

## *Can Any Childbirth Educator Use the Lamaze Trademark?*

Nayna Campbell Philipsen, RN, PhD, JD, LCCE, FACCE

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*NAYNA PHILIPSEN is an attorney in Baltimore, Maryland, and Director of Education and Licensure for the Maryland Board of Nursing. She is also a health educator at St. Agnes Hospital in Baltimore.*

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### **Abstract**

A Lamaze Certified Childbirth Educator asks about the use of the name *Lamaze*, which is a licensed (trademark) name. A trademark is a mark of authenticity. It protects both the users and the consumers. Penalty for unauthorized use (e.g., by a childbirth educator who is not an LCCE) can be substantial.

*Journal of Perinatal Education*, 10(1), 48–49; *Lamaze*, trademark, childbirth educators.

### **Question**

I have noticed the “TM” symbol in the Lamaze International, Inc. name. Can childbirth teachers who are not certified by Lamaze International advertise that they teach Lamaze classes?

—a Lamaze Certified Childbirth Educator in Virginia

### **Answer**

No. The licensed marks, including the Lamaze name, the belly logo, and the Lamaze Certified Childbirth Educator (LCCE) certification seal, can only be used by licensed individuals or organizations.

If you are an LCCE and a member of Lamaze International, you can use all of the above as specified in the Lamaze licensing program policy. If you are a childbirth educator who is not a member of Lamaze International and not a Lamaze International certified LCCE, then you can use *none* of the above. If you are an LCCE but not a current member of Lamaze International, you cannot use the belly logo; however, you can use the name

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*[W]hen couples look for Lamaze classes, . . . they expect Lamaze teachers and services that have a certain quality and a certain philosophy.*

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Lamaze and the certification seal. And I urge you to join!

The Lamaze licensing program policies, along with detailed guidelines for using the Lamaze name and other Lamaze identifiers, are available from Lamaze International. They can also be found on the Lamaze International web page ([www.lamaze.org](http://www.lamaze.org)).

The penalty for misuse could be substantial. At most risk are those who should know better, such as professionals, and those who have the most to gain or lose financially, such as programs or institutions.

You might wonder: Why would Lamaze International license or trademark the name *Lamaze*? Many people think that trademarks are used to limit access to goods or services, or that only big, for-profit companies use them. That is not true. A trademark is a mark of authenticity. It is important to protect the reputation of Lamaze, the name recognition of Lamaze, and, most important of all, the quality of Lamaze childbirth education and Lamaze programs, Lamaze care, Lamaze services, and Lamaze goods. It is also important to minimize public confusion about “Lamaze.” This is part of promoting informed decision-making. These are the purposes of the trademark. The Lamaze trademark works to protect both consumers and professionals.

For example, when couples look for Lamaze classes, or when a health care practitioner refers expectant families to a Lamaze educator or other Lamaze resources, they expect Lamaze teachers and services that have a certain quality and a certain philosophy. Protecting the authenticity of the Lamaze name assures couples that they are getting that quality. It assures all professionals and consumers that they can rely on programs and products that are “Lamaze.”

Childbirth educator trainees are another group that clearly benefits from this protection. I have a colleague who wanted to become a Lamaze teacher and who recently attended a weekend training seminar that claimed to be “Lamaze.” Afterwards, my colleague told me that she was very disappointed in the seminar; it did not meet her needs or expectations. When she described the “training” that she had received, I asked a few more questions. I doubted that Lamaze International would ever turn out such an underprepared teacher. Imagine how my colleague felt when she learned that she had not attended a Lamaze training program. She had been misled by the unauthorized use of the Lamaze name. I was able to get the details of her program, and I reported this incident of abuse to Lamaze International.

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*We need to work together to protect the Lamaze name, logo, and seal.*

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Your question implies that you have a non-LCCE colleague who may describe herself as “Lamaze.” If this is the case, the first step I suggest for you to take is to get a copy of the Lamaze licensing program policy by calling Lamaze International at 1-800-368-4404 or logging on to their web site ([www.lamaze.org](http://www.lamaze.org)). Then, give a copy to your colleague. Invite her to join Lamaze International, take a training program or seminar, and get involved with the group that started Lamaze and promotes the Lamaze mission. We need to work together to protect the Lamaze name, logo, and seal. This is one effort each of us can make to assure the continuing quality of Lamaze and to protect the public consumers of our services.

**Note:** “Ask a Lawyer” answers are not official Lamaze International positions and are not intended to substitute for consulting with your own attorney. Nayna Philipsen welcomes your questions. Please send them to “Ask a Lawyer,” Lamaze International, 2025 M Street NW, Suite 800, Washington, DC 20036-3309 or via E-mail to [naynamom@aol.com](mailto:naynamom@aol.com).