

Green Electronics Council	Procedure for Addressing Misuse of the EPEAT Mark and Misleading Claims	P28 Issue 1, Rev 1
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**1. Purpose**

This document describes the Green Electronics Council (GEC) procedure for addressing misuse of the EPEAT Mark and for addressing misleading claims relating to EPEAT.

**2. Scope**

This process applies to concerns raised to GEC about the use of the EPEAT Mark and to misleading claims about EPEAT. It covers false claims and misuse and misrepresentation made to purchasers or the general public about EPEAT. Specific concerns about declaration on the EPEAT Registry are handled through *P8 Complaints and Appeals*.

**3. Definitions:**

**Misuse of the Mark**—any instance where the EPEAT Mark is used incorrectly, including (not limited to): placing the EPEAT Mark on a product that is not Registered and incorrectly reproducing the EPEAT Mark

**Misleading Claim**—any instance, including verbal communications, of an inaccurate statement about EPEAT including misleading statements about the value and environmental benefits of EPEAT and incorrect statements about the status of products on the EPEAT Registry.

**4. Responsibilities**

- It is the responsibility of the Marketing Department to determine if concerns are valid and to investigate concerns over misuse of the EPEAT Mark and misleading claims.

**5. Procedure Review and Approval Authority:**

Owner: EPEAT Operations Manager  
Approver: Chief Executive Officer (CEO)

**6. Related Documents**

- P7 EPEAT Style Guide*
- P8 Complaints and Appeals*
- P26 EPEAT License and Subscriber Agreement*

**7. Records**

Record Name	Owner	Access	Minimum Retention Time	Location
Register of valid concerns	CM	GEC staff	3 years	GEC server

## 8. Change History

Revision	Owner	Description of Change	Approver	Date approved
0	M. Bower	Initial release of document	S. Davis	11/11/15
1	M. Bower	Updated title in clause 5	N/A (insubstantial change)	8/2/16

## 9. Concerns about misuse of the EPEAT Mark and misleading EPEAT-related claims

9.1. Any GEC staff may receive a concern regarding a misuse of the EPEAT Mark or misleading claims regarding EPEAT.

9.2. All concerns must be raised to GEC in writing. There is no form that needs to be completed.

9.3. Within 10 business days, the Marketing Department is responsible for determining if the concern is valid.

9.3.1. To be considered valid, the basis for the concern must clearly be stated and applicable evidence supplied.

9.3.2. Concerns about verbal claims (e.g. representing products to be Registered when they are not) may be considered valid.

9.3.3. Concerns about the use of EPEAT Mark beyond Marks placed on a product (e.g. use of the Mark in communications or marketing material) may be considered valid.

9.3.4. Concerns or complaints relating to an EPEAT Registered product's conformance to GEC approved standards (e.g. a concern that a product may not meet the criteria it claims) are handled through a separate process P8, *GEC Complaints and Appeals*.

9.4. If the concern is valid, the Marketing Department will investigate the allegation of misuse of the Mark/claim (see section 10).

9.5. GEC keeps a record of all valid concerns about misuse of the Mark and misleading claims.

9.6. In addition to receiving and investigating concerns relating to the use of the EPEAT Mark and name, GEC may also periodically conduct checks to ensure that Manufacturers and Purchasers are using the EPEAT Mark correctly and making claims consistent with the EPEAT Style Guide.

## 10. Process for handling misuse of the Mark and misleading claims

10.1. If a Participating Manufacturer, Purchaser or any other party is found to be incorrectly reproducing the EPEAT Mark or making misleading claims, the Marketing Department will work with the party to address the issue.

- 10.1.1. Manufacturers must remove all misleading or inaccurate claims from publicly available material. Misleading or inaccurate claims should be replaced with claims made consistent with the EPEAT Style Guide.
  - 10.1.2. If the EPEAT Mark has been reproduced in a manner inconsistent with the EPEAT Style Guide (e.g. distorted or altered color), it must be replaced with a correctly reproduced Mark.
- 10.2. If the EPEAT Mark has been placed on products in a manner inconsistent with the product's status on the Registry, the Manufacturer must cease use of the Mark on the product.
- 10.3. If the EPEAT Mark claims about EPEAT is used in marketing, communication materials or other materials to make misleading claims about products, Manufacturers must cease use of the Mark and/or claim in the materials in question.
- 10.4. If a Manufacturer has been found to improperly place the EPEAT Mark on products, incorrectly reproduce the EPEAT Mark and/or make claims inconsistent with the Style Guidelines, GEC may conduct follow up activities to ensure that future references to EPEAT and use of the EPEAT Mark is consistent with GEC's requirements.
- 10.5. If a Manufacturer fails to address the misuse of the Mark or misleading claims, they are informed by the CFO that they are in breach of the License and Subscriber Agreement with GEC. As such, their agreement with GEC is subject to termination at the discretion of GEC.
- 10.6. In instances where a non-Participating manufacturer makes unauthorized use of EPEAT Mark or claims about EPEAT, they are informed that the EPEAT name and Mark are registered trademarks and that only Participating Manufacturers are permitted to use the EPEAT Mark.
- 10.7. The EPEAT name and Mark are registered as trademarks in the US and a growing number of countries. Inappropriate use of the name and Marks can be prosecuted in any appropriate legal venue.