

Procedure 5.3 **Q&A on Copyrights and Trademarks in Imago products, programs and marketing**

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1. Scope and purpose of this document

This document is to provide Certified Imago Therapists with information on the use of Imago Copyrights and Trademarks in programs such as seminars and workshops, and products such as workbooks, web applications, teaching aids etc: It also provides some guidelines for marketing and communications using the Imago trademark.

The work that a therapist performs with their clients during therapy sessions primarily lies outside of the scope of this document, other than some requests relating to the use of the Imago trademark in connection with services provided.

We are also interested to dialogue with you if you have any concerns about the contents of this document.

Nothing in this document is intended to contradict or interpret the applicable laws. Where there is an apparent conflict, the law will always take precedence over anything written here.

Nothing in this document is intended to express an opinion about whether any member’s work infringes any Imago trademark or copyright, or whether it is derivative or not. Where members are concerned about infringement they should seek their own legal counsel. IRI does not regard it as their role to provide any legal advice to members about their own programs, and nothing in this document should be considered as advice to members about their rights.

2. Overview

The name “Imago” was chosen by Harville Hendrix, PhD and Helen LaKelly Hunt, PhD to describe the system of the psychotherapy and psycho-education that they co-founded. It has been registered as a trademark in the USA, and Europe, and in many other countries Imago Relationship Therapy is registered as a trademark.

The Imago system includes range of copyrighted materials including books, training materials and workshop manuals, in addition to the registered trademarks (see section 3.1).

Harville and Helen have granted a license for promotion and development of Imago to the Board of Imago Relationships International (IRI), to be used in service of the mission to bring the benefits of Imago to couples and individuals around the world.

2.1 Guiding Principles

The primary guiding principle of the use of our Imago copyrights and trademarks is to create a strong and sustainable community of Imago therapists and educators who can be uniquely effective at improving relationships worldwide.

All of the guidelines are intended to be in the long-term interest of Imago therapists and the clients that they serve.

To achieve this we need to find a balance between the following principles:

- Creating a strong Imago brand around the trademarks, and consistent high-quality products and services which can achieve international recognition as the leading organized approach to improving relationships.
- Creating a revenue stream which enables our organization to operate, so that it can support Imago therapists and educators in their work.
- Providing sufficient freedom for Imago therapists to be successful professionally, and enabling them to enrich their experience of professional Imago work
- Maintaining a strong, up-to-date, effective and accurate Imago theory and practice, and incorporating innovations and developments in Imago theory, and new Imago programs, in an ordered and structured way, including professional reviews.

2.2 Guidelines in a Relational Community

These guidelines are an invitation to participate in a relationship, based on the principles in section 2.1. We see this as a partnership, in which both the organization and its members can share the responsibilities and rewards of cooperation.

Rather than setting out specific “dos” and “don’ts”, we have structured this document primarily around some key questions that we feel will help you to decide if your actions are supporting the shared objectives listed in section 2.1.

We hope you will take a moment to consider these questions, which may help you to be more aware of some of the underlying issues.

3. Copyrights, Trademarks and Imago

3.1 What are Imago copyrights and trademarks?

Copyrighted works include all of Harville and Helen’s books, such as “Getting The Love You Want”. They also include all other written material such as the Workshop Manuals, Training Manuals and other material in DVD, video and other media developed to support Imago practice.

Imago trademarks include but are not limited to: “Imago”, “Imago Relationship Therapy”, “Getting The Love You Want” “Keeping The Love You Find”, “Giving The Love that Heals” , “A New Way to Love” and the Imago Logo. Registration varies around the world. Please check with your local trademark authority for registered trademarks in your country.

The law around Trademarks and Copyrights is complex, and will vary significantly depending on whether you live in a country which has a Civil Code or is based in Common Law. This will alter the way that Case Law affects the way the law is interpreted. IRI does not offer opinions on how the law applies to our member’s work, but encourages them to seek their own legal counsel.

