1. Introduction
Utah State University (“USU”) has a significant interest in maintaining, promoting, and expanding its brand, reputation, and goodwill as a top academic institution. The purpose of this University Trademarks Policy is to set forth the operating framework where the USU brand, goodwill, and reputation are responsibly and uniformly maintained and promoted.

2. Definitions
2.1. Trademark means a word, phrase, symbol, design, or a combination thereof that identifies and distinguishes the source of the goods or services of one party from those of others.
2.2. USU Trademarks means the Trademarks owned by USU, whether registered or unregistered, including all Trademarks associated with USU academic colleges and departments, USU programs and events, USU athletics, or other USU goods or services.

3. Trademarks
3.1. Trademark Ownership and Protection. USU retains sole ownership and control of USU Trademarks. Any unauthorized use of USU Trademarks by USU employees, students, or third parties is prohibited.
3.2. Trademark Development. Trademarks developed by USU employees that are associated with goods or services provided by USU are considered “commissioned works” under the Intellectual Property Policy (Policy 587). As such, related revenues associated with such USU Trademarks are retained by USU. Trademarks developed by USU employees or students that are associated with Technology Transfer (as defined in Policy 587) (e.g., the brand name of an invention, process, or related spin-out company) shall be governed by Policy 587.

The use of USU Trademarks in conjunction with marketing communications must comply with the USU Visual Identity Program, which was established to ensure the proper use of USU Trademarks in USU’s communication efforts. The Visual Identity Program, which is
updated from time to time, is available for download at USU’s Public Relations and Marketing website and describes the use of USU Trademarks along with the official USU color palette, typography, stationery system, and approval process for all USU marketing communications.

5. Use of USU Trademarks
5.1. Prohibited Use. USU prohibits the use of USU trademarks in the promotion of weapons, alcoholic beverages, tobacco products, "recreational" drugs, or drug-related paraphernalia. USU reserves the right to prohibit other uses it deems inappropriate or inconsistent with USU’s image and mission.

5.2. Internal Use. All internal institutional use of USU Trademarks (e.g., print or electronic marketing materials, websites, etc.) must comply with the USU Visual Identity Program. The production of internal-use, non-commercial goods displaying USU Trademarks (e.g., department uniforms, promotional items, etc.) is permissible, provided that the internal unit desiring the goods obtains preapproval from the Office of Public Relations and Marketing for the following: (i) the good’s design (to ensure compliance with the USU Visual Identity Program) and (ii) the good’s producer (to ensure that USU maintains control of USU Trademarks).

5.3. Student Use. Any use of USU Trademarks by students or student organizations must comply with the USU Visual Identity Program and must be preapproved by the Office of Public Relations and Marketing. Students are prohibited from using USU Trademarks for any commercial or non-preapproved use.

5.4. External Use. Any unlicensed use of USU Trademarks by an external party is prohibited. Under certain conditions, USU licenses rights to USU Trademarks to external parties (e.g., rights to produce and sell branded goods or rights to use a USU Trademark to market intellectual property associated with a technology transfer license). A license to an external party to use USU Trademarks must be in writing and executed by a USU employee with delegated signatory authority. Such licenses must include terms that (i) confirm USU’s ownership rights in the USU Trademarks; (ii) ensure that goods or services associated with the USU Trademarks are of high quality; (iii) preserve and enhance USU’s goodwill associated with the USU Trademarks; (iv) in the case of licenses relating to branded goods, ensure that such goods are produced by a USU approved vendor; (v) ensure that USU receives adequate consideration for an external party’s use of USU Trademarks; and (vi) control external party use of USU Trademarks so as to avoid source confusion of associated goods or services.

5.5. Infringement. USU reserves the right to legally enforce its rights, title, and interest in USU Trademarks against any third-party infringer.

6. Responsibilities
6.1. **Administration.** The President’s Office is responsible for the administration of USU Trademarks, with specific responsibilities delegated as follows: Office of Public Relations and Marketing – visual identity management, merchandising, and protection of USU Trademarks; Office of General Counsel – protection of USU Trademarks; and Technology Transfer Services (under the direction of the Vice President for Research) – licensing of USU Trademarks associated with Technology Transfer.

6.2. **Employees.** Each USU employee is responsible for personally complying with applicable law, this policy, and all other applicable USU policies.

6.3. **Students.** Each student is responsible for personally complying with applicable law, the Student Code of Conduct, this policy, and all other applicable USU policies.