



**Governance Committee
End of FY2021-2022 Report
October 6, 2022**

Governance Committee Chairs: Jean Powlesland, MS, RNC and Dalia Silberstein, PhD, RN

Members: Sandra Kosta, BA, James Helm, PhD, Gloria McAnulty PhD

This report covers Governance Committee activities from October 1, 2021, through September 23, 2022.

Committee Composition: The committee members have remained as listed in FY 2020-2021.

NFI and Board of Directors Governing Activities

Board Composition

Nominations and Elections for At-Large Seats:

The Nominations and Elections Sub-Committee solicited nominations in July for the two at-large Director seats and one family representative seat whose terms will begin in October 2022. One incumbent, Fatima Clemente and two first time nominees, Graciela Basso and Charlotte Tscherning are standing for election to the at-large seats. One previously appointed incumbent stands for election for the family representative seat. The election voting process is currently underway. The website voting platform was opened on Friday Sept 9 and will close on Monday Sept 26. The Governance Committee will manage the officer elections at the first Board meeting of the next fiscal year, scheduled for the afternoon of October 9, 2022.

Appointed Director:

Price Waterhouse Cooper (PwC) program

The NFI applied to participate in the Price Waterhouse Cooper (PwC) program where employees are supported to join non-profit boards to share their talents and skills. The Governance Committee was charged with vetting the applicants who had shown interest in joining the NFI Board. The Board recommended that Apoorva Sudini, BS, join the board of directors. The Board approved her appointment to a three-year term at the meeting held on August 11th, 2022.

NFI Policies/Bylaws: The Governance Committee will lead an effort to restructure the Board of Directors so that there is clear division between the legally required governance and the operational and programmatic work of the NFI., based on recommendations made after extensive consultation with an organizational consultant. This transition will be planned and implemented over the next 2-3

years. The Board agreed that maintaining leadership during the transition was beneficial. Governance, therefore recommended a change to the bylaws to remove the current 6-year term limit to the President and Vice-President. That change was approved by the BOD on September 14, 2022. Further changes to the bylaws are likely to be required as decisions are made about organizational structure.

Financial Oversight: The *Financial Oversight Council* continues to review banking statements of two randomly chosen months twice a year. In addition, other contracts held by the NFI are reviewed on a periodic basis as well. The Mid-Year oversight review was performed on April 15, 2022 by Jennifer Hofherr, Jean Powlesland and Dalia Silberstein. End of the year oversight was held on August 29, 2022 and was done by Jennifer Hofherr, Maria Maestro, Jean Powlesland and Dalia Silberstein. Finances were found to be in good order at both reviews.

Intellectual Property: *Intellectual Properties Sub-Committee and Legal Support Activities* is managed by G. McAnulty. report that the NIDCAP Trademark (TMA 696449) registered 9/13/2007 in Canada as Class 16 – printed materials and Class 41 – educational services with expiration date of 9/12/2022 was submitted for renewal due 4/30/2022. The full report is found at the end of this document.

Administrative Support to NFI and Board of Directors

Member Services

Internet Listservs: The NFI continues to maintain three Google groups to facilitate membership communication. These include one for the membership at large, one for Trainers, Trainers-in-Training, and NIDCAP Training Center Directors and one for the Board of Directors. These are managed by G McAnulty and S Kosta. In addition, there are email accounts for the major committees in order to streamline communication.

Training Database: The database of NIDCAP and APIB training is on the NFI's password protected pages of the website and accessible by all trainers. This site is managed by S Kosta, G McAnulty and J Helm.

NFI Membership Office: The *NFI Membership Office* is managed by the Executive Director of Administration and Finance, Sandra Kosta.

NFI Membership status: As of September 11, 2022, the NFI membership includes 313 members in good standing, according to the following categories (last year's number in parentheses):

<u>Member category</u>	<u>Number</u>	<u>Current with dues</u>
Professional	229 (207)	165
Professional-in-Training	48 (52)	26
Family	10 (7)	10

Allied	20 (5)	14
Emeritus	4 (4)	*
Honorary	2 (2)	*
TOTAL	313 (275)	215 + 6(*)
		*Dues Exempt

Emeritus and Honorary Members are not assessed dues. Of the 307 dues paying members, 215 are current with payment. There has been a 14% increase in dues paying individual memberships in the past fiscal year. There were 12 new memberships that were related to the World NIDCAP Day Gala event.

