

**~~RUTGERS POLICY~~ UNIVERSITY POLICY**

Section: ~~80.1.2~~

Section Title: ~~University Communications and Marketing~~

Policy Name: ~~Rutgers University Trademark Licensing Policy~~

Formerly Book: ~~N/A~~

Approval Authority: ~~Vice President for University Communications and Marketing~~

Responsible Executive: ~~Vice President for University Communications and Marketing~~

Responsible Office: ~~Office of Trademark Licensing~~

Originally Issued: ~~12/11/09~~

**Revisions:** 11/30/2011; 11/6/2013 (Updated titles and department name)

<b><u>Policy Name:</u></b>	Rutgers University Trademark Management and Licensing Policy				
<b><u>Section #:</u></b>	80.1.2	<b><u>Section Title:</u></b>	University Communications and Marketing: University Communications and Marketing Policies	<b><u>Formerly Book:</u></b>	N/A
<b><u>Approval Authority:</u></b>	Vice President for University Communications and Marketing		<b><u>Adopted:</u></b>	12/11/2009	<b><u>Reviewed:</u></b> 07/21/2020
<b><u>Responsible Executive:</u></b>	Vice President for University Communications and Marketing		<b><u>Revised:</u></b>	11/30/2011; 11/06/2013 (Updated department name and titles); 07/21/2020	
<b><u>Responsible Office:</u></b>	Office of Trademark Licensing, University Brand and Marketing		<b><u>Contact:</u></b>	Vice President for University Communications and Marketing: (848) 932-1769 or mailto:vpforucm@rutgers.edu  Office of Trademark Licensing (848) 932-0586	

**1. Policy Statement**

The purpose of this policy is to provide guidance on the permissible use, as well as restrictions on the use, of the University's ~~name and marks~~ trademarks, and to clarify responsibility for granting permission and licenses required. ~~Any individual, organization or company wishing to use Rutgers' name or marks must be licensed and shall be regulated by the University's Office of Trademark Licensing. Rutgers' trademarks include the name of the University and, the symbols within the University's visual identity system.~~ Visual Identity System, which includes the Rutgers logotype and, all

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signature logotypes, and the intercollegiate athletics logos, and as well as all other identifying marks of the University.

Any external individual, organization, or company wishing to use Rutgers' name or marks, including on merchandise, publicity, advertising, or marketing materials, must obtain written approval from the University. Internal Rutgers individuals and units are permitted to use Rutgers' trademarks and symbols to conduct University business and within the guidelines provided by the Rutgers Visual Identity System.

Any internal or external individual, organization, or company wishing to reproduce Rutgers' name or marks on branded apparel, uniforms, promotional items, and merchandise must use an entity licensed by the University through the Office of Trademark Licensing within the University Brand and Marketing unit of the Department of University Communications and Marketing. The use of a University licensed vendor is not required for printed paper materials, University signs, stationery, University websites, or digital communications.

## 2. Reason for Policy

The primary purpose of this policy is to protect the integrity of Rutgers University's name, brand, and identifying marks. ~~The trademark management and~~ licensing program exists to protect Rutgers' name and reputation as reflected in the trademarks and service marks of the University, to ensure the correct use of Rutgers' trademarks and service marks, to prevent illegal or inappropriate uses of Rutgers' trademarks and service marks, and to protect the University from liability risk with regard to the use of its trademarks. ~~The licensing program ensures that products bearing Rutgers' marks~~ trademarks are of good quality and that each licensed use reflects positively on the University.

## 3. Who Should Read This Policy

All University employees, particularly department heads, ~~and business office managers,~~ and administrators, communications and marketing personnel, and student group advisers as well as student and alumni leaders. ~~All companies~~ All internal and external entities that wish to, or currently sell or manufacture, use Rutgers' name or ~~seek~~ trademarks to sell or ~~manufacture~~ manufacturer materials that bear Rutgers' name and/or marks.