We believe that the various mental health professions are all grounded in a culture of professional integrity and ethical responsibility to clients and colleagues. We encourage you to draw on this framework when making choices about your work. If you are embarking on a course of action which you suspect might infringe on Harville and Helen’s rights as authors and developers of Imago Relationship Therapy and related programs, we invite you to talk with IRI. However talking with IRI should not be a substitute for obtaining your own legal counsel.

We may be able to support you with your intention to create a new Imago program, and grant any permission you might wish to obtain.

3.2 Why protect Imago copyrights and trademarks if our goal is to help people?

We believe we will serve our members and their clients more effectively, and more professionally by using the Imago copyrights and trademarks within a structure.

For example the word “Imago” and the programs from “Imago Relationships International” are associated with highly-effective programs which can transform couples lives. Careful use of the trademarks such as Imago helps establish the unique identity of Imago therapy, workshops and publications both for the people we serve in therapy or programs, and for other professionals.

The Professional Training and Standards Committee has been established to review the standards of programs published or promoted by IRI.

3.3 What can we do in practice to preserve the identity and reputation of Imago?

Many clients expect Imago therapy to be based upon the teachings of Harville and Helen that they read about in “Getting The Love You Want.” or have heard about from our website. We have received complaints from clients who sought Imago therapy from our members, but were provided a different modality, but under the Imago name.

We encourage you to the following questions, when you provide services under the “Imago” trademarks.

- Did my clients come to me because they heard of Imago? If they learned of Imago through Imago books, workshops or the website, how will I meet their expectations for quality and content?
- Are my actions professionally and ethically respecting my colleagues and all who are working within the Imago model?
- If I introduce another therapy modality, or my own variations on Imago, do I make that clear to my clients?
- Am I honoring the contribution of Harville, Helen and others who created the programs that I provide?
- Certification is a public statement from IRI that tells the public that we believe you are providing good Imago therapy. Please ask yourself, am I honoring the conditions of my Certification?

3.4 How can I help the whole Imago community by creating new Imago products, programs, and other resources ?

Our vision is for IRI to offer a library of resources that you can use in your own work, and we would love to include your creative contributions in this library. These new Imago programs, products and processes would be promoted and sponsored by IRI as great tools to use in Imago practice. Examples might be specific Imago programs for Parenting, or Addictions.

If you would like IRI to publish or promote your work to the Imago community there are two ways of working with IRI to do so.

A. Project Management by IRI

These programs could be developed through one of the following paths:

- Written solely by Hendrix/Hunt
- Written by an IRI led volunteer Task Force,

For these programs the copyright is owned by Harville Hendrix and Helen LaKelly Hunt, and the program is published by IRI

B. Member developed, incorporating Hendrix/Hunt owned material

If you would like IRI to publish or promote a product that you create independently, please contact us for discussions.

3.5 Can I create an Imago Product, Process or Program without permission from IRI?

If you intend to produce your own program without our involvement, please seek your own legal counsel about relevant copyright and trademark laws in your location.

3.6 Can I write my own Imago book or publish Imago papers? What are the guidelines I should follow?

We encourage you to write your own book on Imago, and to publish professional papers and articles on Imago. We would like you to be successful, so that there is a wider range of Imago literature available in many places. Please do contact us, to see if we can help, perhaps even with an endorsement from Harville and Helen.

3.7 Can I photocopy pages from the Imago programs to use in my work with clients?

In many cases it is quite appropriate for you to simply copy just a page or two from Imago materials to use with your clients.

However, if you do a larger amount of copying, or are copying complete programs which are normally sold, you should consider whether you are following the applicable copyright and trademark laws. In many cases we're happy to issue a note given you permission to copy.

These are some of the questions which may help guide you.

- Am I copying just a reasonable amount of work to support a talk I am giving, which supports individuals, couples, families, or groups in relationship?
- Am I copying from something that is normally sold, and which IRI has invested a significant amount of money to develop and design? Should I ask if IRI would like a fee, or prefer me to buy the original?
- Am I safeguarding Harville and Helen's copyright by including it on copies I make of their work?

Your answers to these questions will help you decide if you should ask for permission to copy Hendrix/Hunt materials. If in doubt, you should seek your own independent advice.