As of September 11, 2022, there are 29 NIDCAP Training Centers (28 Active and 1 Inactive). Of the 28 active centers, 23 are current with payment and one was established only within the last month.

NFI's past practice has allowed a one-year grace period for individuals and centers to be considered in good standing. Members in good standing include those who paid FY20-21 but have not yet paid FY21-22 dues.

Fees and Dues Waiver Request: These waived fees were supported by a restricted donation received by the NFI, aimed at supporting membership fees for those who are not in the position of making payment. In the past fiscal year, four professional memberships were supported. In addition, 3 virtual meeting registration fees were covered.

Constant Contact: The NFI purchased a service contract this year with Constant Contact, an email marketing platform that makes communication with members, donors and supporters easier.

Administrative Assistance

The amount of administrative work done by the NFI exceeds 1.0 FTE. The FY2021-2022 budget included funds for a part time (approximately 8hours/week) assistant. After developing a job description, Governance and Finance identified that the cost of hiring an employee, and ensuring compliance with all US Labor laws, would far exceed the funds set aside. Next step will be to examine the tasks and identify those that could be legally delegated to a paid contractor.

French Speaking Chapter of the NFI

The French Speaking Chapter is managed by Jacques Sizun in Toulouse, France. The chapter cancelled their 2020 and 2021 annual event due to the pandemic but is anticipated to hold one this September 29 and 30th. The two-day meeting hosts a day that focuses on neurobehavioral and family-centered care for a general audience and day two is reserved for the development of NIDCAP Professionals. Over 2000 people follow the French Speaking Chapter on Facebook, which is the main form of outreach communication. They are pleased to have a close partnership with SOS Prema, a parent

organization, with whom they have successfully collaborated to extend parental leave in France for parents whose newborns are hospitalized.

Currently the chapter has 13 members and a positive cash balance. The membership is not sufficient to work on developing a scientific council, a webmaster nor development council, which had been their goals. NIDCAP and FINE training is very active and there has been the addition of three new Trainers in the three affiliated centers. And as the first generation of NIDCAP Professionals and Trainers reach retirement age, there is work to be done to ensure continuity.

The full report for the French Speaking Chapter is appended to the end of this report.

Sign Ups: The website has a place for visitors to provide contact information to receive periodic announcements; this is a free service. Communication with Sign Ups are provided by Member Services. They are provided periodic information about the activities of the NFI via email.

Friends and Sign Ups: 140 new people signed up in this fiscal year, with a notable increase after the World NIDCAP Day gala.

Anticipated priorities and projects for the first half of FY 2022-2023

Revised Strategic Plan Priorities

The Governance Committee has been assigned to operationalize the following goals:

- To restructure the Board of Directors into separate governance and operations function.
- To assist in recruiting new members to both governance and operations teams.
- Articulate succession plans for the Board of Directors and key committees.
- Increase capacity for administrative work.

The Governance Committee will operationalize these goals into action items during FY2022-2023.

Respectfully submitted with appreciation and thanks to all who contribute to these activities by:



Jean Powlesland, MS, RNC-NNIC



Dalia Silberstein, PhD, RN

Co-Chairs, Governance Committee



NFI Intellectual Property Report
NFI Board of Directors Meeting
Final Report Submitted September 2022

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 8/6/ 16 with registration now valid until 8/8/26. Subsequent designations were made for non-Madrid Protocol countries, Canada, Argentina and Iran. Iran was considered complete as of April 2016 as no refusal was issued by that country to the trademark's publication within the allowed opposition period.




