph (i) below, shall OMP be permitted to use the TOUR Mark or Official Designation on products.

The TOUR cannot allow OMPs to use marks on promotions for products or services outside of their product categories for important reasons. Currently, the TOUR's sponsorship structure—based on exclusive marketing categories—builds value based on exclusivity within each category. Each marketing category is valuable to TOUR, and each marketing category has value to one company or another. Each OMP pays for the exclusive right to promote specific products or services in connection with TOUR Marks, with the goal of gaining an advantage over its competitors who also sell the same products or services. Often, the OMP may sell a wide variety of products and services that are not part of the OMP's TOUR marketing category. When the OMP promotes those products or services, TOUR Marks must be removed from the promotion, unless the OMP obtains a prior written exception from the TOUR on a case by case basis. If the TOUR were to allow OMPs to use TOUR Marks in promotions for any and all products or services, the TOUR's sponsorship structure would lose overall value for TOUR sponsors.

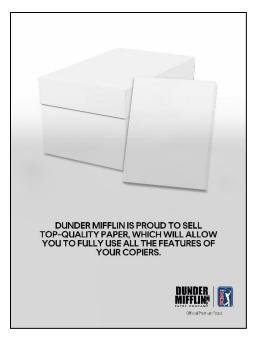
Because marketing categories are so critical to the value of a TOUR sponsorship, the TOUR does not generally allow "general corporate advertising" (general ads promoting the company as a whole, as opposed to ads focused on the products or services within the marketing category) to bear TOUR Marks. For many companies, especially large companies that sell products and services in many different categories, a general corporate ad can create confusion as to the OMP's true exclusive marketing category (See paragraph (d) below, regarding confusion as to the OMP's sponsorship status). In most instances, TOUR will require OMPs to use TOUR Marks only in promotions for products or services within their marketing category, and only with one of their approved Official Designations.

Rejected:



• Content of advertisement is outside the scope of Dunder Mifflin's category "paper," despite using a correct lockup and "Official Paper" designation

Approved:



 Dunder Mifflin has the option to remove the TOUR mark and/or change the image/copy in the ad to only include products and services in their category (c) No Integrated Logos. To protect the integrity of the TOUR Marks and Official Designations, no TOUR Mark or Official Designations may be incorporated into a single graphic design in direct association with the OMP's trade names, logos, tag lines, or other marks or designs. When two marks owned by two different parties are merged into one logo, problems arise involving ownership, control (during and after the sponsorship), and protection of the integrated mark. In addition, when TOUR Marks are incorporated with an OMP's names, logos, tag lines, or other marks or designs, the TOUR can become involved in legal claims if the OMP's creative elements turn out to be false, misleading, infringing, or if similar creative elements are used (with TOUR Marks) by another TOUR sponsor.

Rejected:



• TOUR Mark is incorporated in a single graphic with sponsor mark

Approved:





• Correct layout

Official Performance Car

(d) Confusion as to Rights. OMP may not use TOUR Marks or Official Designations in any manner that is unclear as to the nature and scope of the OMP's rights under their OMP agreement. OMP may not use TOUR Marks or Official Designations in any manner that is likely to cause confusion as to (A) the products or services for which OMP has been granted sponsorship rights by TOUR, (B) OMP's relationship to any particular tournament, or (C) OMP's relationship to any particular Player. This is a general rule that is intended to reiterate to OMPs that they are to activate their TOUR marketing rights only within their category, and within their other rights as may be granted by TOUR. Because the TOUR's entire marketing program is built upon marketing associations with many different companies, each OMP's specific relationship with the TOUR must be presented clearly and should not be deceptive or confusing about the actual status of the OMP in relation to the TOUR.

Rejected:



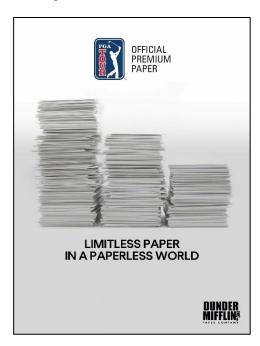
 Content of advertisement is outside the scope of Sweetum's category "candy," despite using a correct lockup and designation

Approved:



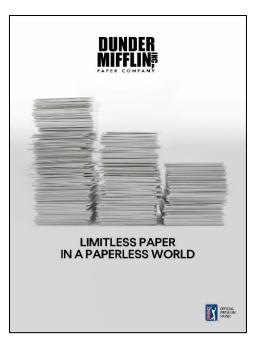
 Sweetums has the option to remove the TOUR mark and/or change the image/copy in the ad to only include products and services in their category (e) No Confusion as to Advertiser. It should be immediately and clearly evident in all promotional materials that (i) the promotion is primarily a promotion of OMP and OMP's goods and services in the category, not of the PGA TOUR; and (ii) the OMP, and not the PGA TOUR, has generated the promotional materials. For the avoidance of doubt, the voice of execution needs to be that of the OMP, not of the TOUR. This can be achieved by minding the size, placement and proportion of the OMP's marks as compared to the PGA TOUR Marks. For example, a magazine advertisement in which a large PGA TOUR logo appears in the top-left or top-center page position will most often create an impression that the advertisement was placed by the PGA TOUR, not the OMP. The reason for this rule is that the PGA TOUR, as a tax-exempt organization, should not be seen as placing advertisements for its sponsors.

Rejected:



 Based on the placement of the standalone lockup, advertisement could imply incorrectly that this is a TOUR advertisement

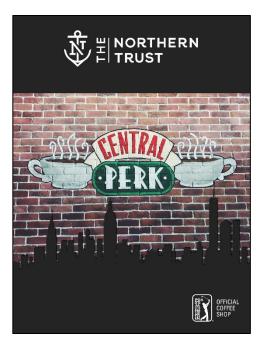
Approved:



- Separate composite lockup to use corporate sponsor logo at the top, and TOUR standalone lockup in a secondary location
- Dunder Mifflin is clearly the advertiser

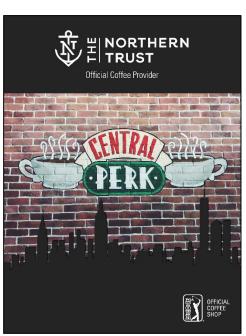
(f) Right to Use Tournament Names and Logos Sold Separately. Tournaments are independent organizations that operate using different sponsorship models than TOUR sponsorships. Official Marketing Partnerships are sponsorships of the PGA TOUR that do not include individual tournament rights, which are sold independently by each tournament. Accordingly, OMP does not obtain any rights to use PGA TOUR, PGA TOUR Champions, or Korn Ferry Tour tournament names or logos by virtue of its status as an official sponsor of TOUR. If OMP desires those rights, OMP must separately secure such rights from the relevant tournament organizer, subject to a twoor three- party agreement. OMP sponsorships may, however, include an obligation of the OMP to spend certain amounts at tournaments throughout the year. OMPs are welcome to use those funds to purchase on-site marketing rights at a given tournament, or even a tournament sponsorship that allows the OMP to use the tournament name and logo. Pursuant to mutually agreed terms in the two- or three- party agreement the OMP may use TOUR Marks along with tournament names and references, so long as OMP complies with all relevant usage guidelines. Once such rights are properly secured, OMPs are welcome to use TOUR Marks in accordance with these guidelines on-site. Each tournament organizer must approve the use of their respective marks. In addition, an OMP that has secured the appropriate tournament marketing rights may use such tournament marks in conjunction with PGA TOUR activations, but a tournament-specific designation must be used in addition to the OMP designation. In no event, however, may the OMP use multiple tournament names or logos in a manner that may imply the OMP is a multi- tournament "umbrella" sponsor of the relevant tour. (Note that the TOUR may restrict usage of the PGA TOUR name and logo in connection with THE PLAYERS Championship, Presidents Cup, TOUR Championship and World Golf Championships.)

Rejected:



 Tournament mark used without a tournament-specific designation

Approved:



• Includes mutually agreed Tournament Designation

- **(g) Use of PGA TOUR Player Names or Likenesses.** The PGA TOUR is an association of individual PGA TOUR players who are independent contractors. They control their own rights to their names and images. Accordingly, the rights granted in the OMP agreements do not include the right to use the names or likenesses of Players. Any such rights must be obtained separately by the OMP directly from the applicable player(s). To benefit the association, each player assigns rights to the TOUR to use his name or image solely in the promotion of the PGA TOUR itself, but not for commercial purposes. Those rights are reserved by the players as individuals.
- **(h) No TOUR Marks or Official Designations Directly on Merchandise for Sale.** OMPs may not place TOUR Marks or Official Designations directly on merchandise for sale.
- (i) TOUR Marks or Official Designations on Premium Items. OMPs may place TOUR Marks and Official Designations on premium items. Premium items are a limited number of items the OMP gives away to consumers for promotional purposes. Premium items generally consist of hats, t-shirts, gifts for the office, or golf accessories. OMPs must source all such premium items from TOUR's merchandise department. In certain instances, TOUR may require the Official Designation to appear on a premium item. In certain instances, OMPs are allowed to promote the products and services within their marketing category by using premium items bearing TOUR Marks.

