

THE AMERICAN LEGION
NATIONAL HEADQUARTERS
INDIANAPOLIS, INDIANA

DATE: August 5, 2016

MEMO TO: Department Commanders
Department Adjutants
National Executive Committeemen
National Vice Commanders

FROM: Dan Wheeler, National Adjutant 

SUBJECT: AMERICAN LEGION RIDERS© PROGRAM
RECOMMENDATIONS

Re: *Resolution No. 35: "American Legion Riders as a National Program"*
Resolution No. 32: "Amend Resolution 35: "American Legion Riders as a National Program."
Resolution No. 11, "Rules and Regulations Governing Use of the Name and Emblems of The American Legion,"

The National American Legion Riders Advisory Committee, meeting in Indianapolis March 5-6, 2015, recommended to the national headquarters that additional program guidance be provided to the departments and posts regarding the subject resolutions.

1. Patch wear and uniformity of ALR clothing and apparel.

The American Legion has long held the position that patch wear is an intensely personal statement by our members, similar in tradition to the right side of the Legion Cap itself. Generally, we should not tell a Rider how to arrange his or her patches, or what they can or cannot wear, unless such arrangement or display brings discredit upon the ALR program, implies an improper association with an outside organization, or infringes on our trademarks. If ALR chapters or department programs wish to adopt a uniform dress code for vests and patches, that is their decision. National will not mandate a dress code other than to take the appropriate action to protect the trademarks of the organization.

2. Councils of Clubs (CoC) affiliations.

American Legion posts and ALR chapters do not have authority to enter into any formal association or club/council membership with any outside organization that may act or vote in any manner outside the control of The American Legion. A copy of the pertinent Resolution No. 37, May 4-5, 1988, is appended to this memo and available at www.legion.org/riders/resources.

3. Rockers and Trademarks.

Rockers may seem to be discouraged or unauthorized by Resolution 35 for fear of trademark infringement. In fact, rockers do not violate the trademarked ALR logo and are available from

Flag and Emblem Sales. Emblem also sells patches with custom embroidery on the field of the patch outside of the trademark area. Such rocker patches and lettering is outside the trademark image (below) and does not infringe on the mark itself. Rockers cannot encircle or touch the emblem of The American Legion Riders©.



This is the protected logo artwork, available at www.legion.org/emblem/download for use on websites, Facebook pages, and other social media under the direct control of the post or department. No other design is authorized as a logo of The American Legion Riders unless authorized by the National Adjutant. Surrounding text or lettering may not encircle or touch the emblem.



Examples of trademark infringement, unapproved logos, or improper display because they are different from the trademark. The words "American Legion Riders" are trademarked protected as is The American Legion logo itself. The third image has an improper (multicolored) background behind the mark.

Rockers and placement of patches are sensitive in some parts of the country and may often be misinterpreted. The decision to wear rockers (additional patches above and/or below the main patch) should be left to the local chapters and/or department ALR programs consistent with local preference and subject to final approval of the department executive committees. Many departments have developed standardizations for patch wear and rockers and have coordinated with Emblem Sales to help control patch sales within their boundaries. A growing number of programs have also dropped requirements for rockers or additional embroidery on the main patch (largely because of the high cost to their members).

4. "Support," "Volunteer," and/or "Honorary" Categories.

American Legion Rider "Supporter" status is a post or department determination granted only to those Legion Family members who go "beyond the call" to support the ALR program. Supporting, honorary, or volunteer categories are allowable—but only for current members of The American Legion, the The American Legion Auxiliary, or The Sons of The American Legion. At the discretion of the department or post the decision to provide them with limited voting privileges or other privileges, or an identifying "support" patch, is discretionary. Further, the departments and/or posts may decide to restrict any association with the American Legion Riders to motorcycle owners and operators only. Under no circumstances will non-Legion Family be offered the status of supporter, honorary member, or volunteer, since all of

these terms imply a form of membership not defined in The American Legion national constitution.

5. Special rules that apply to subsidiary programs of The American Legion.

The American Legion Riders programs, like The Sons of The American Legion detachments and squadrons, American Legion Baseball programs and all other programs that wear identifying marks and names are subject to Resolution No. 11, "*Rules and Regulations Governing Use of the Name and Emblems of The American Legion*," adopted by the National Executive Committee, May 4-5, 2005. The American Legion has no choice or room to maneuver in the area of trademark law, which requires "constant and continuous control" over all subsidiary programs wearing our trademarks and using our name.

All programs (subsidiaries) of a post of The American Legion must meet the following requirements:

1. **All officers, directors, trustees, etc. must be named by the post.** Elections for the Sons of The American Legion and The American Legion Riders, as examples, serve only to nominate the new slate of officers—whom are then named or installed by the post commander and/or the post executive committee. The post may remove and replace officers of subsidiary programs at will.
2. **All vacancies in the subsidiary program must be filled by the post.**
3. **The subsidiary program must report to the post no less frequently than monthly.** These reports must include financial reports, if appropriate to the program.
4. **The post treasurer or finance officer must be a signatory on all accounts.**
5. **All amendments to articles of incorporation or bylaws must be approved by the post.** If the current text of such documents has not been approved by the post, it too must be so approved.

All references to posts also apply to the various departments in the appropriate situations.

For further information regarding the rules of subsidiaries under American trademark law, refer to *The American Legion Name and Emblem Use and Protection Guide*, available from the national headquarters, or contact the National Judge Advocate at (317) 630-1224.