

STILLSECURE TRADEMARK POLICY

This trademark policy outlines the policy of Latis Networks, Inc. (d.b.a StillSecure®) (“StillSecure” for short) regarding the use of its trademarks, tradenames, service marks, logos and brands (referred to as “Marks”). To use a StillSecure Mark, you will usually need a license, and whenever you use our Marks, your uses must comply with this policy.

1 - Trademarks are important to StillSecure

StillSecure Marks are very important to us. A trademark is a word, phrase, logo, symbol or combination of these that identifies the source of a product or service and distinguishes one person’s product or service from those of another. Trademark law was developed to protect the public from confusion as to the source of goods and services. Our Marks symbolize to our customers, partners and the market reliability and cutting edge, innovative technology. As the owner of the StillSecure Marks, we must police and enforce the use of our Marks to make sure our Marks continue to represent the quality products that we develop.

This trademark policy consists of a number of specific rules for various situations, but the underlying requirement is that you not confuse the public as to the source of your product or suggest that StillSecure certifies, endorses or is otherwise affiliated with you or your project.

2 - Trademarks and the StillSecure Community License

The StillSecure Community License enables our licensees to distribute their modifications of the Cobia™ software. StillSecure grants this license under copyright law, which is very different than trademark law. While you may modify and distribute the Cobia software, you may only use the Cobia Mark as described in this policy. When the Cobia software is modified and then distributed, StillSecure is no longer the source of the software. To prevent confusion among our customers, partners and the public, this modified software may not be distributed under the Cobia or any StillSecure Marks. StillSecure does not approve, endorse or review changes you make to Cobia. Hopefully you can appreciate that we don’t want end users to think we have endorsed or approved changes to the software for which we were not responsible or a part of. The limitations on how you can use our Marks are not intended to prevent you from exercising the rights you may have under our StillSecure Community License. We want to make sure that you don’t mistake the use of our code for the use of our Marks.

3 - Cobia Software Distribution

Unmodified Code

The StillSecure Community License enables you to distribute unmodified Cobia software. “Unmodified” means that the software is in the same form as originally provided by StillSecure without any change. Once you modify the code in any way, StillSecure is no longer the source of the software and the provisions relating to modified code below will apply. Here are the requirements for distributing unmodified Cobia code:

1. You are not permitted to remove any of StillSecure's copyright notices or Marks from the source or binaries of the unmodified version of the Cobia software. To do this would indicate that StillSecure is not the source of the software, and that is not accurate.
2. You must clearly identify StillSecure as the source of the Cobia software in all distribution materials. Please follow the notice and attribution requirements in Section 9. This is to ensure that you don't confuse your customers about the source of the software.
3. All downloads of unmodified Cobia binaries must be made through a link to our website to help ensure faster, more reliable downloads. We have created a Cobia button that you may (but are not required to) use to create this link as identified in Section 8 below.

Modified Code

StillSecure does not grant you the right to distribute modified Cobia code under the StillSecure Marks. This would create confusion as to the source of the software. Our Marks represent the quality control we have put into our software, and using our Marks would inaccurately suggest that we had put the same effort into your changes. StillSecure requires that you remove all Marks from modified Cobia software, except all copyright and other proprietary notices in the binary code (such as in the about screen) and in the notices in the source code files, which must remain in tact. Additionally, you are required to include the following notice with any distribution:

THE FOLLOWING SOFTWARE CONTAINS ALL OR A PORTION OF THE COBIA™ SOFTWARE PLATFORM (COBIA.STILLSECURE.COM) DEVELOPED BY STILLSECURE® (WWW.STILLSECURE.COM). STILLSECURE DOES NOT APPROVE, ENDORSE, OR CERTIFY THIS MODIFIED SOFTWARE PLATFORM IN ANY WAY. STILLSECURE MAKES NO REPRESENTATIONS OR WARRANTIES OF ANY KIND WHETHER EXPRESS OR IMPLIED AND SHALL HAVE NO LIABILITY WITH REGARD TO THE SOFTWARE AND YOUR USE OF IT. YOU MAY DOWNLOAD AN UNMODIFIED VERSION OF THE COBIA SOFTWARE PLATFORM FROM COBIA.STILLSECURE.COM.

You must prominently display this notice at the download access point, in the user interface where licensing terms appear, with the documentation distributed with the modified code and/or by another commercial reasonable means of communicating this notice.

You must also include a proper attribution notice as described in Section 9 of this policy.

Of course, this only applies to changes that are not included in our source repository. Because the Cobia software leverages community development, there may be an opportunity to include your changes in our distribution. But if they are not, the above requirements help inform the public about whether your distribution is quality assured by StillSecure.

4 - Cobia Modules

StillSecure has created the Cobia architecture so that third parties may develop modules that plug into the platform. StillSecure acknowledges that a developer needs to identify that a module works with the Cobia software. However, StillSecure

is concerned that end users may become confused as to the source of the modules. End users may believe these modules are endorsed or approved by StillSecure when, in reality, StillSecure does not endorse or approve any third party plug in modules. StillSecure does not permit any name of a third party module to include StillSecure Marks in whole or in part in a way. Of course, you may use the word form of the Cobia trademark to reference the Cobia software. For example, you could say [Third Party Module] for Cobia software. This use of the word form of the Cobia trademark (and not the logo) is allowed without a license from us. But such a use must also contain the attribution notice identified in Section 9.

