

NYCE[®] Network Surcharge-Free Program Graphic Standards

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Introduction

This manual sets forth the NYCE Network Program Graphic Standards for use of the Program Mark, defined as the Program Graphic Standards in the Program Rules. The Program Graphic Standards apply to the use of the registered trademark of NYCE in connection with the Surcharge-Free Program offered by NYCE. These Program Graphic Standards are minimum standards and are required for all Program Members as set forth herein.

In order to protect the Program Mark and provide the greatest consumer recognition of the Program and lift to Program Members' proprietary brands, all Program Members must adhere to these Program Graphic Standards. Program Members that contract with vendors or suppliers that use the Program Mark(s) are responsible for such vendor or supplier compliance with the Program Graphic Standards. Capitalized terms used herein and not otherwise defined in the Program Rules shall have the meanings set forth in the NYCE Network Operating Rules ("Rules").

For Program Members That Issue Cards in the Program

These Program Graphic Standards enable Program Members to add lift to their proprietary Cards by adding the Program Mark to their Cards, e-banking Websites and collateral materials. Program Members may also: (a) hot link to the Program Website provided by NYCE; (b) hot link to the Program ATM Terminal locator service; and (c) promote the availability of the new Program Smartphone ATM Terminal locator application, all as set forth in these Program Graphic Standards.

For Program Members with Program ATM Terminals

Displaying the Program Mark on Program ATM Terminals is required as set forth in the Program Rules. Prominently displaying the Program Mark lets customers of other Program Members feel confident that their Cards will be accepted at your ATMs without incurring a surcharge. Supplementary signage (e.g., window, door, pole signage) will help reinforce the availability of your Program ATM Terminals at your participating ATM locations. Keeping your Program ATM Terminal location information up-to-date will help ensure maximum exposure and usage of your Program ATM Terminals.

For All Program Members

Graphic uniformity on Cards, ATM Terminals, e-banking Websites, collateral material and signs gives Cardholders convenient ways to find Program ATM Terminals and peace of mind that they can conduct surcharge-free ATM withdrawals at those participating ATMs.

Information/Assistance

For information and assistance regarding these Program Graphic Standards, send an e-mail inquiry to <u>nycebrand@fisglobal.com</u>.

1 License of Program Mark

1.1 General

Use of the Program Mark is permitted only pursuant to a valid license granted by NYCE under a Program Agreement. Use of the Program Mark under the license is conditioned upon strict compliance with the Program Agreement and these Program Graphic Standards. The Program Mark may only be used in connection with the consumer marketing and promotion of the Program. These Program Graphic Standards supersede any prior Program Graphic Standards and any predecessor Program Mark(s). The Program Graphic Standards may be amended from time to time by NYCE in its sole discretion.

1.2 Conditions and Limitations on Use

Program Member's right to use the Program Mark is subject to the following conditions and limitations:

- (a) Program Member shall comply with the Program Agreement, Program Graphic Standards and all Applicable Laws pertaining to the use of the Program Mark, as well as all specifications and directives concerning the usage of the Program Mark that may be issued by NYCE from time to time. Program Member is responsible to ensure that any vendor contracted or used by Program Member with respect to the use of the Program Mark, including but not limited to plastic card vendors, ATM decal vendors, signage vendors and Website developers, use the Program Mark in accordance with these Program Graphic Standards. Program Member shall not use the Program Mark:
 - (i) In any way, for any purpose or in conjunction with any words that inaccurately or inappropriately identify or describe the Program;
 - (ii) To describe, advertise or identify in any other manner anything other than the Program; or
 - (iii) In any objectionable or disparaging manner.
- (b) Program Member shall not represent that it has any ownership interest in the Program Mark or registrations, nor shall Program Member do or cause to be done anything that contests, impairs or tends to impair NYCE's exclusive right, title and interest in and to the Program Mark or the goodwill associated with the Program Mark.
- (c) Program Member shall, at its sole expense, cease its use of the Program Mark, or any predecessor Program Mark(s), within a timeframe reasonably requested by NYCE in the event NYCE determines, in its sole discretion, that it wishes to generally cease the use of the Program Mark. If so requested by NYCE, Program Member shall destroy or surrender to NYCE any depiction of such Program Mark(s) in any medium whatsoever, provided that a Program Member's Cards bearing any such Program Mark(s) (whether outstanding or in inventory) need not be replaced or destroyed until the earlier of such Program Member's next normal Card reissuance cycle or the date that is one year from the effective date of such request.

