

Trademark Terms of Use

Authorized Use

Third-party use of the trademark is restricted to the education and training institutions eligible to receive VA education benefits, State Approving Agencies, and recognized Veterans Service Organizations. Parties not identified are prohibited from using GI Bill in any manner that directly or indirectly implies a relationship, affiliation, or endorsement with the Department of Veterans Affairs.

Authorized third-parties may use the registered trademark "GI Bill" in print, electronic, radio, digital, or other media as established by the terms of use.

The trademark symbol "®" should be placed at the upper right corner of the trademarked phrase in the most prominent place at first usage; such as the title of a brochure, form, or the very top of a Web page and the following trademark attribution notice must be prominently visible: "GI Bill® is a registered trademark of the U.S. Department of Veterans Affairs (VA). More information about education benefits offered by VA is available at the official U.S. government Web site at <https://www.benefits.va.gov/gibill>."

Use of the registered trademark symbol is not required each time the mark appears in a single document or on a Web page. However, the symbol should be prominent on all individual documents and Web pages.

Third-party use of the trademark is restricted and subject to the following:

1. The GI Bill trademark is not to be incorporated or included in company or product names, trademarks, logos or internet domain names.
2. The term "GI Bill®" is to be used solely to promote official VA benefit programs and services and must include the proper trademark symbol.
3. Use of the trademark attribution notice, indicating that the mark and all associated services belong to VA, is required and shall be taken as evidence that use of the mark is in good faith.
4. No entity shall use the GI Bill trademark in any manner that directly or indirectly implies a relationship, affiliation, or association with VA that does not exist.
5. Disparagement or misrepresentations of VA services through use of the mark, or by the use of confusingly similar wording, are strictly prohibited.

Suspected Violations

VA reserves the right to bring action against any party that violates VA's terms-of-use concerning the mark in Federal court. Suspected violations must be reported by email to GI-Bill.Trademark@va.gov with the following information:

- Date suspected violation occurred;
- Location;
- Explanation; and
- Designated Point of Contact Information
-

Supplementary Information

On April 27, 2012 President Obama signed Executive Order 13607, directing the Department of Veterans Affairs (VA), the Department of Defense, and the Department of Education to undertake a number of measures to "stop deceptive and misleading" promotional efforts that target the GI Bill educational benefits of Servicemembers, Veterans, and eligible family members and Survivors. Trademarking "GI Bill" was part of that order to protect military families from being misled by schools that target their Federal education benefits.

A trademark is a word, phrase, symbol or design, or a combination thereof, that identifies and distinguishes the source of the goods of one party from those of others. A trademark typically protects brand names and used on goods and services.

For the purposes of this trademark, GI Bill is defined as a service, "providing education benefits, namely, financial assistance such as accelerated payment and tuition assistance for institutions of higher learning, non-college degree programs, on-the-job training and apprenticeship training, flight training, independent training, distance learning and internet training, correspondence training, national testing programs,licensing and certification; entrepreneurship training, work-study programs, and co-op training to Veterans, Servicemembers, National Guard members, Selected Reserve members, and eligible dependents."

As of October 16, 2012, "GI Bill" is a federally registered trademark owned by VA. The mark consists of standard characters without claim to any particular font, style, size, or color.

Authority: E.O. 13607, USPTO Reg. No. 4,225,784.

PROHIBITION ON ENGAGING IN SUBSTANTIAL MISREPRESENTATION

An educational institution with a course or program of education approved under this chapter, and an entity that owns such an educational institution, shall not engage in substantial misrepresentation.

SUBSTANTIAL MISREPRESENTATION DESCRIBED

Substantial misrepresentation is substantial misrepresentation by an educational institution, a representative of the institution, or any person with whom the institution has an agreement to provide educational programs, marketing, advertising, recruiting or admissions services, concerning any of the following:

