

# SPINNING® TRADEMARK USAGE

If a company's trademark becomes generic, anyone can use it without fear of a claim of trademark infringement from the trademark owner. This is because the word or symbol no longer indicates to the public that the products, or services bearing the trademark originate from one source, namely, the trademark owner. Loss of a trademark not only denies consumers the opportunity to identify preferred brands and repeat satisfactory purchases, it also destroys the owner's investment in its valuable asset.

The Spin®, Spinning® and Spinner® trademarks are important business assets to Mad Dogg Athletics, Inc. and should be treated with the care due something so valuable. We rely on our trademarks to identify our products and services and to distinguish them from those of our competitors. As the creators and worldwide leader in indoor cycling classes, equipment, clothing and accessories, we take tremendous pride in our products and programs and work tirelessly to improve our performance. We believe that our passion for perfection is unrivaled in the industry.

We respectfully ask you to support our efforts to enforce the Spinning and Spinner trademarks and take the steps necessary to use them properly. If you have any questions concerning the proper use of the Spinning or Spinner trademarks, please feel free to contact us at [info@spinning.com](mailto:info@spinning.com) for North America, South America and Asia Pacific, and at [infoeurope@spinning.com](mailto:infoeurope@spinning.com) for Europe, Middle East and Africa.

## THE SPIN®, SPINNING® AND SPINNER® TRADEMARKS

Spin, Spinning and Spinner are registered trademarks of Mad Dogg Athletics, Inc., a California corporation.

## WHAT IS SPINNING® AND WHAT IS A SPINNER®?

The word Spinning as it pertains to indoor cycling was coined by our company, and is an arbitrary word we selected for our stationary bicycle exercise program. We also coined the name Spinner for our stationary exercise bicycle.

The Spinning program is a comprehensive indoor cycling program that includes features that take advantage of the patented Spinner stationary bicycle, heart rate training, general exercises, different exercise sets directed at various goals, and motivational materials. Most importantly, Spinning® is the brand name of our particular program and should not be used to refer to any stationary bicycle activity or program other than Mad Dogg Athletic, Inc.'s program or bicycle.

## THE MARKS ARE REGISTERED FOR THE FOLLOWING USES:

In addition to the program and bicycle, we also use and own trademark rights in the trademark Spinning® for sports instruction, health education, rental of health equipment, nutritional supplements, pre-recorded videos, DVDs, music CDs, clothing and exercise equipment. Additionally, we own the trademarks Spin® and Spinner® for exercise equipment and other indoor cycling products and accessories.

## WHAT IS THE PURPOSE OF THE SPIN®, SPINNING® AND SPINNER® TRADEMARKS?

Trademark Offices around the world provides our company with additional legal means for protecting consumers, licensees, distributors and our company from imitation or counterfeit products and programs. These rights include the exclusive right to use our trademarks in the countries they are registered and a presumption of validity of the registered trademarks.

Proper use of the marks serves to distinguish Spinning products and services from the products and services of other companies and helps prevent damage to our marks. To help prevent the misuse of our marks, Mad Dogg Athletics, Inc. sets forth various guidelines to assist you in the proper use of the Spin, Spinning and Spinner trademarks.

Proper trademark use identifies a particular brand of a product or service and is not the name or description of a general product or service. Accordingly, it is important to use the trademarks together with the common name or description of the product or service.

For example, it would be proper to say or use "the Spinning indoor cycling program" and "the Spinner indoor cycling bike." Using the trademarks properly clearly informs the public that they are purchasing the goods or services of Mad Dogg Athletics, Inc., and not from any other person or business. For example, a person buying a Mustang car knows that such car is manufactured by Ford Motor Company, and as a result, the person expects a certain level of quality in the car.

## WHO MAY USE THE SPINNING® TRADEMARK AND LOGO?

Authorized Dealers and anyone licensed by Mad Dogg Athletics, Inc. has the right to promote and use the Spinning trademarks so long as such advertising follows the method of use outlined in this guide.

We ask that our dealers or licensees contact us immediately if they become aware of any unauthorized or improper use of the Spin, Spinning or Spinner trademarks.

## THE SPIN®, SPINNING® AND SPINNER® TRADEMARKS SHOULD NOT BE USED IN ANY OF THE FOLLOWING WAYS:

- » With the letter "S" not capitalized—For example, spinning or spinner.
- » Misspelled—For example, spinning or spinnerz.
- » As a verb—For instance, "Come spin with us".
- » As a noun—For example, "Get Spinning."
- » As part of a trade name—For instance, "The New York Spinning Center."
- » As a generic term—For example, as a name for an indoor cycling program, bike or other products.
- » To advertise bikes, programs or products that are not affiliated with Mad Dogg Athletics, Inc.

## USE OF THE SPINNING® LOGO

The Spinning logo was designed to designate products and services developed by Mad Dogg Athletics, Inc. and may be used by licensees in its exact form to advertise and promote the Spinning program. Under no circumstances may the Spinning logo be used, without Mad Dogg Athletics, Inc.'s express written consent, to manufacture and sell products such as clothing, water bottles or any other merchandise.

The correct format of the Spinning logo is indicated in the following section. The logo is not to be used in any form that varies from the sample below and must not be used in combination with any other trade name or logo.