1.3 Assignment of Rights

Program Member acknowledges and agrees that its right to use the Program Mark may not be assigned or sublicensed to any Person, and that such right shall not inure to the benefit of any third party, without the prior written consent of NYCE.

1.4 Protection of the Marks

Program Member shall assist NYCE to the fullest extent necessary to procure protection, and to maintain any existing protection, for all of NYCE's rights in the Program Mark or any predecessor Program Mark(s). In the event that Program Member learns of any actual or intended infringement, simulation or imitation of any Program Mark by any Person that has not been granted the right to use any Program Mark by NYCE, Program Member shall so notify NYCE in writing as soon as reasonably practicable.

1.5 Litigation and Indemnification

- (a) Program Member shall neither threaten nor initiate any litigation against any third party relating to any Program Mark without the prior written consent of NYCE. If another Person asserts that Program Member violated any proprietary rights in conjunction with its use of any Program Mark, Program Member shall promptly notify NYCE in writing of such assertion and of any litigation or possible litigation resulting from such assertion. Program Member shall not enter into any settlement agreement or decree regarding such litigation without the prior written consent of NYCE.
- (b) NYCE shall defend Program Member from and against any action, litigation or claim by a third party alleging that the Program Mark infringes a registered trademark or copyright, and shall indemnify and hold harmless Program Member from and against any damages, costs and expenses of such third party awarded against Program Member by a final court judgment or an agreement settling such action, litigation or claim, except to the extent that such action, litigation or claim is the result of: (i) Program Member's use of the Program Mark in a manner or for a purpose not permitted by or not compliant with the terms of these Program Graphic Standards or the Program Agreement; or (ii) the action or inaction of Program Member.
- (c) NYCE's obligation to indemnify Program Member under Section 1.5(b) above is contingent upon: (i) Program Member's promptly notifying NYCE in writing of any claim subject to such indemnity obligation; (ii) NYCE having sole control over the defense and settlement of the claim; (iii) the Program Member reasonably cooperating during defense and settlement efforts; and (iv) Program Member not making any admission, concession, consent judgment, default judgment or settlement of the claim or any part thereof.

2 Program Mark Usage

2.1 General

All Cards, Program ATM Terminals, signs, displays, advertisements and other materials are required to be in compliance with these Program Graphic Standards. Failure to comply will result in the imposition of sanctions as described in the Program Rules. NYCE may occasionally perform audits for purposes of monitoring compliance with these Graphic Standards. Any error in the reproduction of any Program Mark must be promptly corrected.

2.2 Use of Program Member Names

No Program Member may, in advertising, direct mail, press releases, brochures, e-banking Websites or other media featuring or promoting the Program, use the name, trade name or trademark of any other Program Member, unless such other Program Member has given prior written consent; provided, however, the foregoing restriction does not apply to any Program materials (including but not limited to Program Websites) produced or provided by NYCE, nor does it apply to individual customer communications such as customer service inquiries or error resolution correspondence.

2.3 Equal Size and Prominence

In all uses of the Program Marks, the Program Mark must be displayed in at least equal size, prominence and frequency with any other surcharge-free service marks displayed.

2.4 Program Mark Registration Symbol and Reproductions

Program Member is required to use a registration symbol (®) when using the Program Marks. The registration symbol must:

- (i) Always be displayed at the upper right hand corner of the SUM Logo or SUM APP Logo as provided by NYCE;
- (ii) Be displayed at the upper right hand corner of the SUM Word Mark upon the first use of the SUM Word Mark.

Only those Program Marks that are approved for use by NYCE or are reproductions of the Program Marks that are made from the electronic files provided by NYCE may be used by Program Member. In addition, Program Member shall include a trademark attribution statement when appropriate:

For example: SUM and design are trademarks of NYCE Payments Network, LLC.

