

**SAP No. 09.02.99.T1 (Effective 6/1/2007)**

*Supplements* [System Policy 09.02](#)

## **Licensing and Use of University Names, Logos and Trademarks**

**Overview:** Licensing and Use of University Names, Logos, and Trademarks

Tarleton State University prohibits the use of any of its registered symbols, insignia, or other identifying marks without express written approval. For purposes of this SAP, this prohibition includes, but is not necessarily limited to, all registered marks to the University's name (past or present), abbreviations, symbols, emblems, logos, mascot, slogans, official insignia, uniforms, landmarks, or songs. Licenses will not be granted for the use of distinct marks on products that are not compatible with the image of the University as a major institution for education, research and public service.

The intent of this SAP is to ensure that the University retains the benefit and control of its trademarks. Any use of the University's trademarks for use in commerce is made with the express approval and consent of the University through a Collegiate Licensing Agreement, and only under circumstances benefiting the University, its students and personnel, or educational mission.

The University took action to have its trademarks registered to ensure the University's continuing control over their use. All products or services that feature University trademarks must be produced by licensed vendors.

### **APPROVED USAGE**

- a. The University's marks may be used for printing, advertising, or other public distribution by all University departments, recognized student organizations, the

Tarleton Alumni Association, and the Tarleton State University Foundation as long as its use is in support of the University's mission and is in accordance with publication guidelines developed by the Office of the Vice President for Institutional Advancement.

b. The University's marks may be used for commercial purposes by all University departments, recognized student organizations, the Tarleton Alumni Association, and the Tarleton State University Foundation as long as its use supports the University's mission and is in accordance with licensing/trademark guidelines developed by the Office of the Vice President for Finance & Administration.

c. The University prohibits the use of any of its marks in any form in connection with partisan political activity of any kind, and the endorsement, support, or promotion of political candidates or legislative initiatives.

d. The University prohibits the use of any of its marks in the name of a commercial business, in advertising commercial services, or on periodic commercial publications without a proper licensing agreement as administered by the Office of the Vice President for Finance & Administration.

e. The University prohibits the use of any of its marks by non-University entities in such a way that implies University ownership or endorsement.

#### ADMINISTRATION:

The President of Tarleton State University has delegated the authority to approve the use of University identifying marks for printing, advertising, or other public distribution to the Office of the Vice President for Institutional Advancement.

The President of Tarleton State University has delegated the authority to approve the use of University identifying marks for use in commerce to the Office of the Vice President for Finance & Administration. This office will:

- a. Register the University's marks with state, national and international governing bodies.
- b. Approve the use of the University's registered marks.
- c. Negotiate and consummate agreements for the commercial use of registered marks.
- d. Monitor sales reports and accounts for royalties paid by licensees for the use of the University's registered marks.
- e. Monitor the marketplace to control unlicensed use. (For purposes of this procedure, commercial shall be construed to include both for-profit and not-for-profit businesses.) Unlicensed vendors who sell goods bearing University registered marks will be required to obtain a license and pay royalties, or withdraw the goods from sale.
- f. Monitor use of vendors. If it is discovered that a University department or recognized student organization has utilized an unlicensed vendor, that group will be assessed the licensing fee.
- g. Develop and evaluate licensing/trademark guidelines beyond this Procedure for use by all University departments, recognized student organizations, the Tarleton Alumni Association, and the Tarleton State University Foundation.

## APPROVED USAGE:

a. Athletic conferences in which the University holds membership will be allowed to use all University registered marks associated with the athletic teams. There will be no payment of royalties when University registered marks are used in the media or on non-commercial promotional items that include registered marks of the conference and/or other member institutions.

b. The Affiliation Agreement between the University and the Tarleton Alumni Association grants the Association permission to use the University's name, logos, trademarks, seals and service marks for the expressed purpose of developing programs, materials and correspondence in support of the University and the Alumni Association.

If the Tarleton Alumni Association desires to sell Tarleton-identified products for financial gain, the Association must work through a University-approved licensed vendor, with the understanding that the vendor will pay associated royalties to the University in conjunction with the sale of those products (as per the University's license agreement with the vendor).

If the Tarleton Alumni Association desires to have products designed and produced for resale by a vendor not approved by the University, the company must execute a license agreement with the University prior to production of the desired goods. On a case by case basis, the University will make the determination if a company is exempt from paying royalties to the University in conjunction with products for sale by the Tarleton Alumni Association, if the sale of those items will financially support efforts of the University. This determination will be made by the Office of the Vice President for Finance and Administration.

In any regard, the company selected to produce goods for sale for the Tarleton Alumni Association must follow all elements of the license agreement as it relates to pre-approval of artwork prior to production.

c. University departments and recognized student organizations must:

- I. Seek advance written approval to use University marks on commercial products or service promotions.
  
- II. Have the design approved by the Office of the Vice President for Finance & Administration, from a licensing perspective, and by the Office of Publications & Graphic Design before production of the merchandise can proceed.
  
- III. Purchase the products from a currently licensed vendor.
  - a. When such products are sold as fundraisers to the general public, the licensed vendor will be required to make contracted royalty payments.
  
  - b. When such products are sold to the organization membership only, bear the name of the organization, and are not sold to a third-party, the sponsoring student organization may seek a royalty waiver from the Office of the Vice President for Finance & Administration on behalf of the licensed vendor producing the products. Any resulting income from such use is to be placed in the treasury account of the organization
  
  - d. The University prohibits the use of any of its marks in any form in connection with partisan political activity of any kind and the endorsement, support, or promotion of political candidates or legislative initiatives.
  
  - e. The University prohibits the use of any of its marks in the name of a commercial business, in advertising commercial services, or on periodic commercial publications.

- f. The University prohibits the use of any of its marks by non-University entities in such a way that implies University ownership or endorsement.

## SALES

Individuals who desire to sell merchandise on the Tarleton State University campus must have a formal contract with Tarleton State University for such sales. Contracts for sales must be initiated through the Office of the Vice President for Finance & Administration.

- a. Any merchandise offered for sale to the public that carries a licensed mark for Tarleton State University must be pre-approved by the Office of the Vice President for Finance & Administration.
- b. Any merchandise offered for sale to the public by a department or organization must have been acquired in accordance with University purchasing guidelines.
- c. Merchandise offered for sale must be in agreement with contracts the University might have with various corporations, e.g., bookstore operations contractor.

**Contact Office:** Office of the Vice President for Finance & Administration