5 – Cobia Services

If you are providing services for Cobia as permitted by the StillSecure Community License, StillSecure acknowledges that you need to identify that the services relate to the Cobia software. As with Cobia Modules, we want to prevent confusion as to the source of the services and make it clear that StillSecure is not endorsing or approving the services provided. You may use the word form of the Cobia trademark (and not the logo) to reference the Cobia software, such as in “We provide support for the Cobia software.” This use of the word form of the Cobia trademark must also contain the attribution notice identified in Section 9.

6 - General Prohibitions

The following general requirements apply in connection with any StillSecure Mark:

1. You may not register or try to register any domain name that contains any StillSecure Mark or is confusingly similar to any StillSecure Mark.
2. You may not adopt, use, register or try to register any trademark, service mark, logo or tradename that includes a StillSecure Mark, is confusingly similar to any StillSecure Mark or in such a way creates a combination mark with the StillSecure Marks.
3. You may not use any StillSecure Mark for any merchandising (such as logo T-shirts).
4. You may not name or rename any of your products to include any StillSecure Mark.
5. You may not use StillSecure’s Marks in any manner to confuse users as to the source of the goods or services.
6. All uses of StillSecure Marks must be in compliance with this Trademark Policy and contain the required trademark and attribution notices
7. You cannot use the StillSecure Marks in a way that tarnishes or dilutes StillSecure’s Marks, including without limitation any uses that are offensive, disparaging, defamatory, or are associated with unlawful activity.
8. All rights in connection with your permitted use of the Mark will inure to the benefit of StillSecure.

7 - Form of Use

All trademarks need to be used in a proper form to clarify when they are being used as a trademark, and when they are not. When you are allowed to use our Marks, here are the requirements for the use of the Marks.

You must use a StillSecure Mark as a proper adjective. A trademark is an adjective and must not be used as a verb or noun or in the possessive or plural forms. You will find specific form of use guidelines for StillSecure Marks at <http://cobia.stillsecure.com/brandingguide/>.

In addition to these guidelines, StillSecure requires that you comply with the following use restrictions:

- Do not change the StillSecure Marks in any way (including proportion or colors)
- Do not vary the spelling, capitalization, or hyphenate any StillSecure Mark
- Do not abbreviate or create an acronym of any StillSecure Mark
- Do not combine the Marks with any other trademarks or logos
- Do not use the Marks in any domain name registration

8 - Limited Use Logo

You are granted a limited, non transferable, revocable non-exclusive license to use one of the logo buttons available at the URL located below in order to link directly to the Cobia website subject to your compliance with the terms of this trademark policy.

<http://cobia.stillsecure.com/?q=node/137>

9 - Notice and Attribution Requirements

When a StillSecure Mark is used under this policy, you must include the following notice and attribution.

Notice. The ® symbol is used for federally registered StillSecure trademarks which include StillSecure®, Safe Access®, VAM® and Strata Guard®.

The ™ symbol is used for marks that StillSecure is using as a trademark but that haven't been (but may be in the future) federally registered, such as Cobia™, Unified Network Platform™, and Virtualized Network Appliance™.

Attribution

Somewhere near this notice, in legible typeface you must include an attribution notation, for example "Cobia™ and StillSecure® are trademarks of Latis Networks, Inc. (d.b.a. as StillSecure)."

10 - Exclusion of Warranty

TO THE EXTENT THAT USE OF A STILLSECURE MARK IS ALLOWED UNDER THIS POLICY, THE MARKS AND THE PERMISSIONS ARE PROVIDED "AS IS" WITH NO WARRANTIES INCLUDING WITHOUT LIMITATION ANY WARRANTY OF NO-INFRINGEMENT OF THIRD PARTY RIGHTS. YOU AGREE TO INDEMNIFY, DEFEND AND HOLD HARMLESS LATIS NETWORKS, INC. (D.B.A. STILLSECURE) , ITS SUCCESSORS AND ASSIGNS FROM ANY CLAIM ACTION, LOSS, COST EXPENSE, DAMAGE OR LIABILITY WHATSOEVER (INCLUDING WITHOUT LIMITATION REASONABLE ATTORNEYS FEES) ARISING OUT OF YOUR USE OF ANY STILLSECURE MARK.

11 - Changes to this Policy

StillSecure may revise, change and update this policy at any time without notice. You should check this policy frequently to ensure that you are complying with the latest terms and conditions. If you have a separate written agreement with StillSecure regarding the use of the Marks, the written agreement will control over this policy.

12 - Questions

StillSecure has tried to make this trademark policy very comprehensive. There still may be areas not covered by this policy. If you have questions regarding a use of a StillSecure Mark and whether the use falls within this Trademark Policy, please contact us at license@stillsecure.com.