E-mail <u>nycebrand@fisglobal.com</u> with any questions on using a registration symbol, making reproductions of the Program Mark or including an attribution statement.

2.5 Use of the Program Mark in Text

The SUM Word Mark is provided for use in text. The SUM Logo must never be used in text. To distinguish the use of the SUM Word Mark from surrounding text, SUM must appear in all capital letters (SUM). The SUM Word Mark should be reproduced in the color and type style of the adjoining text. A contrasting color or type style for the SUM Word Mark may not be used unless approved by NYCE in writing.

2.6 Use of Program Mark as an Adjective

It is permitted to use the SUM Word Mark as an adjective when describing the service or when used in promotional materials.

Examples of Correct Use:

- Our financial institution offers you surcharge-free ATM access to your checking account at thousands of SUM® ATMs.
- Using SUM[®] ATMs can Save U Money!
- Got a Smartphone? Download your SUM[®] ATM locator app today!
- Travelling this weekend? Check out www.sum-atm.com for surcharge-free ATMs and save SUM[®] money!

2.7 Prior Program Marks

Use of any predecessor marks, and/or the symbols and/or verbiage below, is prohibited and, if present in any form, must be promptly removed and replaced by the Program Mark in accordance with these Program Graphic Standards. Note that the SUM Word Mark may continue to be used within the permitted color standards set forth in these Program Graphic Standards.

InterCept Switch[®]





3 Reproduction Standards for the Program Mark

3.1 General

The proportions and configuration of the SUM Logo have been established to create visual continuity in all sizes. They may not be altered in any manner.

3.2 Minimum Size

Minimum size standards for reproduction of the SUM Logo with respect to various applications (cards, signage, print or other applications) are set forth in their respective sections of these Program Graphic Standards.

3.3 Color Reproduction

Pantone Matching System (PMS) 185 Red – "NYCE Red" – has been chosen as the primary color for the SUM Logo to heighten its visual impact and to visually connect the NYCE Logo with the SUM Logo, where its use may warrant such visual connection. NYCE Red may be specified by its number in the Pantone Matching System: PMS 185 Red.



PMS 185 Red CMYK 0/92/76/0 RGB 224/0/52 HEX E00034

The following standards must be followed for all color reproductions of the SUM Logo:

Color	Description	Permitted Use
NYCE Red	SUM Logo in NYCE Red against a white, neutral or metallic background	All applications
Black	SUM Logo in black against a metallic background or any background with a density of 50% or less	All applications where NYCE Red cannot be used for the following reasons:
SUM °		 Background is red or orange Sufficient contrast between NYCE Red and the background cannot be achieved Background color vibrates with NYCE Red Materials are printed in one color
White (reverse)	SUM Logo in white (reverse reproduction) against any background color with a density of 50% or more	All applications where the NYCE Red or black treatment cannot be used for the following reason:
E SUM °		 Background color has a density of 50% or more

Important: Use of colors other than those illustrated in this **Section 3.3** for the SUM Logo requires prior written approval by NYCE; send an e-mail inquiry to <u>nycebrand@fisglobal.com</u> if you have a particular situation or application that may warrant a variance to these color requirements.

Specific standards for color reproduction with respect to various applications (cards, signage or other applications) are set forth in their respective sections of these Program Graphic Standards.

3.4 Reproduction Materials and Electronic Files

Reproduction of the SUM Logo must always be made from an electronic file supplied by NYCE and may not be redrawn, altered, modified or photographically stretched or widened in any way. To obtain SUM electronic logo files:

- (a) Send an e-mail request for electronic SUM Logo files to <u>nycebrand@fisglobal.com</u>; please specify preferred format: EPS, JPG or PNG.
- (b) Log onto InfoManager, NYCE's browser-based portal service. From the homepage, select <u>Product</u> <u>Solutions</u>, then <u>Surcharge Free Programs</u>, then <u>SUM</u>.
- (c) Log onto the FIS Norcross EFT Administration customer site and select <u>Main Menu</u>, then <u>Documents</u>, then <u>Manuals</u>.