## 4. Related Documents ~~Resources~~

~~— Acceptable Use Policy for Computing and Information Technology Resources:~~  
~~<http://oit.rutgers.edu/acceptable-use.html>~~

~~— Trademark Licensing & Promotional Items Overview: <http://ur.rutgers.edu/trademark-licensing/overview>~~

~~— Rutgers Visual Identity website: <http://identity.rutgers.edu/>~~

~~— University Web Policy: <http://ur.rutgers.edu/web-ecommerce/university-web-policy>~~

~~— Visual Identity Web Standards: <http://identity.rutgers.edu/ontheweb.shtml>~~

a. ~~University Policy 80.1.5: University Rutgers-Visual Identity Policy 80.1.5~~

b. ~~and g~~ Visual Identity System: Guidelines for Use: ~~<https://communications.rutgers.edu/identity>~~

f. ~~University Policy 80.1.4: Endorsements, Sponsorships, and Advertising in and on University Assets and Communications Materials~~ Communication Materials:  
~~[https://policies.rutgers.edu/sites/policies/files/80.1.4%20-%20current\\_0.pdf](https://policies.rutgers.edu/sites/policies/files/80.1.4%20-%20current_0.pdf)~~

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## 5. Definitions ~~Contacts~~

Office of Trademark Licensing: [trademark@ur.rutgers.edu](mailto:trademark@ur.rutgers.edu)

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~~n/848-445-1951 or 848-445-1924~~

~~a. Office of Technology Commercialization: <http://otc.rutgers.edu/>~~

~~, University Brand and Marketing: [trademark@ucm.rutgers.edu](mailto:trademark@ucm.rutgers.edu), 848-932-0115/0586~~

## 6. The Policy

### ~~80.1.2~~ RUTGERS UNIVERSITY TRADEMARK MANAGEMENT AND LICENSING POLICY

#### I. ~~————~~ The Trademark Management and Licensing Program

- A. The Office of Trademark Licensing within the University Brand and Marketing unit of the Department of University Communications and Marketing ~~regulates~~ manages the registration and use of the University's trademarks and service marks, both internally and externally. ~~The,~~ except as provided in Section I.B below.
- B. Rutgers Office of Trademark Licensing is also responsible for ~~Research and Economic Development~~ manages the administration ~~registration and use of all Trademark License Agreements and all federal and state trademark and service mark registrations.~~ trademarks that relate to products or services resulting from the University's research activities or that are related to any University patents ("ORED Trademarks").
- C. Rutgers' trademarks include, but are not limited to, the name of the University, the elements of the University's visual identity system ~~Visual Identity System~~, the intercollegiate athletics logos, and all other identifying marks of the ~~university.~~ University. The Office of Trademark Licensing maintains the official inventory of the official University marks ~~trademarks~~, approves and registers new ~~marks~~ trademarks, maintains a list of licensees authorized to manufacture and distribute goods bearing the name and/or ~~marks~~ trademarks of the University, ~~and maintains a compliance program.~~
- D. No one within the University ~~schools, departments, and,~~ at affiliated organizations, or outside the University may assign, sublicense, or modify the name Rutgers, Rutgers University, or, Rutgers, The State University of New Jersey, or any ~~mark~~ trademarks of the University. ~~The without written approval from the Office of Trademark Licensing regulates all products and materials that bear the names and marks of the University that are produced for anyone within or outside the University.~~
- E. All apparel, promotional items, and merchandise bearing Rutgers' name and/or trademarks must be ordered from a vendor who has entered into a Trademark Licensing Agreement with the University. ~~This includes all for-sale items and not-for-sale promotional items, excluding University departmental uniforms and signage.~~ Approval to ~~The use of a University name, trademark, or service mark~~ licensed vendor is not required for a one-time application only (for example, a t-shirt), does not constitute approval to use the trademark again, or signage and paper printed materials. However, signs and paper printed materials must be produced in connection ~~accordance with any other item, or to change the design in any way, without seeking additional approval~~ the Rutgers Visual Identity System.
- F. Any requests for use of the trademarks of the University for corporate or product ~~endorsements~~ partnerships or other non-University uses of Rutgers' trademarks must be referred for review and approval to the Office of Trademark Licensing ~~for review and approval~~ within the University Brand and Marketing unit of the Department of University Communications and Marketing.