(j) Confusingly Similar Marks. OMP may not use any other logo or mark in its promotional materials that is confusingly similar to any TOUR Mark. When an OMP is activating a golf-related initiative, the OMP might decide to create new brands or logos to identify their initiative. Just as the TOUR does not allow Integrated Logos, the TOUR does not allow OMPs to adopt marks of its own that would otherwise infringe on TOUR Marks. In other words, just because an OMP has a marketing relationship with the TOUR does not authorize the OMP to create marks of its own that are similar to TOUR Marks.

Rejected:



 Marks such as the swinging golfer above could be "confusingly similar" to the PGA TOUR swinging golfer.

Approved:



• Removed swinging golfer

(k) Conformity to Law. OMP's use of the TOUR Marks must comply with all applicable laws and regulations and shall indicate appropriate intellectual property notices, as detailed in the TOUR's Brand Standards. Prominent uses of TOUR Marks must include a "circle r" (®) symbol, denoting the logo and name as registered trademarks.

(l) Third-Party Marks.

- i. <u>General Prohibition.</u> The names and logos of third parties may not appear in an OMP's promotional materials bearing TOUR Marks or Official Designations. The purposes for this general prohibition are (A) to prevent third parties from enjoying an association (directly or indirectly) with TOUR without actually supporting TOUR, (B) to avoid conflicts with the marketing categories of TOUR's other marketing partners; (C) TOUR maintains brand identity and stature.
- ii. Potential Considerations. TOUR will consider exceptions on a case-by-case basis, and will consider factors such as:
 - 1. the degree of visual separation between the TOUR Mark or Official Designation and the name or logo of the relevant third party;
 - 2. whether the third-party name or logo appears in such a way as to imply an association, direct or indirect, with TOUR;
 - 3. whether the third-party name or logo represents a product or service within the marketing category of another marketing partner or prospective marketing partner of TOUR;
 - 4. whether the third-party name or logo represents another TOUR marketing partner;
 - 5. whether the third-party name or logo represents an entity with which TOUR does not want to be associated, directly or indirectly; and
 - 6. the extent necessary for third party to be present.

Rejected:



- Third party brand is the focus of the advertisement
- Proximity of third-party mark to TOUR mark could incorrectly imply an official relationship

Approved:



- Separated third party mark from TOUR logo
- Adjusted copy to focus on category and OMP

(m) No Endorsement. OMP may not use the TOUR Marks or Official Designations to represent to any third party or to the general public that OMP's products or services have been "tested, "selected," "approved," "warranted" or "preferred" by TOUR, except as otherwise may be expressly permitted in the OMP agreement. Although the TOUR is proud to be associated with its sponsors, the TOUR cannot become involved in the recommendation or endorsement of particular products and services. These types of endorsements are regulated by the FTC, and when the endorsing party has an underlying agreement with the endorsed company, specific disclosures can be required about the nature of the relationship and source of the data used to make the claim. The TOUR cannot become involved in liability that attaches with the endorsement and advertisement of products or services.

Rejected:



• The unapproved quote implies that the corporate sponsor is recommended or endorsed by the TOUR

Approved:



- Removed endorsement copy
- Moved lockup to secondary position

- (n) Use of TOUR Marks or Official Designations in Connection with Non-TOUR Events. When using any TOUR Marks or Official Designations on promotional materials for use or distribution on-site at any non-TOUR sporting event or other non-TOUR event, there must be a clear visual separation at all times between the TOUR Marks or Official Designations and the name or logo of such other event, and there must be no likelihood that the TOUR Marks or Official Designations will be located in proximity to the names or marks of the third-party sponsors of such other event. For example, if an OMP has a presence at a non-TOUR sporting event, and desires to activate its TOUR marketing rights there, it would be acceptable for OMP to use TOUR Marks inside its closed hospitality area, or inside gift bags for its guests, but it would be inappropriate for the OMP to purchase in-stadium signage that promotes both OMP's TOUR relationship and team or event affiliation. . In other words, non-TOUR events usually have their own sponsorship model and their own sponsors, many of which will not be TOUR sponsors. If TOUR Marks are to be used there, care must be taken to ensure that only the OMP, and not the event, nor its other sponsors, enjoy the benefits of having the TOUR Marks nearby. In the OMP's off-site activations around non-TOUR events (e.g. commercials, print ads, or billboards), TOUR Marks and Official Designations usage must be approved in advance.
- **(o) No Comparative Advertising.** OMP shall not make any comparative claim in promotional materials using TOUR Marks or Official Designations naming a competitor or a competitor's products or services.
- **(p) Brand Standards.** All uses of the TOUR Marks by OMP must comply with the TOUR's published Brand Standards.