3.5 Toolkit

A toolkit has been developed to assist Program Members in promoting the Program. Access the SUM Toolkit at <u>www.nyce.net</u>. Select <u>Financial Institutions</u>, then <u>Marketing Materials</u> and you will see the SUM paragraph that includes a link to the SUM Toolkit. Template promotional tools are available for Program Members to customize.

3.6 Minimum Clearance

A minimum amount of clearance space surrounding the SUM Logo is required when the SUM Logo is used for any application. The minimum amount of clearance space is equal to half the height of the letters in SUM. The minimum clearance space allows for maximum visibility of the SUM Logo.



= CLEAR SPACE

3.7 Incorrect Logo Use

In order to ensure consistency, altering the SUM Logo is not acceptable. Here are a few examples of *incorrect* usage of the SUM Logo.



1. Do not change the color of the logo.



2. Do not use a drop shadow or any other filter on the logo.



3. Do not rotate the logo.



4. Do not stretch the logo.



5. Do not remove trademarks from the logo.



6. Do not reproduce the logo in grayscale.

4 Card Applications

4.1 General

While not required, it is recommended that Program Members display the SUM Logo to the right of the NYCE Logo on all Cards. The NYCE Logo and the SUM Logo can provide lift to the Issuing Participant's brand, and help consumers recognize where they can use their Cards for surcharge-free ATM withdrawals.

4.2 Reproduction of the SUM Logo on Cards

Whenever an Issuing Participant elects to place the NYCE Logo and the SUM Logo on its Cards, the following standards apply.

4.2.1 Location

When logos are used on Cards, NYCE recommends that the NYCE Logo and the SUM Logo be displayed on the front or back of each Card in any area free of embossing or other data. The preferred positioning is on the back at the left side near the bottom edge as shown below. The NYCE Logo and the SUM Logo must be imprinted or embossed on Cards, and not affixed as a decal.



4.2.2 Color

NYCE Red (PMS 185) is the preferred color, but black or white (reversed) may be used as permitted by Section 3.3 of these Program Graphic Standards.

4.2.3 Minimum Size

The SUM Logo must be at least ½ inch wide.

4.2.4 Timing

No Cards bearing the Program Mark may be issued by a Program Member prior to its live date in the Program, unless otherwise approved by NYCE.

5 Signage Applications

5.1 Program ATM Terminals and Locations

SUM Logo

Each Program ATM Terminal must be identified with the SUM Logo in accordance with these Program Graphic Standards and the requirements set forth below.

5.1.1 Display on or near Program ATM Terminals

- (a) The SUM Logo must be displayed in a prominent location on or near the fascia of each Program ATM Terminal; and
- (b) If the Program ATM Terminal is not fully visible from publicly accessible areas (for example, the Program ATM Terminal is located in a vestibule or other area of the Program Member's office or branch), the SUM Logo must be displayed on a main entrance door, window or wall adjacent to the Program ATM Terminal that is fully and easily visible to the general public.

5.1.2 Color

The preferred color of the SUM Logo displayed on an ATM Terminal is NYCE Red (PMS 185) against a white background. The SUM Logo may also be presented in black or white (reverse) as permitted by Section 3.3; if the black or white (reverse) treatment is used, then the following additional requirements apply:

- (a) The SUM Logo must also be displayed in NYCE Red against a white background at the same location in which the ATM Terminal is located, either on a wall adjacent to the ATM Terminal or, if in a vestibule, on the door, window or exterior signage that is fully and easily visible to the general public with a minimum size of 4 inches wide; and
- (b) Display of the SUM Logo otherwise complies with all other Graphic Standards (for example, equal size, prominence and frequency); and
- (c) No other electronic payments network logos are displayed in color on the Program ATM Terminal.

5.1.3 Minimum Size on or near Program ATM Terminals

The SUM Logo must be at least 4 inches wide. To request a variance to the minimum size requirement, send an e-mail inquiry to <u>nycebrand@fisglobal.com</u>.

Important: The SUM Logo must be displayed on all Program ATM Terminals and locations in equal size, prominence and frequency with the marks of any other surcharge-free services displayed on or at such Program ATM Terminals and locations.