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## II. Registering University Marks

- A. All federal and state trademark and service mark registrations ~~that are not related to University patents~~ ORED Trademarks must be approved and overseen by the Office of Trademark Licensing. ~~All patent-related federal and state trademark registrations are~~ The registration of all ORED Trademarks is the responsibility of the Office of Technology Commercialization, Research and Economic Development.
- B. No one may register or authorize the international, federal, or state registration of any ~~trademark~~ or service mark of the University without the prior written permission of the Office of Trademark Licensing, ~~which oversees all registrations,~~ or the Office of Research and Economic Development, as applicable. This requirement applies to both the trademarks of the University as a whole, its constituent parts, and to all other Rutgers-related trademarks and program-related marks; ~~except patent.~~ Patent-related marks are managed by the Office of Research and Economic Development.
- C. Costs related to the registration, maintenance, and protection of an official institutional or primary trademark will be the responsibility the Office of Trademark Licensing. Costs related to other marks, including unit-level and programmatic marks, may be of the responsibility of the requesting department, unit, or entity. For additional information, contact the Office of Trademark Licensing.

## III. ~~\_\_\_\_\_~~ Licensing and Royalties

~~A.~~ A. All vendors and manufacturers of merchandise bearing Rutgers' name and/or ~~marks~~ trademarks must be licensed by the University through the Office of Trademark Licensing. ~~Licensed vendors will pay a royalty to or its approved licensing agent. Per the University on all for-sale items, excluding items sold for fundraising purposes by student organizations. The Vice President for University Communications and Marketing will set terms of the royalty rates. Not for-sale promotional items, including items used for fundraising purposes, produced for University administrative and academic units and student organizations will not be royalty bearing.~~ licensing agreement, licensed vendors are required to submit all artwork for approval prior to production and to pay royalties. The University requires that Rutgers-branded items be purchased from licensed vendors to:

~~B.~~ \_\_\_\_\_

- Protect Rutgers from liability and reputational risks.
- Ensure Rutgers' name and logos are properly used.
- Require fair labor and corporate responsibility standards.
- Ensure requirements and policies of the University are followed.

~~A.B.~~ \_\_\_\_\_ Royalty revenues earned from ~~the sale of merchandise bearing the marks~~ trademarks of the University will be used to ~~support~~ cover the costs associated with registering and protecting official institutional and primary marks, licensee management, the operations of the Office of Trademark Licensing plus, and University initiatives approved by the Vice President for University Communications and Marketing. ~~IV.~~ **Pate**

~~B.C.~~ \_\_\_\_\_ Licensing and royalties related to all ORED Trademarks are managed by the Office of Research and Economic Development.

D. Only licensees with the proper rights may sell Rutgers-branded merchandise.

## IV. ~~\_\_\_\_\_~~ Partners Outside of the University

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A.—A. Research and Corporate Partners: In order to use any Rutgers-owned trademarks, including ORED Trademarks, research and corporate partners must have current fully executed legal agreements in place that outline the terms and conditions of use, including use for co-branded marketing and promotions or use on branded merchandise. These agreements, or related language in a larger service agreement, must be preapproved in coordination with the Office of Research and Economic Development and the Department of University Communications and Marketing.

B. Clinical Partners: In order to use the Rutgers name and/or any Rutgers-owned trademarks or images, clinical partners must have current fully executed legal agreements in place that outline the terms and conditions for branded and/or co-branded marketing and promotions or use on branded merchandise. These agreements, or related language in a larger service agreement, must be preapproved in coordination with the Vice Chancellor, Marketing Communications for Rutgers Biomedical and Health Sciences (RBHS) and the department of University Communications and Marketing. Any co-branded merchandise bearing the Rutgers name is subject to the same review and licensed production requirements stated in this policy. Clinical partners may have additional approval requirements.

—Informal Partners: Informal partners are entities without current fully executed legal agreements drafted and reviewed by the Rutgers Office of General Counsel. Informal partners may not use Rutgers' trademarks or name without written permission from University Brand and Marketing within the Department of University Communications and Marketing.

C.

V. A. — Only campus, student, and alumni organizations that are officially recognized by the University may use the trademarks of the University. This includes but is not limited to student organizations, club sports, and alumni organizations. All organizations must obtain permission from the Office of Trademark Licensing prior to the use of the marks, including on websites and branded merchandise. Branded merchandise must be purchased from a licensed vendor, including merchandise obtained for not-for-sale promotional purposes and for-sale fundraising purposes.

