

Governance Committee Report

NFI Board Meeting and NFI Membership Meeting

Edmonton, Canada October 20 and 22, 2017

Governance Committee

Chair: K Spence, J Helm, (Membership), M Daly (Nominating), B Westrup (Nominating)

This report covers activities of the Governance Committee from October 2016 through September 30, 2017.

Board Development

This remains a work in progress. It was agreed that the Board needs some members from the business and fundraising communities.

The Governance Committee assisted by the Nominating Task group of Jim Helm, Mandy Daly and Bjorn Westrup facilitated elections for four open seats on NFI Board of Directors. The election is being held both on-line (prior to membership meeting) and at the membership meeting. The Nominating Task Group has been successful in generating interest and nominations for the open position.

Policy Development

The existing policies and documents of the NFI were reviewed for consistency in information and format. The outcome is that a template has been devised for all documents to ensure titles, date, author details and approval details are included. The template will be presented at the upcoming Board of Directors Meeting.

Financial Oversight

The Financial Oversight Council continues monitoring activities. Banking activities were reviewed in October 2016 and again in April 2017 before Board Meetings. The committee randomly selected two months from the past year to track all records that document either receipt or dispersal of funds. All was in order.

Membership Services

A report on the membership numbers and chapter activities are in the attached report provided by Jim Helm.

A second survey of the membership undertaken with questions built on the NFI strategic plan. The on-line survey closed on 11th October 2017 and the report will be presented at the NFI Board of Directors Meeting on October 20th.

Intellectual Property

Lisa McElaney, prior owner and President of Vida Health Communications, Inc. has signed an assignment form for the video's *Focus on the Brain Part I and II*, and *No Matter How Small* which means that the NFI owns these materials to do with as we choose for the benefit of the organization. Gloria McAnulty will submit for registration soon as all the technical details of abstracting video materials are worked out.

Full Intellectual Property report provided by Gloria McAnulty is attached.

Respectfully submitted for approval on October 20, 2017 by:

A handwritten signature in black ink that reads "Kaye Spence". The signature is written in a cursive style with a horizontal line underneath the name.

Kaye Spence AM

Chair: NFI Governance Committee

Member Board of Directors

Governance Committee Report – Membership

NFI Board Meeting – NFI Membership Meeting

Edmonton, Alberta, Canada: October 20 & 21, 2017

Governance Committee Chair: Kaye Spence; Membership – James Helm

Membership includes 220 members in good standing.

NFI Membership by Category:

	Professional	Student	Family	Emeritus	Honorary
Oct 2015	187	50	9	4	2
Oct 2016	184	60	8	4	2
Oct 2017	160	46	8	4	2

There are 30 Professional Members who paid last year who have not paid dues this year. There are another 17 who are two years behind in dues (last year and this current year).

French Chapter:

	Professional	Student	Family	NFI Members*
Oct 2015	22 (49)	1 (1)	9 (26)	4 (6)
Oct 2016	17	1	1	6
Oct 2017	15	1		5

* NFI Members included in total

Friends and Sign Ups (“Sign Ups” are from website; they receive periodic announcements.)

	Friends	Sign Ups
Oct 2015	2	32
Oct 2016	11	125
Oct 2017	11*	191

* Not all current with payments but all within \$15/yr average

The NFI Membership Office continues to be maintained and managed in Raleigh, North Carolina, USA (J Helm). Membership dues and NIDCAP Training Center fees are invoiced each year, early in the new fiscal year, usually after the annual Membership Meeting. Reminders are sent periodically.

The French Chapter is managed by J Sizun in Brest, France. Activities of the Chapter included organizing their annual meeting, connecting with people via Facebook, and close collaboration with the French parent groups.

