

**THE AMERICAN LEGION
DEPARTMENT OF PENNSYLVANIA
DEPARTMENT EXECUTIVE COMMITTEE
HOLIDAY INN, GRANTVILLE, PENNSYLVANIA
SEPTEMBER 11-12, 2021**

Resolution No. 1124

Submitted by: Michael Murphy
Department Commander

WHEREAS, The American Legion's charter is codified in 36 USC 21701 et seq and under this statutory code, The American Legion may: (a) establish and maintain offices to conduct its activities, (b) sue and be sued, (c) establish state, territorial and post organizations, and (d) have the exclusive right to use, manufacture and control the adopted organization emblems; and

WHEREAS, The American Legion, its state, territorial and post organizations have the exclusive rights to use the name "The American Legion" or "American Legion" (collectively "Name"); and

WHEREAS, The names, emblems, trademarks and copyrights of The American Legion comprise The American Legion intellectual property (collectively "Tradenames"); and

WHEREAS, The American Legion's Tradenames consists of assets requiring legal and financial protections through insurance coverage, and

WHEREAS, It is recommended that The American Legion's state, territorial and post organizations have their own protective insurance coverage; now, therefore, be it

RESOLVED, By The Department Executive Committee at its regular meeting assembled at Holiday Inn Grantville, September 11-12, 2021, That because The American Legion owns, controls, protects and defends The American Legion's Tradenames, this resolution is necessary to dictate protective standards over the Tradenames; and, be it further

RESOLVED, That The American Legion, Department of Pennsylvania via insurance policies, protect itself, and its Tradenames, from liability and subsequently strongly urges all Pennsylvania American Legion posts do the same; and, be it further

RESOLVED, That due to the need to protect The American Legion's Tradenames from liability, it shall be required forthwith that when any Pennsylvania American Legion department-chartered intermediate body, post or organization use The American Legion's Name or Tradenames and an insurance policy is obtained, the group utilizing this insurance policy shall specifically in the insurance policy hold The American Legion harmless and

named as an additional insured on any, and all, insurance policies; and, be it finally

RESOLVED, That The American Legion, Department of Pennsylvania's adjutant, or designee, has complete authority to independently investigate, confirm and report that any, and all, insurance policy(ies) purchased by an American Legion department-chartered intermediate body, post or organization shall specify that The American Legion, Department of Pennsylvania is held harmless and named as an additional insured on any, and all, insurance policies.

APPROVED REJECTED REFERRED CONSOLIDATED FILED