

## Certification Mark Form, Principal Register

**Serial Number: 77359607**

**Filing Date: 12/26/2007**

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	77359607
<b>MARK INFORMATION</b>	
<b>*MARK</b>	\\TICRS2\EXPORT14\773\596\77359607\xml1\APP0002.JPG
<b>SPECIAL FORM</b>	YES
<b>USPTO-GENERATED IMAGE</b>	NO
<b>LITERAL ELEMENT</b>	GreenPoint Rated A better environment from the inside out.
<b>COLOR MARK</b>	YES
<b>COLOR(S) CLAIMED (If applicable)</b>	The color(s) green, light green and white is/are claimed as a feature of the mark.
<b>*DESCRIPTION OF THE MARK (and Color Location, if applicable)</b>	The mark consists of Green and white house on white background with the words "GreenPoint Rated A better environment from the inside out" underneath and to the left .
<b>PIXEL COUNT ACCEPTABLE</b>	YES
<b>PIXEL COUNT</b>	434 x 250
<b>APPLICANT INFORMATION</b>	
<b>*OWNER OF MARK</b>	Build it Green, Inc.
<b>*STREET</b>	1931 Center Street
<b>*CITY</b>	Berkeley
<b>*STATE (Required for U.S. applicants)</b>	California
<b>*COUNTRY</b>	United States
<b>*ZIP/POSTAL CODE (Required for U.S. applicants only)</b>	94704
<b>PHONE</b>	510-845-0472
<b>FAX</b>	510-845-9503
<b>LEGAL ENTITY INFORMATION</b>	
<b>TYPE</b>	NON-PROFIT CORPORATION
<b>STATE/COUNTRY WHERE LEGALLY ORGANIZED</b>	California
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
<b>*INTERNATIONAL CLASS</b>	A
<b>*IDENTIFICATION</b>	The certification mark is intended to be used by persons authorized by the certifier and is intended to certify that buildings meet green building standards, namely standards for environmentally sustainable design, construction and operation of buildings
<b>FILING BASIS</b>	SECTION 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 07/00/2006
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 07/00/2006
<b>SPECIMEN</b>	\\TICRS2\EXPORT14\773\596\77359607\xml1\APP0003.JPG

<b>FILE NAME(S)</b>	G
<b>SPECIMEN DESCRIPTION</b>	Webpage showing use in commerce
<b>COPY OF STANDARDS FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	.pdf
<b>CONVERTED PDF FILE(S)</b> (1 page)	\\TICRS2\EXPORT14\773\596\77359607\xml1\APP0004.JPG
<b>COPY OF STANDARDS DESCRIPTION</b>	Copy of Standards
<b>CERTIFICATION</b>	
<b>*CERTIFICATION STATEMENT</b>	The certification mark, as used by authorized persons, certifies The certification mark, as used by persons authorized by the certifier, certifies that buildings meet green building standards, namely, standards for environmentally sustainable design, construction, and operation of buildings. .
<b>ATTORNEY INFORMATION</b>	
<b>NAME</b>	Richard A. Lyons
<b>ATTORNEY DOCKET NUMBER</b>	13039.3
<b>FIRM NAME</b>	Wendel, Rosen, Black & Dean
<b>STREET</b>	1111 Broadway, 24th Floor
<b>CITY</b>	Oakland
<b>STATE</b>	California
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	94607
<b>PHONE</b>	510-834-6600
<b>FAX</b>	510-834-1928
<b>EMAIL ADDRESS</b>	rlyons@wendel.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>OTHER APPOINTED ATTORNEY</b>	Donald S. Simon
<b>CORRESPONDENCE INFORMATION</b>	
<b>NAME</b>	Richard A. Lyons
<b>FIRM NAME</b>	Wendel, Rosen, Black & Dean
<b>STREET</b>	1111 Broadway, 24th Floor
<b>CITY</b>	Oakland
<b>STATE</b>	California
<b>COUNTRY</b>	United States
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<b>PHONE</b>	510-834-6600
<b>FAX</b>	510-834-1928
<b>EMAIL ADDRESS</b>	rlyons@wendel.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>FEE INFORMATION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>FEE PER CLASS</b>	325
<b>*TOTAL FEE DUE</b>	325
<b>*TOTAL FEE PAID</b>	325
<b>SIGNATURE INFORMATION</b>	