B. — Periodically, student and campus organizations as well as alumni organizations obtain funding from corporate and other outside entities to support fundraising efforts. Organizations may acknowledge the support of these corporate and outside entities provided there is no corporate logo usage or mention of their products or services. Acknowledgements are not to promote or endorse the sponsor and should reflect the integrity of the University's reputation and image.

## VI. — Promotional Material and Funding Acknowledgments

A. — Promotional material that identifies the University or some unit of the University as a customer or client**Endorsements and Service Acknowledgments**

Rutgers entities and employees are prohibited by University policy, and in some instances by law, from all explicit and implied endorsements of vendors, products, and services. Promotional materials that identify the name of the University or one of its subunits, or use a University trademark, may only consist of accurate, neutral, factual statements that describe a fact but do not give an opinion or qualitative statement concerning the quality of a product or service. Promotional material that gives an opinion about the quality of a product or service is only permissible when done by an individual in his or her personal capacity, and may NOT be done**Refer to University Policy 80.1.4.; Endorsements, Sponsorships, and Advertising in and on behalf of a University school,**

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department, or other unit. All promotional material that identifies the University or some unit of the University as a customer or client must be approved in advance by the Office of Trademark Licensing.

B. Periodically, University departments and schools as well as University organizations obtain funding from corporate and other outside entities to support fundraising efforts and wish to acknowledge such support. Acknowledgements of support are not to promote or endorse the sponsor and should reflect the integrity of the University's reputation and image. Acknowledgements may not include corporate logos or mention of corporate products or services or links to corporate/vendor websites. Assets and Communication Materials for more details.

VI. \_\_\_\_\_

## **VII. Approval Process**

A. All University units, including schools, departments, student organizations, administrative units, and alumni groups, who plan to purchase Rutgers-branded promotional or for-sale products from a vendor or manufacturer are required to obtain prior written approval from the Office of Trademark Licensing to assure that the vendor or manufacturer is licensed under the Trademark Licensing Program.

B. Requests for approval should be made through the Office of Trademark Licensing website online form or by email to the Office of Trademark Licensing at [trademark@ur.rutgers.edu](mailto:trademark@ur.rutgers.edu) and should include the department or organization name, the name of the requestor, the product to be ordered, the quantity to be ordered, the date the product is needed, all artwork to be placed on the product, and the name, number, and address of the vendor from whom the product is to be ordered. Also include the purpose/event for which the product is being ordered, the start and end date of the event, whether the product is being sold or is a give-away, and if the product is being sold, where the proceeds from the sale of the product(s) will be directed. The approval process may take up to ten working days.

## **VIII. Antidiscrimination**

**Rutgers' trademarks may not be used in any way** The Office of Trademark Licensing approves all designs for branded merchandise, promotional items, and displays that use Rutgers' trademarks. For more information, including contacts and how to obtain usage approval, visit: <https://communications.rutgers.edu/brand-policies/trademark-licensing>.

## **VII. Prohibited Uses of University Marks**

A. Rutgers does not license or use Rutgers' name or trademarks in connection with products, services, programs, images, or activities that may harm the reputation of the University or are inconsistent with the University's mission and values. Prohibited uses of Rutgers' name and trademarks include, but are not limited to, the following:

- Any use that discriminates or implies discrimination against any persons or groups based on age, ancestry, belief, color, creed, disability, national origin, race, religion, sex, sexual orientation, or veteran status, or in any other way that **would be a violation of** conflicts with University standards or violate Rutgers' **antidiscrimination** policies or practices;

## **IX. Prohibited Uses of University Marks**

A. **The Trademark Licensing website maintains a current list of prohibited items. The**

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~~lists below are for guidance and not exhaustive; other items may also be prohibited. As a general rule:~~

- ~~1. Food items and toys require special permission from the trademark licensing office.~~
- ~~2. Designs and artwork that incorporate the University marks on certain products will not be approved.~~
- ~~3. The use of names of organizations or businesses in conjunction with Rutgers' trademarks on merchandise or websites is subject to the approval of Trademark Licensing. Additionally, the University Web Policy and the Visual Identity Web Standards provide guidance in the use of the University name and logos on University websites.~~