In any case please mark all Imago materials that you copy with "Copyright: Harville Hendrix and Helen LaKelly Hunt, licensed by Imago Relationships International". If in doubt, we recommend you seek your own legal counsel.

4. The “Getting The Love You Want” weekend workshop

4.1 Can I create my Own Workshop Manual for “Getting The Love You Want”, or present my own improvements?

The ‘Getting The Love You Want’ workshop was developed over many years, based on the experience of what was effective. Every few years the community gathers to pool its experience and update the workshop based on that, to maintain its power as a transformational experience.

When you present the workshop please ask yourself the following questions:

- Will attendees have a similar experience to the workshop presented by my colleagues?
- Have I made sure that attendees have the IRI published workshop materials?
- How much of my own personal material am I introducing? Will attendees experience this as the “Getting The Love You Want Workshop” – or will it feel more like a different workshop that I have created? (We recommend that no more than 15% of the time be spent on material that you have added)
- If I am introducing my own variations –can I be sure that these are as effective as Harville’s original work, and consistent with maintaining the integrity of the model?

4.2 Can I create a one-day or half day workshop based on material from Getting the Love You Want?

We believe “Getting The Love You Want” has established an international reputation as a highly effective experience for couples. We feel this is largely due to the dedication of Certified Imago Workshop Presenters who have invested in extensive training in their commitment to quality, and to the couples who attend.

When you are considering presenting shorter workshops, we would like it if you could ask yourself the following questions:

- Am I targeting people who might be better served by the Imago community if they attend the full weekend workshop?
- I am using extensive amounts of copyrighted Imago material, and if so do I have permission to use it in this way?
- Is my choice of name likely to be associated or confused with the name “Getting The Love You Want?”
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Many current agreements permit certified Imago therapists to present a 4 hour workshop based on material from Imago therapy and workshops that does not include regressive processes. We encourage you to use this as an introduction to therapy or workshops, not a replacement of them.

5. Imago teaching and consultation/supervision

5.1 Can I create my own consultation class for other Imago therapists?

Yes, you can create a consultation class.

To support you, the faculty is offering trainings to become a Certified Imago Consultant. We are also offering incentives for Imago therapists to receive consultation from Certified Imago Consultants/Supervisor. Those who consult with them would be awarded Imago Clinical Credits (ICCs). ICCs may be used to fulfill the Imago CEU requirements for being highlighted in the resource directory.

We also encourage you to double-check with your own state or country laws governing your professional license. Some have specific requirements for you to call yourself a supervisor or provide certain types of supervision.

5.2 Can I teach Imago at my local college or University?

Yes. Imago is currently taught by many University professors, some who have studied the Imago books. We encourage you to contact your local educational institutions to offer your services as a unit or module.

5.3 Can I provide Imago clinical training?

Clinical Training in Imago is provided by the highly-trained Imago faculty who have been Certified by IRI to provide training. Clinical trainers (faculty) are well-grounded in Imago principles, have studied how people learn Imago, have assisted in trainings and received supervision of their own training and have developed a well proven training program.

Please work with faculty members to bring Imago trainings to people in your region. This way we can be sure that people receive a strong foundation in Imago, and that additionally the training they receive will count towards Certification.

If you are considering providing Imago training of any type please consider the following questions:

- Would I be working within the conditions of my Certification Agreement?
- Have I been clear to my trainees that the Imago Institute provides Certification programs, but that I am not certified by them to provide this training?
- Have I been clear to my trainees that Imago is that I am not able to give them permission to present themselves as Certified Imago therapists?

6. Marketing, Articles on Website, Translations

6.1 What guidelines apply in terms of translation of Imago materials into languages other than English?

All translations of Imago workshop and training materials should be done under the provisions of a license agreement. A standard agreement exists for Imago's Regional Partners around the world. We often ask an Imago faculty member to review the translation for accuracy.

6.2 Can I copy articles or information from the Imago website onto my website?

We are investing in the Imago website to create a resource for couples, which can support the whole Imago community. This will serve us the more couples come to the site, refer friends, and build traffic, to make this a top-ranked relationship web page.

So we ask that you support this strategy by providing links to the articles that we place on our site. You can include a brief quote (50 words or so) on your site, and then provide a link for more.