<b>SIGNATURE</b>	/Richard A. Lyons/
<b>SIGNATORY'S NAME</b>	Richard A. Lyons
<b>SIGNATORY'S POSITION</b>	Attorney of Record
<b>DATE SIGNED</b>	12/26/2007

PTO Form 4.9 (Rev 9/2006)  
OMB No. 0651-0009 (Exp 09/30/2008)

## Certification Mark Form, Principal Register

**Serial Number: 77359607**

**Filing Date: 12/26/2007**

### To the Commissioner for Trademarks:

**MARK:** GreenPoint Rated A better environment from the inside out. (stylized and/or with design, see mark)

The literal element of the mark consists of GreenPoint Rated A better environment from the inside out..

The color(s) green, light green and white is/are claimed as a feature of the mark. The mark consists of Green and white house on white background with the words "GreenPoint Rated A better environment from the inside out" underneath and to the left .

The applicant, Build it Green, Inc., a NON-PROFIT CORPORATION legally organized under the laws of California, having an address of 1931 Center Street, Berkeley, California, United States, 94704, requests registration of the Certification Mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

**International Class A:** The certification mark is intended to be used by persons authorized by the certifier and is intended to certify that buildings meet green building standards, namely standards for environmentally sustainable design, construction and operation of buildings

Applicant is exercising legitimate control over the use of the certification mark in commerce on or in connection with the above-identified goods/services. (15 U.S.C. Sections 1051(a) and 1054). Applicant is not engaged in the production or marketing of the goods or services to which the mark is applied. Applicant submits with this form or will later submit a COPY OF STANDARDS the applicant uses to determine whether goods and/or services will be certified.

In International Class A, the mark was first used by persons authorized by the applicant, at least as early as 07/00/2006, and first used in commerce by persons authorized by the applicant at early as 07/00/2006, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used by authorized persons in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Webpage showing use in commerce .

Specimen File1

Copy of Standards

**Original PDF file:**

.pdf

**Converted PDF file(s) (1 page)**

Attachment-1:

The certification mark, as used by authorized persons, certifies The certification mark, as used by persons authorized by the certifier, certifies that buildings meet green building standards, namely, standards for environmentally sustainable design, construction, and operation of buildings. .

The applicant hereby appoints Richard A. Lyons and Donald S. Simon of Wendel, Rosen, Black & Dean, 1111 Broadway, 24th Floor, Oakland, California, United States, 94607 to submit this application on behalf of the applicant. The attorney docket/reference number is 13039.3.

Correspondence Information: Richard A. Lyons

1111 Broadway, 24th Floor

Oakland, California 94607

510-834-6600(phone)

510-834-1928(fax)

rlyons@wendel.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the certification mark sought to be registered, or, if the form is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to exercise legitimate control over use of the mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods and/or services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Richard A. Lyons/ Date Signed: 12/26/2007

Signatory's Name: Richard A. Lyons

Signatory's Position: Attorney of Record

RAM Sale Number: 1939

RAM Accounting Date: 12/27/2007

Serial Number: 77359607

Internet Transmission Date: Wed Dec 26 17:33:39 EST 2007

TEAS Stamp: USPTO/CTM-63.237.221.227-200712261733394

75647-77359607-40040ab48cbccf7af90307ee3

862c82be92-CC-1939-20071226172811171568



# **GreenPoint** RATED

A better environment from the inside out.



**GreenPoint Rated.** A program of Build It Green.  
**Your assurance of a better place to live.**



[Find a GreenPoint Rater](#)

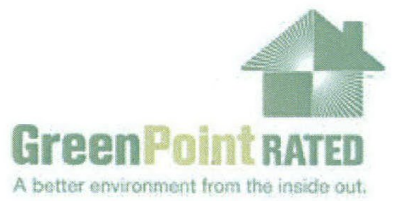
- Home
- About Green Building
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- Workshops & Events
- GreenPoint Rated
- Green Home Tours
- Professional Training
- Sponsors & Members
- Councils & Guilds
- News
- FAQ's
- About Us

## GreenPoint Rated - The Program

### INTRODUCING GREENPOINT RATED

#### Your Assurance of a Better Place to Live

These days, it seems like everyone's talking about green homes, and for good reason. Environmentally friendly homes not only save resources and money, they can last longer and hold their value better than similarly priced homes. But how can you tell if a home really is better for the environment and healthier to live in?



