



POLICY MANUAL

OPERATING POLICIES AND PROCEDURES

Number 510

Subject: Trademark Licensing

Effective Date: February 28, 2000

510.1 POLICY

All Utah State University trademarks are the exclusive property of USU and are protected by trademark registration with the State of Utah. Regulation of all uses of USU marks is essential to protect the University from liability and to protect against dilution of the marks. Utah State University authorization is required for all trademark uses.

The licensing program generates royalty revenues from the sale of licensed goods. Royalty revenues benefit the educational goals of the University by providing scholarships to deserving students.

1.1 Identifying Marks

Utah State University has created and maintains a comprehensive list of trademarks. The University's primary trademarks include the verbiage and wordmark "Utah State University," the University seal, and standing rendition of the "Big Blue" mascot. Secondary trademarks include the verbiage "Aggies," "U-State," "Big Blue," the initials "USU," the block letter "A," renderings of Old Main tower, various renditions of the "Big Blue" mascot, and any other design, drawing, seal, word, or phrase associated with the school as approved by the Licensing Policy Board.

1.2 Licensable Merchandise

Merchandise such as t-shirts, sweatshirts, mugs, uniforms, and other similar items that are produced with Utah State University's name and mark is considered licensable and is subject to the University's Trademark Licensing Policies & Procedures.

1.3 Trademark Applications

The verbiage "Utah State University" is the official designation for the University. As such, the primary wordmark is the symbol that represents the University in printed and other visual materials. The University seal is used as appropriate for diplomas, certificates, medallions, and similar items. The primary mascot logo is often used for student and sports applications including media presentations. Primary trademarks may be used on licensable merchandise as appropriate.

The University's secondary marks are created and maintained for team identification and use on licensable merchandise. Secondary marks may be used on printed materials with approval from Public Relations & Marketing. They are not to be used for media or institutional identity purposes.

1.4 Royalties

Trademark approval must be filed with the University Public Relations & Marketing Office prior to the production of licensable merchandise.

If merchandise utilizing a University trademark is produced for profit or fundraising (i.e., merchandise is sold for more than its wholesale cost), it must be licensed and a royalty charged to the licensed vendor. A royalty charge is applied to merchandise produced for University fundraising activities including scholarship fundraising.

Merchandise produced for profit or fundraising must be purchased from a licensed vendor.

1.5 Royalty Exclusions

If licensable merchandise is produced solely to identify or enhance the image of a Utah State University office or student organization and is not produced for profit or fundraising, no royalty is charged to the office/organization or licensed vendor. If merchandise is resold, it must be sold at or below the wholesale purchase price (without markup) to avoid royalty charges.

Even when royalties are excluded, University offices and student organizations may only use licensed vendors when purchasing licensable merchandise.

A Direct Trademark Approval form stating the purpose, cost, and quantity of the merchandise produced must be filed with the University Public Relations & Marketing Office. Design/artwork approval must also be obtained.

1.6 Trademark Usage with Marks of other Organizations

Protected Utah State University marks cannot be used in conjunction with any other mark unless written permission is obtained from the owners of the respective marks. Utah State University cannot authorize the use of marks of any other organization.

1.7 License Requirements, Fees, and Royalty Rates

All manufacturers or vendors that produce licensable merchandise must obtain a License Agreement. A one-time nonrefundable \$50 application fee is due with the submission of application materials. Sales are subject to a 7.5% royalty.