6.3 Can I use the Imago logo on my website, business card or in my brochures? What are the guidelines?

We encourage you to use the Imago logo on your website, business card and in brochures. You can find the graphics for the logo on your therapist dashboard in the Imago website.

Please follow these guidelines:

- Please only use the logo in connection with your work as a Certified Imago Therapist or workshop presenter
- We ask that you do not alter the color or design.
- We ask that the logo be used in a way that shows you are a member of Imago Relationships International.
- Please check that people might not be confused by your card – mistake your practice for the Imago organization

7. Using Imago in names, emails and website addresses

“Imago” is a trademark, which we would like you to use in your practice. But when you do use it, please support others in your community by following these guidelines.

7.1 Can I use Imago in my email address? (eg: ImagoTim@aol.com)

The key question we would like to suggest you ask is “Does my use of Imago in my email address support my colleagues in the Imago community?”

In our view a good example of a supportive use of Imago in an email address might be:
ImagoTim@aol.com

Please also see the next section on domain names for guidelines on the use of Imago after the “@” in your email address.

7.2 Can I use the name Imago in domain name (eg: Tim@ImagoBrazil.com or www.ImagoBrazil.com)

A typical domain name is “ImagoRelationships” as in www.ImagoRelationships.org. Domain names also feature in email addresses such as Tim@ImagoRelationships.org

IRI is creating partnerships with Regional Organizations which represent Imago therapists in their area. We will invite partner organizations to use domain names which include the trademark Imago – so for example the Imago organization in Brazil would receive permission to use the www.ImagoBrazil.com.

When selecting your domain name, some questions we suggest you ask yourself are:

- Does my use of “Imago” in my domain name (web address) support my colleagues in the Imago community?
- Would it prevent my local or regional Imago association from using a distinctive domain name, such as www.ImagoBrazil.com for the benefit of all my colleagues?
- How would I feel if another Imago therapist were to use the web address I am considering for my own use? Would it then feel to me that they were using the trademark Imago in a fair and professionally ethical way?
- What story might clients make up if they see a web address such as www.ImagoRio.com? How would I feel if they mistake my website for the official site for all Imago therapists in my area?
- How do I feel about this morally, professionally, ethically and legally? Have I checked in my country to ensure that I have the legal right to use the Imago trademark in my domain name?

Our own perspective is that the trademark Imago should not be used in a domain name without written permission, and we would prefer to be consulted to give us the opportunity to provide that permission where appropriate. If you agree with us, please contact us to ask for permission when you use the trademark.

If you are already using the Imago trademark in our domain name, we would appreciate an opportunity to dialogue with you about this.

7.3 Can I name my practice “The _____ Imago Center”?

The same issues apply here as for the domain name in the previous section.

We would like names such as “The Brazil Imago Center” or “The Rio Imago Center” to serve all the Imago therapists in those areas.

When naming your practice we would like you to consider the following questions:

- Am I concerned that including Imago in the name of my practice might mislead people who might expect me to be the official Imago organization in my area?
- Would other Imago Therapists in my area be disadvantaged by the way I use the trademark “Imago” in the name of my practice?
- How do I feel about this morally, professionally, ethically and legally? Have I checked in my country to ensure that I have the legal right to use the Imago trademark in my business name?

IRI is forming partnerships with Imago organizations throughout the world, and through these partnerships we can provide permission for the trademark Imago to be used for centers and organizations which serve all Imago therapists in that area.

Please do contact us to discuss this if you are already using the trademark in this way, so we can dialogue about how to move forwards.

8. Working outside these guidelines

We have prepared these guidelines believing that by following them, we can all work together in a way which is fair, and helps sustain the growth of Imago.

We recognize that some of you may disagree with these guidelines, and may wish not to follow them. Please do call us to dialogue with why you disagree with them, as we would be interested to learn more about your perspective.

We hope that as we all work together around these guidelines, it will strengthen our ability to help couples around the world. We believe that they will be attracted to a strong Imago brand, and uniform high-quality products and services which are recognized as the leading organized approach to improving relationships.