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2 Trademark Management

3 Effective: February 12, 1996

4 Reviewed and Updated: June 12, 2018

5 Contact: [Trademark Licensing Office](#)

6 Introduction

7 Iowa State University benefits from public recognition of its identifying marks, including words,
8 names, symbols, designs and any combination thereof. If properly used and managed, these Marks
9 give a unifying look, which is critical to establishing a visual presence within the world of university
10 communities. This look becomes identified with the quality of Iowa State's programs, products and
11 services and distinguishes its programs from other universities.

12 With students, alumni, and friends of Iowa State residing around the world, a demand exists for the
13 use of the university's Marks. Although a desire to associate with the university may come from a
14 genuine spirit of support, it is in the university's best interest to protect and control the use of the
15 Marks.

16 Federal, state, and common laws govern the university's rights to its Marks. These laws place an
17 obligation on the university to control its Marks to avoid misrepresentation of the university's
18 relationship to a product or service. Without proper control, the university risks losing its exclusive
19 rights to its Marks. Licensing others to use the Marks and monitoring their use provides the needed
20 control.

21 The Trademark Licensing Office (Trademark Licensing) manages the university's marks. The term
22 university includes the university, its affiliated organizations, and organizations formally recognized
23 by the university. Trademark Licensing may engage a licensing agency to assist in aspects of the
24 administration and marketing of the marks.

25 This policy sets forth the basis of Trademark Licensing's management of the university's marks. The
26 goals of this policy are to:

27 The five main goals of this management policy are to:

- 28 • Promote and protect Iowa State University through implementation of a management system,
29 which establishes the means for consistent, favorable, and professional use of the Marks;
- 30 • Fulfill the legal obligation to protect the Marks;
- 31 • Protect the consumer from deception or from faulty or inferior products and services bearing the
32 university's Marks;
- 33 • Provide fair and equitable treatment of all licensees; and
- 34 • Realize and distribute earned royalties and other revenues for the benefit of the university.

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36 **Policy Statement**

37 **Management**

38 Legal protection and enforcement of the university's rights in the Marks is under Trademark
39 Licensing's management with, if applicable, certain responsibilities delegated a contracted licensing
40 agency.

41 **External use**

42 External use of the Marks by external entities is managed by Trademark Licensing with, if applicable,
43 certain responsibilities delegated to a contracted licensing agency under the following principles:

44 **Licensing is required for all non-university users.**

45 The Marks must be licensed to the user and the use approved by Trademark Licensing, except
46 when the use is:

- 47 • By the news media for news reporting;
- 48 • By an artist in an original work of art which will not be reproduced; or
- 49 • A congratulatory or supportive advertising message using the university's names but not its
50 logos and symbols. For example, "Go Cyclones" or "Welcome Back ISU Students" are
51 supportive types of messages.

52 Suppliers of products to the university bearing any Mark must be licensed except when Marks are
53 used on the following products:

- 54 • Printed publications and advertising for purposes of institutional and event promotion; and
- 55 • Printed supplies, not for resale.

56 **Royalties are collected for non-university and/or commercial uses.**

57 A royalty exemption (but not a license exemption) may be requested from Trademark Licensing for:

- 58 • A product purchased by the university or a university recognized support group such as
59 professional associations, employee organizations, athletic, cultural, and other interest groups
60 for internal consumption or for sale at cost to their members. Promotional products given away
61 by these groups are considered products for internal consumption. If the group has excess
62 product after consumption or sale within its group, it cannot be sold to non-members, but can be
63 given away to non-members.
- 64 • Advertising rights to use the Marks as granted in corporate sponsor agreements.

65 **Licenses are generally non-exclusive.**

66 Licenses are generally non-exclusive except for special programs initiated by the university.

67 The university's *Licensing Program Guidelines for the Use of Iowa State University Marks* provides
68 the management details (see Resources below).

69 **Internal use**

70 The decision by an internal university entity to use marks is made by university executive officers,
71 including the president, senior vice presidents and provost, vice presidents, vice provosts, deans,
72 directors, and affiliated organization directors as applicable, and use of the marks is managed by
73 Trademark Licensing.

74 • All internal uses of the marks require a license. This includes products created by a university
75 unit for use as a giveaway or for resale. However, internal uses of the marks which fall within the
76 ordinary business of the university may be exempt from licensing requirements. This includes
77 educational and scholarly materials owned and printed publications and advertising distributed
78 by the university for purposes of institutional and event promotion.

79 • Royalties may be waived for all internal uses except fundraising or resale.

80 The *Guidelines for the Internal Use of Iowa State University's Marks* and the *Guidelines for*
81 *University Trademark Use by Student and Campus Organizations* provide the management details
82 (see Resources below).

83 **Trademark Marketing Advisory Committee**

84 The university president appoints a Trademark Advisory Committee to advise Trademark Licensing
85 regarding university marks. The advisory committee consists of a broad representation of university
86 stakeholders. The advisory committee is tasked with advising Trademark Licensing regarding
87 university marks. The advisory committee members also serve as trademark ambassadors on behalf
88 of the university's marks within the university community.

89 **Distribution of Revenues**

90 Net revenues are distributed to university units under a policy determined by the university president.
91 Distribution is approved by the University Counsel.

92 **Resources**

93 **Links**

- 94 • [Trademark Licensing Office](#)
- 95 • [Trademark Advisory Committee](#)
- 96 • [Licensing Program Guidelines for the Use of Iowa State University Marks](#)
- 97 • [Guidelines for the Internal Use of Iowa State University's Marks](#)
- 98 • [Guidelines for University Trademark Use by Student and Campus Organizations](#)

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