

Protect the Name and Logo of Your Golf Facility

A corporate name can be one of the most valuable assets of a golf facility. Large amounts of money are invested in creating this name. Result: If successful, the golf facility will be in the enviable position of charging a premium for its services. Defense: Implement the following if the name and logo of your golf facility is important enough to deserve protection, not only on the right to use the name, but to prevent others from using it.

Ways to Protect Your Name

- Register your name as a trademark with the Federal Patent and Trademark Office. An approved application affords the best legal protection.
- Use it far and wide. The more you use your tradename and the broader its distribution, the stronger your tradename rights become.
- Register it with the Secretary of State in the state in which you conduct business. This approval means that the name is distinguishable from other previously selected corporate names, but almost no rights of protection are obtained. However, this filing may help to establish the date of "first use" if another name or logo is deceptively close in appearance to yours.

"Replica" Golf Holes: In the recent "Tour 18" lawsuit, the Federal District Court in Houston found that truly

distinctive "signature holes" are legally protected from replication. However, "replication courses" are legally permissible so long as prominent disclaimers are used to disassociate the

replica course from any perceived affiliation with the courses being copied.

Source: Dalton B. Floyd, Jr., *The Floyd Law Firm, PC, Surfside Beach, S.C.*

Question of the Issue

Why is it important for a golf course superintendent to play golf?

(Typically asked of the GCSAA Career Development Department by students who are considering a career in golf course management.)

There are a number of reasons, but the most important is being able to see the course through the eyes of a golfer. This perspective helps you to understand how your maintenance practices, such as mowing heights and water management, affect the game. Since golf course playing conditions change daily, playing the course regularly helps you to see those changes, then adjust course set-up and maintenance for optimum playability. Playing golf is part of the job. I recommend that superintendents play with their owners to keep communication open. You might even make playing golf an element of your employment contract. Playing golf

frequently also allows the golf course superintendent an opportunity to check the quality of their employees' work, and take a closer look at turf conditions in all areas. It is important to play with different people—your crew, other superintendents, seniors, women, juniors, good golfers, and high handicappers, to gain an understanding of their needs and expectations. The result is a course that is fun and challenging for all levels of golfers."

Response by: Robert Friend, Golf Course Superintendent, The Colonial Golf Course, Richmond, Va., and 1994 GCSAA Golf Champion.

Do you have a question about golf course operations? Fax it to *Leader Board*, 913/832-4449 to have it answered in an upcoming issue.