Respectfully submitted by:



James M Helm, PhD

Vice President

NFI Board of Directors



NFI Intellectual Property Report
NFI Board of Directors
October 21-24 Edmonton, Alberta Canada

UPDATE - NFI 2016-2017 covering the period 1 October 2016 – 30 September 2017

- *The NIDCAP logo (trademark) was first registered with the US Trademark & Patent Office (USTPO) on 7/17/2007. Five years post initial registration, the NFI applied for ‘continuing use/ incontestability’ under Section 8 & 15 and supporting affidavits were accepted 7/17/2013. The Combined Declaration of Use and Renewal under Sections 8 & 9 is due by 17 July 2017, ten years post the first registration. The application was submitted in February, 2017.*
- *NIDCAP (wordmark) was first registered for ‘use’ in Argentina as a foreign registration on 1 November 2007 (#2,192,564) and has been submitted for renewal prior to the expected expiration 1 November 2017. The renewal application was submitted in January, 2017.*

STATUS

Renewal notification for all NFI registrations will be sent by the NFI attorney’s office in the year prior to the expiration. The status of the registration of the NFI trademark, logo, wordmark (NIDCAP) and certification mark as of this report are indicated below. It was decided that the ‘old’ NFI/NIDCAP logo with the word ‘nidcap’ in lower case Times New Roman font would be allowed to expire to be replaced by the ‘new’ mark with nidcap in script. This was achieved as of 12 August 2014.

Trademark/Wordmark refers to NIDCAP as both an identifying name and the graphic representation of that name or logotype. NIDCAP is registered in two categories:

Class 16 - Printed publications, namely, newsletters, instructional and teaching materials, and standards of practice manuals, in the field of newborn care and assessment.

Class 41 - Educational and training services, namely, training in observation and assessment of newborn behavior, educational conferences, research presentations and competency examinations, all in the field of newborn health care; and providing a website featuring information in the field of newborn health care.

The registration process has been completed in the United States for trademark, logo and wordmark.

Additionally, the **Wordmark** (NIDCAP) has achieved Foreign Registration in Classes 16 and 41 in Argentina, Canada, and International Trademark Registration (under the Madrid Protocol) in the European Union (EU), China, Norway, Poland, Romania, Portugal and Switzerland. The ten year renewal of the registration was submitted in March 2016; accepted 8 August, 2016 with registration now valid until 8/8/2026. Subsequent designation in Iran is considered complete as of April 2016 as no refusal was issued by that country to the trademark’s publication within the opposition period allowed.




Certification Mark indicates that products or services identified with this mark meet the standards of an organization with national accreditation for *both* testing and certification. When the Notice of Allowance was issued, a *Specimen of Use* in the form of an embossed Training Certificate and the *Certification of Standards* in the form of "Quality Assurance of Training" (QAT) documents were filed. The specimen and standards were accepted and the registration was issued in January, 2008. The Certification Mark is embossed on all training certificates issued by the NIDCAP Federation International. A new certification mark was created in 7/2013 to reflect the revised NFI logo. Upon expiration of the previous certification mark (Reg. #3,376,364) this revised certification mark was submitted to the USTPO for registration. The new logo itself has been registered separately, independently of the certification mark (Reg. # 4,375,173, 7/30/2013) and is the image that is being used for certificate embossing. The new Certification mark was registered with the USTPO on October 28, 2014 (Reg. No. 4,627,706) and will be valid until October 28, 2024, ten years from the registration date. The registration can be renewed indefinitely thereafter for successive 10-year terms.

¹ The goods/services are displayed with their short titles pursuant to TMEP (Section 1401.2(b)) to assist in quickly identifying the content in the specific class and do not represent the full description of goods/services.

² U.S Patent and Trademark Office - USTPO



Trademark/Wordmark and Certification Mark (as of 30 September 2017)

United States

<u>Mark</u>	<u>Ser./Reg.</u>	<u>Class Goods/Services¹</u>	<u>Status</u>
	3,314,889	Class 16 – printed materials	<p>This mark was registered with the US Patent and Trademark Office (USTPO) 10/16/ 2007. The Section 8 and 15 were due by 10/16/2013 with renewal due by 10/16/2017.</p> <p>The registration for this mark was allowed to expire to be replaced by the new trademark.</p>
	3,265,111	Class 41 – educational services	<p>This mark was registered with the USTPO 7/17/2007. The Section 8 and 15 ‘continuing use/ incontestability’ affidavits were accepted 7/17/2013.</p> <p>The Combined Declaration of Use and Renewal under Sections 8 & 9 was due by 7/17/2017. The application was submitted in February, 2017 and acceptance was received in March. The registration is valid for a 10 year term until July 17, 2027.</p>
	4,375,173	<p>Class 16 – printed materials</p> <p>Class 41 – educational services</p>	<p>This mark was registered with the USTPO 7/30/2013. The renewal is due in the year prior to the expiration date of 7/30/2023.</p>