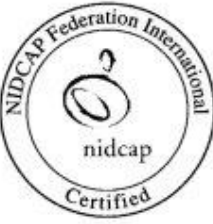
Certification Mark indicates that products or services identified with this mark meet the standards of an organization with national accreditation for *both* testing and certification. When the Notice of Allowance was issued, a *Specimen of Use* in the form of an embossed Training Certificate and the *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. no. 3376364) this revised certification mark was submitted to the U.S Patent and Trademark Office (USTPO) for registration. The new logo itself has been registered separately, independently of the certification mark (reg. no. 4375173, 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. 4627706) 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

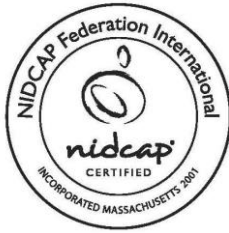
Trademark/Wordmark and Certification Mark

United States

<u>Mark</u>	<u>Serial/ Registration #</u>	<u>Class Goods/Services¹</u>	<u>Status</u>
	3314889	Class 16 – printed materials	This mark was registered with the US Patent and Trademark Office (USTPO) 10/16/ 07. The Section 8 and 15 were due by 10/16/13 with renewal due by 10/16/17. The registration for this mark was allowed to expire to be replaced by the new trademark.
	3265111	Class 41 – educational services	This mark was registered with the USTPO ² 7/17/07. The Section 8 and 15 ‘continuing use incontestability’ affidavits were accepted 7/17/13. The Combined Declaration of Use and Renewal under Sections 8 & 9 was accepted and registration is valid for a 10 year term until 7/17/27.
	85764840/ 4375173	Class 16 – printed materials Class 41 – educational services	This mark NIDCAP (Stylized/Design): was first registered with the USTPO 7/30/13. The five year maintenance filing was submitted and accepted 7/30/18. The ten year renewal is due in the year prior to the expiration date of 7/30/23.
	3376364	IA – Certification mark for individuals	This mark was registered with the USTPO 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.

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² U.S Patent and Trademark Office - USTPO

	4627706	IA – Certification mark for individuals	<p>This certification mark was created 7/2013 to reflect the revised NFI logo. Upon expiration of the previous certification mark (3,376,364) and submitted to the USTPO for registration. The logo itself has been registered 7/30/2013 (Reg. # 4,375,173). The Certification Mark was registered 10/28/2014 and is valid for 10 years (2024). Declaration of Continuing Use establishing the mark as ‘incontestable’ at the 5-year point under Sections 8&15 USTPO was accepted July 2021.</p>
NIDCAP	2303276	Class 16 – printed materials Class 41 – educational services	<p>This word mark was registered with the USTPO 12/28/1999 and renewed in 2009 and 2019. The registration is valid until 2029 can be renewed indefinitely thereafter for successive 10-year terms.</p>
<i>Voice of the Newborn</i>	85764628/ 4379042	Class 16 – printed materials Class 41 – educational services	<p>This mark (tagline) was first registered with the USTPO on 8/6/2013. The five year maintenance filings were submitted and accepted 8/15/18. The 10-year renewal is due in the year prior to the expiration date of 8/6/23.</p>
<i>Mentoring caregivers. Changing hospitals. Improving the future for newborns and their families.</i>	85764737/ 4375172	Class 16 – printed materials Class 41 – educational services	<p>This mark (tagline) was first registered with the USTPO on 7/30/13. The 5-year Declaration of Continuing Use was accepted 2018. The 10-year renewal is due before 7/30/23.</p>

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² U.S Patent and Trademark Office - USTPO

Foreign Registrations

Argentina

<u>Mark</u>	<u>Ser./Reg.</u>	<u>Class Goods/Services</u> ¹	<u>Status</u>
NIDCAP	2192563 2947299	Class 16 – printed materials Class 41 – educational services Class 16 – printed materials Class 41 – educational services	This mark was first registered on 11/1/2007 with renewal due prior to the expiration date of 11/1/2017. Renewal was filed with the Argentine Patent and Trademark Office and certified for a 10-year period ending 11/1/2027.

