



Guidelines for Third Party Use of the GED Trademark

GED[®], GED TESTING SERVICE[®], and GED PLUS[®] are all registered trademarks owned by American Council on Education (“ACE”). GED Testing Service LLC (“GED Testing Service”), as the exclusive licensee of these marks, administers and polices the GED[®] brand and related trademarks on behalf of ACE.

ACE, through GED Testing Service, licenses the GED[®] brand to specific individual companies for certain services. Unless you have a license from GED Testing Service to use the GED[®] mark, you are not permitted to do so unless your use falls within the category of use known as “fair use.” Unfortunately, the fair use doctrine must be applied on a case by case basis, making it difficult for third parties to know when they safely may use the GED[®] mark. We have created these guidelines to help you determine whether a particular use you intend to make is a “fair use.”

Of course, these guidelines cannot anticipate every potential type of fair use or every way that one can try and abuse the doctrine. We encourage you to contact trademarks@GEDtesting.com if you would like specific guidance on a proposed use.

The fair use doctrine recognizes that third parties are entitled to make referential use of a mark to refer to a particular product known by that mark. For instance, a store is not infringing the COKE trademark when it advertises that it has a sale on COKE products. At the same time, the fair use doctrine does not allow you to use someone else’s mark in a manner that suggests that you are connected to or endorsed by them. For instance, it would not be fair use to say SAFEWAY’S COKE MILKSHAKES.

Consistent with the fair use doctrine, third parties may use the GED[®] mark to refer to the GED[®] test or the GED[®] test credential provided that:

1. The term “GED” is never used in any stylized or logo format, but in the same font as the surrounding narrative text and is never in the largest type set or disproportionately large type set on that page or in the materials generally.
2. The term “GED” should never be used as the consumer attention getting device for the materials on which it appears.
3. You do not use the term “GED” in such a manner that suggests or implies that you or your product are endorsed by, affiliated with, or sponsored by ACE or GED Testing Service.
 - The term “GED” should never be used in combination or close proximity to the words “official,” “authorized,” “original” or other terms that imply sponsorship or endorsement by ACE or GED Testing Service.
 - The term “GED” should never be used in combination or close proximity to any logo device that resembles a “seal,” a diploma, or a certification mark.
4. You do not use the term “GED” as a brand or trademark for your product.
5. You do not use the term “GED” in the name or dba of your company.

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6. You do not use the term “GED” as a generic term for “high school equivalency examination” or “high school equivalency diploma.”
7. You do not use the term “GED” adjacent to the term “online.” There is no such thing as an online “GED. ” Do not confuse the public into thinking that the GED® test may be taken online or that a GED® test credential may be obtained online. However, it is acceptable to use terms like “online preparation for the GED® test” or “online resources for GED® test takers.”
- 8. You do not use the term “GED” as a noun. The term “GED” should always be followed by a superscript registration symbol® and a noun, preferably the word, “test”. For example, “GED® test,” “GED® test preparation, “GED® test scores”.** See special guidelines below for use of the “GED” term in academic research papers.

NOTE: In addition to the above guidelines, any third party use of the GED® mark on the basis of fair use must clearly disclose that GED® is a registered trademark of American Council on Education. This notice may be in a footnote or other ancillary text within the material and should read, “GED® is a registered trademark of the American Council on Education and may not be used without permission. The GED® and GED Testing Service® brands are administered by GED Testing Service LLC under license.”

Special Guidelines For Using “GED” In Domain Names

We strongly discourage unlicensed third parties from using the term “GED” in domain names because such use can easily be misconstrued by users as automatically implying some association or endorsement with ACE or GED Testing Service. However, we recognize that under limited circumstances the fair use doctrine may permit unlicensed third parties to use the term “GED” as part of their domain names, and we therefore offer the following guidelines. Generally, if you use a domain name that meets the following criteria, absent other factors, we are not likely to raise any objection.

1. The term “GED” should not be the first word in the domain name but must be preceded by some other word. This rule is intended to help consumers of GED® related goods and services to distinguish between licensed and unlicensed providers of GED® services.
2. The words preceding or following the term “GED” should not include any terms that imply any endorsement or relationship with GED Testing Service or ACE (see above).
3. A domain name including the term “GED” should not also include the words “ACE”, “American Council” or “Council and Education” or “American and Education” or “Testing Service” in order to avoid any suggestion that this domain name originates from GED Testing Service or ACE.
4. The content of your web site should not contain any false statements or contain fraudulent representations or otherwise suggest affiliation, sponsorship or approval by ACE or GED Testing Services, by for example, using the GED® marks in a manner inconsistent with these guidelines.
5. Your web site should contain a clear statement of its publisher/author, an accurate privacy policy and information where you may be contacted offline.