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² U.S Patent and Trademark Office - USTPO

<u>Mark</u>	<u>Ser./Reg.</u>	<u>Class Goods/Services¹</u>	<u>Status</u>
	3,376,364	IA – Certification mark for individuals	This mark was registered with the USPTO 1/29/2008. The Sections 8 and 15 were due 1/29/2014. They have been allowed to expire by intentional failure to renew these components. They were replaced by the new logo certification mark.
	4,627,706	IA – Certification mark for individuals	This certification mark was created 7/2013 to reflect the revised NFI logo. Upon expiration of the previous certification mark (3,376,364) this mark was submitted to the USPTO for registration. The logo itself has been registered 7/30/2013 (Reg. # 4,375,173). The Certification Mark was registered 28 October 2014 and is valid until 28 October 2024. The registration can be renewed indefinitely thereafter for successive 10-year terms.
NIDCAP	2,303,276	Class 16 – printed materials Class 41 – educational services	This word mark was registered with the USPTO 12/28/1999. The renewal is due in the year prior to the expiration date of 12/28/2019.
<i>Voice of the Newborn</i>	4,379,042	Class 16 – printed materials Class 41 – educational services	This mark (tagline) was registered with the USPTO on 8/6/2013. The renewal is due in the year prior to the expiration date of 8/6/2023.
<i>Mentoring caregivers. Changing hospitals. Improving the future for newborns and their families.</i>	4,375,172	Class 16 – printed materials Class 41 – educational services	This mark (tagline) was registered with the USPTO on 7/30/2013. The renewal is due in the year prior to the expiration date of 7/30/2023.

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² U.S Patent and Trademark Office - USPTO

Foreign Registrations

Argentina

<u>Mark</u>	<u>Ser./Reg.</u>	<u>Class Goods/Services</u> ¹	<u>Status</u>
NIDCAP	2,192,564 2,192,564	Class 16 – printed materials Class 41 – educational services	This mark was registered on 11/1/2007 and <i>renewal is due in the year prior to the expiration date of 11/1/2017. It was filed with the Argentine Patent and Trademark office on 9/4/2017 and will take 5 to 7 months to process.</i>

Canada

NIDCAP	TMA 696449	Class 16 – printed materials Class 41 – educational services	This mark was registered on 9/13/2007. The renewal is due in the year prior to the expiration date of 9/12/2022.
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International Registration (under the Madrid Protocol)

<u>Mark</u>	<u>Ser./Reg.</u>	<u>Class Goods/Services</u> ¹	<u>Status</u>
NIDCAP	896009	Class 16 – printed materials Class 41 – educational services	The NIDCAP mark was protected under International Registration 8/8/2006 in EU, China, Norway, Poland, Romania, Sweden, Portugal; Switzerland by subsequent designation recorded 1/6/11 with protection granted 1/4/12). Subsequent registration in Iran is considered compete (4/2016) as a refusal was not submitted to the International Bureau within the applicable time limit within which opposition is allowed. International Registration under the terms of the Madrid protocol was due for renewal due by 10/16/2017. The process which must be initiated one year prior to expiration. It was renewed 8 August 2016 for a period of 10 years (8/8/2026).

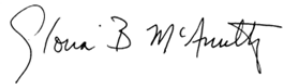
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² U.S Patent and Trademark Office - USPTO

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<u>Title of the Work</u>	<u>Reg. No.</u>	<u>Registration Date</u>	<u>Status</u>
Three Decades of Training and Supporting: NIDCAP	PA 1-701-517	6/4/2010	Registered US Copyright Office
NIDCAP Training Binder	TX 7-599-969	9/6/2012	Registered US Copyright Office
NIDCAP Training Center Development Binder	TX 7-596-678	6/30/2012	Registered US Copyright Office
APIB Training Binder	TX 7-596-177	9/7/2012	Registered US Copyright Office
NIDCAP Nursery Certification Program Manual	TX 7-670-655	9/7/2012	Registered US Copyright Office
NIDCAP Nursery Certification: Changing Hospital Care for Infants and their Families	PA 1-942-852	5/15/2015	Registered US Copyright Office

Respectfully submitted,



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² U.S Patent and Trademark Office - USPTO