Canada

NIDCAP	TMA 696449	Class 16 – printed materials Class 41 – educational services	This mark was registered on 9/13/2007. The renewal due in the year prior to the expiration date of 9/12/2022 was submitted 4/30/2022.
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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 protected under International Registration 8/8/06 in EU, China, Norway, Poland, Romania, Sweden, Portugal; Switzerland by subsequent designation protection granted 1/4/12. Subsequent registration in Iran (4/2016) as a refusal was not submitted to the International Bureau. International Registration under the Madrid Protocol was renewed 8/8/16 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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United States

<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

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² U.S Patent and Trademark Office - USPTO

The French NFI Chapter

General report September 2022

1- Membership 2021

Professionals:	12
Family members:	1
Student:	0
Total:	13

(Members who are also NFI members: n = 5:

- J Sizun
- N Ratynski
- S Minguy
- S Lescure
- C Prout
- P Kuhn

2- Annual meeting 2022: 8th French Speaking NIDCAP Meeting

The annual meeting, cancelled in 2020 and 2021 (Pandemic restriction) will stand in Marseille (France) on 29-30 September 2022.

Day 1: Open conference: Main Theme: « parents d'ici ou d'ailleurs » (« *parents from here or elsewhere*»). More than 200 professionals will attend this meeting.

Day 2: (only for NIDCAP professionals) "Back to home": lectures, reflexive sessions, achievements and congratulations. Around 100 NIDCAP professionals from France and Belgium are expected. Program in attached file

3- Social networks

Facebook : 2 600 friends

4-Finances:

Revenues	
Starting balance (dec 2019)	Compte chèque : 6673.65 €
	Livret A : 4251, 18 €
	Total : 10924.83€
Membership	+0,00 €
Grants	+0 €
Subtotal	10924.83€
Expenses	
Bank fees	151,20
Printing and postage	0
Documentation	0€
French NIDCAP Meeting	0
Web site	0
Subtotal	151.20 €
Cash balance	10773.63€

5- Reflexions on the role and impact of the French Chapter.

The chapter was created in 2013. The goals were 1/ to share high-level scientific information on NIDCAP and early intervention for preterm newborns with French-speaking professionals and parents; 2/ to support the development of NIDCAP Training and future NIDCAP Trainers. Indeed it seemed important that the available information in French concerning the NIDCAP be controlled by trainers and/or NIDCAP certified professionals.

The goal has been achieved since the Facebook page has more than 2000 friends. This social network is the most used to translate and transmit the messages of the NFI as well as to report interesting clinical trials in the field of developmental care.

Another positive point is the annual French-speaking NIDCAP meeting. The meeting was organized successively by different French or Belgian centers. The usual meeting organization is as follows: day 1 is open to all professionals or families and aims through a set of conferences to present the interest of an individualized NB- and Family-centered strategy according to different themes (sleep, development, pain...). Day 2 is only for professionals working in NIDCAP-trained or FINE-Trained units. It is a whole day of reflection, experience sharing and scientific information. The registration and accommodation fees are deliberately low so as not to limit participation for financial reasons. The growing success means that we are forced to limit the number of participants per center.

Another important success is the link between the French NFI Chapter and the parents' national group SOS Prema. This group plays a very important role with political parties, members of parliament and the government (Minister of Health). It succeeded in obtaining an extension of parental leave (mother and father) in case of a neonatal hospitalization. Through a charter for hospitalized newborns, this group actively supports the concept of the 1000th day and "no separation". The NIDCAP France logo appears on the charter document. <https://www.sosprema.com/wp-content/uploads/2022/03/Charte-Def.pdf>

Other aspects are less positive:

The Website pages and the twitter are no longer used because of a lack of time.

The membership is not really active. Searching for new members or annual direct communication with current members are time consuming and the benefit of having a large group of members seems negligible. Offering lower meeting fees for members is technically difficult.

We were not able to structure the chapter with a scientific council, a webmaster, development committee...

In conclusion: In France, the NIDCAP and FINE training is very active; a new generation of Trainers exists (3 new Trainers-in-training from 3 different centers). NIDCAP professionals are key persons inside different scientific committees (French Neonatal Society, SOS Prema...). This contrasts with the weak activity (apart from the annual meeting) of the NFI French Chapter.

The future

Over the next few years, the first generation of French trainers or leaders will leave the professional working life. It is therefore essential to anticipate these leaving and to prepare the new generation. This new generation will aim to adapt the structure and operational aspects of the NFI French chapter.

Jacques Sizun, President

