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People often inquire about the Brain Gym trademark/copyrights and what they can and can't do. It's important to understand that trademark and copyright law is a gray area — it can be confusing and easily misunderstood. The intention of this communication is to foster a better understanding throughout our global community.

Included below are broad examples for people to generalize to their own situation(s). If there is a question that remains unanswered, please email me, info@breakthroughsinternational.org, with “Trademark Question” in the subject. Feel free to write in your native language if that is easier than English.

The term “BRAIN GYM” is a registered trademark of Breakthroughs International. In order for our organization to keep the trademark, we are required to protect it and ensure it is being used accurately and appropriately.

- **Examples of Proper Trademark Use**

- Non-licensed individuals may:

1. Refer to Brain Gym through the lens of their personal experience and share what they have learned from a novice's perspective. They may not teach others to teach Brain Gym nor claim to issue a Brain Gym course certificate or certificate of licensure.
2. Use the Brain Gym activities in one's own work with their individual students, clients, customers, or patients.
3. Create handouts of the Brain Gym activities for educational use only with their individual students, clients, customers, or patients as long as they DO NOT sell them.

Transforming lives through kinesiology-based programs, fostering the ability to thrive amidst life's changes

Brain Gym is a registered trademark of the Educational Kinesiology Foundation (dba Breakthroughs International) in Santa Barbara, California, USA.

4. List specific classes from the Brain Gym program that one has successfully completed (examples: BG101, OBO, VC etc.). The best way to do so is to preface such a list with a clear header/sub-header similar to “Brain Gym Courses I’ve completed”
 5. Include the words “Brain Gym Activities” amidst a list of modalities used. Example — “Modalities used: Touch For Health, Brain Gym Activities, Developmental Kinesiology, Movement Based Learning, Reiki, ...”
- Licensed individuals may do any of the above and:
 1. Use and market themselves using the Brain Gym trademark
 2. Create customized workshops using Brain Gym that are not reviewed and approved, as long as they do not advertise that the unreviewed workshop counts toward licensure credit.
 3. Use the applicable Brain Gym logo(s) (instructor/consultant, facilitator, tagline, etc.)

IMPORTANT NOTES:

- The key is to ensure that the general public is not confused about one’s credentials. If one could reach a logical conclusion that an individual holds a valid Brain Gym license who doesn’t, then something is wrong and a trademark violation is likely in existence.
- Refer students, patients, and clients who inquire about the Brain Gym program to the approved Brain Gym affiliate in the region OR directly to Breakthroughs International.
- Any reference to the Brain Gym program must include the “®” after the words “Brain Gym” and a footer that “Brain Gym is a registered trademark of the Educational Kinesiology Foundation dba Breakthroughs International, Santa Barbara, CA, USA, www.breakthroughsinternational.org.”

- **Examples of Improper Trademark Use:**

- Creating any product or course related to movement and learning, and calling it “Brain Gym”. Such products and courses must:
 - Have our Brain Gym activities in it
 - Be reviewed and approved by Breakthroughs International if there is an intention to:
 - Sell
 - Market as part of the Brain Gym curriculum
- Marketing oneself as a Brain Gym Instructor, Consultant, or Movement Facilitator without having acquired the appropriate license **and** without maintaining that license through the required re-licensure credits. If a person was licensed and let it lapse, they may not claim to be licensed in Brain Gym for any reason. They could state “formerly a licensed Brain Gym Instructor/Consultant/Movement Facilitator.
- Teaching any Brain Gym workshops or courses without a license.
- Starting a tutoring business and calling it “The Brain Gym”

Dr. Paul Dennison always encouraged us to protect our intellectual property without constantly “policing” it, because policing it pulls us out of the work itself. In the past 20 years, I have followed up on many potential trademark and copyright violations. Of all of them, only 3-5 people were defiant. Most were either unaware of our intellectual property rights or were enthusiastically promoting the Brain Gym program without realizing they were violating something.

Kind Wishes,



Kari Coady
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