5.1.4 Timing

All Program ATM Terminals must comply with these Graphic Standards within thirty (30) days following the Participant's live date in the Program, but no earlier than one (1) week prior to the Program Member's live date in the Program unless otherwise approved by NYCE, except as such timing relates to the removal of any predecessor marks as set forth in **Section 2.7**.

In all cases, the standard of reasonable good taste must be adhered to in presenting the SUM Logo in a manner that enhances the goodwill and positive consumer image associated with the Program. The above requirements relative to signage are permitted to be superseded when Applicable Law limits signage.

5.1.5 Ordering Decals

To assist Program Members in complying with these requirements, pressure-sensitive decals are available from NYCE. Order SUM decals by accessing the Decal Order Form at <u>www.nyce.net</u>. Select <u>Financial Institutions</u>, then <u>Marketing Materials</u>, and you will see the SUM paragraph that includes a link to the decal order form.

Decal sizes available:

4.5" by 2.25" 4.5" by 3"

5.2 Exterior Signage

5.2.1 Location

To provide easy consumer recognition of Program ATM locations, signage incorporating the SUM Logo should be prominently displayed.

5.2.2 Color

NYCE Red (PMS 185) must be used in the reproduction of the SUM Logo as illustrated in these Program Graphic Standards.

5.2.3 Minimum Size

The SUM Logo must be at least 4 inches wide on all additional signage. To clearly identify the availability of the Program using additional signage (exterior signage, pylon signage, street signage, etc.), it is recommended that the SUM Logo be presented larger than the applicable minimum size requirement.

5.2.4 Timing

The SUM Logo may not be displayed on any signage earlier than one (1) week prior to the Program Member's live date in the Program unless otherwise approved by NYCE.

6 Other Applications

6.1 Advertising

The SUM Logo may be used in each Program Member's proprietary advertisements featuring the surcharge-free programs or services in which the Program Member participates. Refer to **Section 3.5** for additional template promotional materials. The reproduction of the SUM Logo must comply with these Program Graphic Standards and the requirements set forth below:

6.1.1 Advertisement Placement

Send an e-mail inquiry to <u>nycebrand@fisglobal.com</u> if assistance is needed with placement of the SUM Logo within advertisements.

6.1.2 Color

NYCE Red (PMS 185) as illustrated in the Program Graphic Standards is the preferred color treatment for the SUM Logo, but black and white treatments may be used as permitted in **Section 3.3**. When advertising includes a reproduction of a Program Member's proprietary Card that displays the SUM Logo, and the Program Member has received approval from NYCE for use of an alternate color on the Card, the approved color may be used on reproductions of the Card appearing in the advertisement.

6.1.3 Minimum Size

For all print advertising, the SUM Logo must conform to the minimum size requirements set forth in **Section 3.2**. In the event that the NYCE Logo and the SUM Logo are used in the same print advertisement, both Marks must appear in equal size, prominence and frequency with each other provided that the minimum size of both the NYCE Logo and the SUM Logo shall not be less than 1 inch wide.

Important: The SUM Logo must be displayed in all advertising in equal size, prominence and frequency with the marks of any other surcharge-free program or service displayed in such advertising.

6.2 Program ATM Locator Services

6.2.1 Website ATM Locator Service

Each Program Member with Program ATM Terminals is required to regularly update their Program ATM Terminal location information, available to consumers at <u>www.sum-atm.com</u>. The file format to update program ATM Terminals may be accessed on InfoManager.

Program Members may also hot link from their proprietary Websites or e-banking applications to <u>www.sum-atm.com</u>. For more information, send an e-mail inquiry to <u>nycebrand@fisglobal.com</u>.

6.2.2 Smartphone ATM Locator Application

A Smartphone Program ATM Terminal locator application is also available for your customers to download. The SUM APP Logo is illustrated below and may also be used in your customer advertising and promotion. For more information, send an e-mail inquiry to <u>nycebrand@fisglobal.com</u>.



7 Variances to Program Graphic Standards

The Program Graphic Standards provide the standards for typical communication situations and field environments. For exceptions and unusual applications that may warrant a variance from these Program Graphic Standards, the Program Member must obtain the prior written approval of NYCE. To request a variance, send an e-mail inquiry to <u>nycebrand@fisglobal.com</u>.