Enter GreenPoint Rated. GreenPoint Rated removes the guesswork from evaluating a home's green features, allowing home buyers to compare newly built homes on a level playing field. And GreenPoint Rated rewards building professionals who create green homes by allowing them to brand their products with a recognizable, trustworthy seal of approval.

Think of GreenPoint Rated as a report card for new home construction. A GreenPoint Rated home is graded on five categories-Energy Efficiency, Resource Conservation, Indoor Air Quality, Water Conservation and Community. If the home meets minimum point requirements in each category and scores more than 50 total points, then it earns the right to bear the GreenPoint Rated label. Because GreenPoint Rated homes are evaluated by independent, certified raters, building professionals and homeowners can feel confident that the rating has integrity and value.

GreenPoint Rated is a program of **Build It Green**-a professional non-profit membership organization whose mission is to promote healthy, energy- and resource-efficient buildings in California.

#### Benefits of GreenPoint Rated

Buying or building a new home in California is complicated enough. So why bother with GreenPoint Rated? Here are just a few of the program's many advantages:

- **Home buyers:** The GreenPoint Rated label gives you assurance that you're getting a healthier, more environmentally responsible home. GreenPoint Rated homes are verified to exceed state building and energy code requirements for health and environmental performance.
- **Builders, contractors and architects/designers:** GreenPoint Rated provides validation from a trusted, independent source to support your marketing efforts as a green builder. Participating in GreenPoint Rated will help you meet growing consumer demand for green homes and outpace your competition.
- **Other building professionals:** Real estate agents, financing specialists, appraisers and others who work in fields related to new home construction and sales can rely on GreenPoint Rated to help their clients identify homes that are healthier, more environmentally friendly and exceed California's building and energy codes.
- **Local governments:** GreenPoint Rated fosters sustainability in your community by spurring the development of healthier, more environmentally responsible homes.

Questions About a Green Building Project ?  
**ASK AN EXPERT**  
 Click here to **submit question**



## GreenPoint Rated

The GreenPoint rating process is a non-invasive physical examination of building systems, structures, materials, and components to assess energy and water efficiency, indoor air quality, resource efficiency of materials and construction methods, and construction quality.

1. **Certified GreenPoint Rater independently contracts with the builder or project owner to verify participating project(s).** Build It Green is not a party to this contract.
2. **Identify targeted GreenPoint Rated credits and submit project planning score sheet and application to Build It Green.** The Certified GreenPoint Rater prepares an electronic application that contains data on the credits the project intends to obtain, including:
  - a. An electronic copy of the California Title 24 Compliance Form CF-1R.
  - b. Complete information regarding the number of GreenPoint Rated certificates needed, specific information to be printed on the certificate (project name, project address, and builder), and certificate recipient information (name and mailing address).
  - c. If the project is expected to involve a build-out time of greater than one year, the project is identified by construction phase expected completion date of each phase.

Build It Green will use this information to determine the applicable certificate processing fee.

3. **Conduct verification.** Certified GreenPoint Raters verify what green building features have actually been incorporated into the project in order to determine which GreenPoint credits have been earned. Verification of new construction projects will generally involve four activities:
  - a. Plan check
  - b. Supporting documentation review
  - c. Rough inspection
  - d. Final inspection
4. **Compile documentation, calculate score, and submit final results to project owner and Build It Green for rating certificate.** The Certified GreenPoint Rater compiles and submits to Build It Green the necessary information to corroborate the appropriate GreenPoint score the project has earned.
5. **Build It Green awards certificate.** Build It Green reviews the information submitted by the Certified GreenPoint Rater and issues the project a GreenPoint Rated certificate for the project. The project owner may then use the GreenPoint Rated logo, subject to logo use guidelines.
6. **Random audits.** Build It Green provides quality assurance and quality control by performing random audits to confirm the project documentation and score provided by the Certified GreenPoint Rater.