~~B. Rutgers will not approve nor license the use of Rutgers name or marks in connection with products including but not limited to the following:~~

- ~~• Products that are inherently dangerous or present an unacceptable risk of liability, including knives, firearms, weapons, and explosives, and fuels;~~
- ~~• Alcohol-related products;~~
- ~~• Illegal use of alcohol or alcohol-related products.  
The use of the Rutgers name or trademarks with any alcohol-related product, activity, or event is discouraged. In instances where alcohol-related activities and events do include the Rutgers name or trademarks, a safe and responsible drinking message must be included and approval from the Office of Trademark Licensing is required;~~
- ~~• Tobacco-related products;~~
- ~~• Illegal drug-related products, services, activities, and events;~~
- ~~• Products that present an unacceptable risk of liability; and~~
- ~~• Products that are harmful to the mission or image of the institution.~~

~~C. Food and beverage products and accompanying packaging will be allowed on a case-by-case basis by the Office of Trademark Licensing and with its prior written permission.~~

~~D. Artwork or, activities, images, and designs that incorporate the name and/or marks of the are deemed by the University with the following will not be approved:~~

- ~~• Alcohol;~~
- ~~• Illegal drugs;~~
- ~~• Tobacco products;~~
- ~~• Firearms or other weapons;~~

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- ~~Racist~~ racist, sexist, hateful, or ~~demeaning~~, or use degrading language or statements;
  - ~~Profanity~~;
  - ~~Sexual acts~~; and
  - ~~Statements~~ Products, images, or designs deemed to include or imply profane language or lewd sexual acts;
  - Products or statements impugning the University.
    - ~~E. Designs that incorporate trademarks or copyrights not owned by the University~~
- B. If the University deems, in its sole discretion, that a licensee is found violating any of these prohibitions the related license will be terminated.
- C. Food and beverage products and accompanying packaging may incur undue risks to the University and its constituents. Therefore, these items are not permissible, unless without prior written permission from the Office of Trademark Licensing within the University Brand and Marketing unit.
- D. Rutgers' trademarks cannot be used in conjunction with any other mark without expressed written permission is received from the trademark or copyright owner and from the Office of Trademark Licensing, as well as the written permission of the owners of any involved external trademarks.

#### **F.VIII. Exceptions to the aforementioned prohibited uses**

Exemptions to this policy are rare, but may be considered with the proper supporting justifications on a case-by-case basis by submitting a request in writing to the Office of the Vice President for University Communications and Marketing. Such requests will only be considered if submitted by a University Vice President, Chancellor, or ~~Cabinet member and~~ other senior University administrator. Requests for exceptions must:

1. Define the conditions under which the name of the ~~university~~University, unit of the ~~university~~University, and/or ~~university~~University marks will be used.
2. Define the ~~Identify any potential~~ compensations to be paid to the ~~university~~University or ~~others~~ for such use.
3. ~~Identify all the links to nonuniversity webpages.~~
3. Include an assessment of the benefits and risks of the proposed use of the University's marks, including steps that have been taken to mitigate risks.
4. Define the duration of the requested exception.

The Vice President for University Communications and Marketing will consult with appropriate ~~members of the U~~University leadership, which may include the Senior Vice President and General Counsel ~~and~~, the Senior Vice President for Finance ~~External Affairs~~, and ~~Treasurer~~ the Senior Vice President and Chief ~~for~~ Enterprise Risk Management, Ethics, and Compliance Officer, to determine whether to ~~advance the~~ approve or deny a request for an exception.

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## IX. Trademark Protection

Rutgers' trademarks are important assets of the University. The Office of Trademark Licensing within the University Brand and Marketing unit of the Department of University Communications and Marketing is charged with protecting these marks and monitoring their use. Any non-sanctioned or inappropriate use of a University trademark should be reported to the University President. Only those requests for exception that are supported Office of Trademark Licensing. The office is required to investigate infringements and to take appropriate steps to rectify the matter to maintain the uses and protections provided by our trademark registrations and to ensure the ongoing integrity of University President will be granted marks.

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