- A. The nature of the educational program of the institution, including misrepresentation regarding—
 - (i) the particular type, specific source, or nature and extent, of the accreditation of the institution or a course of education at the institution;
 - (ii) whether a student may transfer course credits
 - (iii) conditions under which the institution will accept transfer credits earned at another institution;
 - (iv) whether successful completion of a course of instruction qualifies a student—
 - (I) for acceptance to a labor union or similar organization; or
 - (II) to receive, to apply to take, or to take an examination required to receive a local, State, or Federal license, or a nongovernmental certification required as a precondition for employment, or to perform certain functions in the States in which the educational program is offered, or to meet additional conditions that the institution knows or reasonably should know are generally needed to secure employment in a recognized occupation for which the program is represented to prepare students;
 - (v) the requirements for successfully completing the course of study or program and the circumstances that would constitute grounds for terminating the student's enrollment;
 - (vi) whether the courses of education at the institution are recommended or have been the subject of unsolicited testimonials or endorsements by—
 - (I) vocational counselors, high schools, colleges, educational organizations, employment agencies, members of a particular industry, students, former students, or others; or
 - (II) officials of a local or State government or the Federal Government; “(vii) the size, location, facilities, or equipment of the institution;
 - (viii) the availability, frequency, and appropriateness of the courses of education and programs to the employment objectives that the institution states the courses and programs are designed to meet;
 - (ix) the nature, age, and availability of the training devices or equipment of the institution and the appropriateness to the employment objectives that the institution states the courses and programs are designed to meet;
 - (x) the number, availability, and qualifications, including the training and experience, of the faculty and other personnel of the institution;
 - (xi) the availability of part-time employment or other forms of financial assistance;
 - (xii) the nature and availability of any tutorial or specialized instruction, guidance and counseling, or other supplementary assistance the institution will provide students before, during, or after the completion of a course of education;
 - (xiii) the nature or extent of any prerequisites established for enrollment in any course of education;
 - (xiv) the subject matter, content of the course of education, or any other fact related to the degree, diploma, certificate of completion, or any similar document that the student is to be, or is, awarded upon completion of the course of education; and
 - (xv) whether the degree that the institution will confer upon completion of the course of education has been authorized by the appropriate State educational agency, including with respect to cases where the institution fails to disclose facts regarding the lack of such authorization in any advertising or promotional materials that reference such degree.
- (B) The financial charges of the institution, including misrepresentation regarding—
 - (i) offers of scholarships to pay all or part of a course charge;
 - (ii) whether a particular charge is the customary charge at the institution for a course;
 - (iii) the cost of the program and the refund policy of the institution if the student does not complete the program;
 - (iv) the availability or nature of any financial assistance offered to students, including a student's responsibility to repay any loans, regardless of whether the student is successful in completing the program and obtaining employment; and
 - (v) the student's right to reject any particular type of financial aid or other assistance, or whether the student must apply for a particular type of financial aid, such as financing offered by the institution.

- (C) The employability of the graduates of the institution, including misrepresentation regarding—
- (i) the relationship of the institution with any organization, employment agency, or other agency providing authorized training leading directly to employment;
 - (ii) the plans of the institution to maintain a placement service for graduates or otherwise assist graduates to obtain employment;
 - (iii) the knowledge of the institution about the current or likely future conditions, compensation, or employment opportunities in the industry or occupation for which the students are being prepared;
 - (iv) job market statistics maintained by the Federal Government in relation to the potential placement of the graduates of the institution; and
 - (v) other requirements that are generally needed to be employed in the fields for which the training is provided, such as requirements related to commercial driving licenses or permits to carry firearms, and failing to disclose factors that would prevent an applicant from qualifying for such requirements, such as prior criminal records or preexisting medical conditions.

The term **'misleading statement'** includes any communication, action, omission, or intimation made in writing, visually, orally, or through other means, that has the likelihood or tendency to mislead the intended recipient of the communication under the circumstances in which the communication is made. Such term includes the use of student endorsements or testimonials for an educational institution that a student gives to the institution either under duress or because the institution required the student to make such an endorsement or testimonial to participate in a program of education.

The term **'misrepresentation'** means any false, erroneous, or misleading statement, action, omission, or intimation made directly or indirectly to a student, a prospective student, the public, an accrediting agency, a State agency, or to the Secretary by an eligible institution, one of its representatives, or any person with whom the institution has an agreement to provide educational programs, marketing, advertising, recruiting or admissions services.

The term **'substantial misrepresentation'** means misrepresentation in which the person to whom it was made could reasonably be expected to rely, or has reasonably relied, to that person's detriment.

LIMITATION ON CERTAIN COMMISSIONS, BONUSES, AND OTHER INCENTIVE PAYMENTS

An educational institution with a course or program of education approved under this chapter, and an entity that owns such an educational institution, shall not provide any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance.

REQUIREMENT TO MAINTAIN RECORDS

To ensure compliance with the preceding on this worksheet, any educational institution offering courses approved for the enrollment of eligible persons or veterans shall maintain a complete record of all advertising, sales, or enrollment materials (and copies thereof) utilized by or on behalf of the institution during the preceding two-year period. Such record shall be available for inspection by the State Approving Agency or the United States Department of Veterans Affairs.

Such materials shall include but are not limited to any direct mail pieces, brochures, printed literature used by sales persons, films, video tapes, and audio tapes disseminated through broadcast media, material disseminated through print, digital, or electronic media, tear sheets, leaflets, handbills, fliers, and any sales or recruitment manuals used to instruct sales personnel, agents, or representatives of such institution.