6. Your home page should contain a plain statement that your website is not affiliated with or endorsed by American Council on Education or GED Testing Service which own or administer the GED® trademark. This statement must appear in text no smaller than the font used for the majority of the content (in contrast to legal notices or links at the bottom of the page) on your home page. For purposes of this policy your home page is any web page which serves as a landing page from other sites or which is reached by typing in your domain name. A similar notice should appear on all other pages of your web site though except on the home page this notice may be in the same size font as used for other links and legal notices provided at the bottom of your page.

The following are examples of domain names that comply with this policy

- TheGEDUnOfficialPrepCourse.com
- PrepforGED.com
- Study4GED.com

The following are examples of domain names that do not comply with this policy and which would cause GED Testing Service to take action to have your domain name revoked.

- OfficialGedStudy.com
- AuthenticGEDCourse.com
- MasterGed.com
- GEDStudyGuide.com

While GED Testing Service and ACE have adopted this fair use policy for domain names, we reserve our right to object to any domain name that is promoted or advertised in any manner suggesting that it is authorized or endorsed by GED Testing Service or ACE. We also reserve our rights to take all actions necessary against any web site that is making misrepresentations about the products or services it offers or which uses the term “GED” as a generic term for a high school equivalency examination or high school equivalency diploma or credential.

Special Guidelines For Using “GED” In Titles of Books or Preparation Materials

We recognize that unlicensed third parties may write and publish books and materials to assist candidates for the GED® test credential prepare for the GED® test. However, consistent with the rules governing trademark fair use, you may not use the term “GED” as the name for a series of works or as part of any term in which you claim trademark rights.

Further, the presentation of your title should be in a manner that does not imply or suggest that your work is authorized or endorsed by or originates from either GED Testing Service or ACE.

- The book cover and title page should not feature or highlight the term “GED” over the name of either the publisher or authors of the work.
- The cover should not contain any seal or insignia that might suggest it is authorized or endorsed by GED Testing Service or ACE.

- Unless the publisher has been in business for more than five years with a name or imprint that includes these words, the publisher’s name should not include the words “American and Council,” “American and Education” and/or “Education and Council.”
- The copyright page should prominently display (in font no smaller than 8 pt) the following disclaimer and trademark notice: “GED® is a registered trademark of the American Council on Education and may not be used without permission. The GED® and GED Testing Service® brands are administered by GED Testing Service LLC under license. THIS WORK IS NOT AUTHORIZED, ENDORSED, OR LICENSED BY AMERICAN COUNSEL ON EDUCATION OR GED TESTING SERVICE, AND ANY REFERENCE TO “GED” IN THE TITLE OR BODY OF THIS WORK IS IN NO WAY INTENDED TO IMPLY AN AFFILIATION WITH, OR SPONSORSHIP BY, GED TESTING SERVICE OR ANY STATE OR ENTITY AUTHORIZED TO PROVIDE GED® BRANDED GOODS OR SERVICES.”

Of course, GED Testing Service and ACE reserve their right to take action against any work that includes misrepresentations about the GED® test or test credential, or uses the GED® brand in a generic fashion or in a manner which is likely to deceive or mislead the public.

Special Guidelines for Use “GED” in Academic Research Papers

Recognizing that the GED® tests and their outcome are frequently studied by academics, the GED Testing Service that the use of the ® after GED in every instance as recommend above is not feasible. Therefore, for academic research papers, which have instituted the following guidelines:

1. If the term “GED” is used in the title of the report or paper then use the superscript ® after “GED” in the title.
2. Use the superscript ® after the first instance of the term “GED” on the inside cover page.
3. Use the superscript ® after the first instance of the term “GED” in the first paragraph of the report.
4. If the report is broken into chapters or sections then use the superscript ® after the first instance of the term “GED” in the first instance in every new chapter or new section.
5. The term “GED” is always used as an adjective preferably modifying the word “test.”
6. Trademark attribution should appear on the copyright notice page (in no smaller than 8pt font) and in a footnote (in the same size font as other footnotes) after the first reference of the term “GED” in text. If there are no footnotes, then the attribution should appear in endnotes. The proper attribution is: “GED® is a registered trademark of the American Council on Education and may not be used without permission. The GED® and GED Testing Service® brands are administered by GED Testing Service LLC under license. THIS WORK IS NOT AUTHORIZED, ENDORSED, OR LICENSED BY AMERICAN COUNSEL ON EDUCATION OR GED TESTING SERVICE, AND ANY REFERENCE TO “GED” IN THE TITLE OR BODY OF THIS WORK IS IN NO WAY INTENDED TO IMPLY AN AFFILIATION WITH, OR SPONSORSHIP BY, GED TESTING SERVICE OR ANY STATE OR ENTITY AUTHORIZED TO PROVIDE GED® BRANDED GOODS OR SERVICES.”

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