



RUTGERS 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

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Errors or changes? vpforur@rutgers.edu Vice President for University Communications and Marketing:
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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, 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 University's visual identity system, which includes the logotype and all signature logotypes, the intercollegiate athletics logos, and all other identifying marks of the University.

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 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 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, and student group advisers as well as student and alumni leaders. All companies that currently sell or manufacturer or seek to sell or manufacture materials that bear Rutgers' name and/or marks.

4. **Related Documents**

- a. Acceptable Use Policy for Computing and Information Technology Resources: <http://oit.rutgers.edu/acceptable-use.html>
- b. Trademark Licensing & Promotional Items Overview: <http://ur.rutgers.edu/trademark-licensing/overview>
- c. Rutgers Visual Identity website: <http://identity.rutgers.edu/>
- d. University Web Policy: <http://ur.rutgers.edu/web-ecommerce/university-web-policy>
- e. Visual Identity Web Standards: <http://identity.rutgers.edu/ontheweb.shtml>
- f. Policy 80.1.4, Endorsements, Sponsorships, and Advertising in and on University Assets and Communications Materials

5. **Contacts**

- a. Office of Trademark Licensing: trademark@ur.rutgers.edu
848-445-1951 or 848-445-1921
- b. Office of Technology Commercialization: <http://otc.rutgers.edu/>
848-932-0115

6. **The Policy**

80.1.2 RUTGERS UNIVERSITY TRADEMARK LICENSING POLICY

I. **The Trademark Licensing Program**

- A. The Office of Trademark Licensing within the Department of University Communications and Marketing regulates the use of the University's trademarks and service marks, both internally and externally. The Office of Trademark Licensing is also responsible for the administration of all Trademark License Agreements and all federal and state trademark and service mark registrations.
 - Rutgers' trademarks include but are not limited to the name of the University, the University's visual identity system, the intercollegiate athletics logos, and all other identifying marks of the university. The Office of Trademark Licensing maintains the official inventory of the University marks, approves and registers new marks, maintains a list of licensees authorized to manufacture and distribute goods bearing the name and/or marks of the University, and maintains a compliance program.
- B. No one within the University schools, departments, and 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 marks of the University. 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.
- C. All 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 use a University name, trademark, or service mark for a one-time application only (for example, a t-shirt), does not constitute approval to use the trademark again, or in connection with any other item, or to change the design in any way, without seeking additional approval.
- D. Any requests for use of the trademarks of the University for corporate or product endorsements or other non-University uses of Rutgers' trademarks must be referred to the Office of Trademark Licensing for review and approval.

II. Registering University Marks

- A. All federal and state trademark and service mark registrations not related to University patents must be approved and overseen by the Office of Trademark Licensing. All patent-related federal and state trademark registrations are the responsibility of the Office of Technology Commercialization.
- B. No one may register or authorize the international, federal, or state registration of any trade or service mark of the University without the prior written permission of the Office of Trademark Licensing, which oversees all registrations. 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-related marks.

III. Licensing and Royalties

- A. All vendors and manufacturers of merchandise bearing Rutgers' name and/or marks must be licensed by the University through the Office of Trademark Licensing. Licensed vendors will pay a royalty to 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 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.
- B. Royalty revenues earned from the sale of merchandise bearing the marks of the University will be used to support the operations of the Office of Trademark Licensing plus University initiatives approved by the Vice President for University Communications and Marketing.

IV. Patents

All patent-related federal and state trademark registrations are the responsibility of the Office of Technology Commercialization.

V. Campus, Student and Alumni Organizations

- 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 may only consist of accurate statements that describe a fact but do not give an opinion 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 on behalf of a University school, 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.

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 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 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 Rutgers' antidiscrimination policies or practices.

IX. Prohibited Uses of University Marks

- A. The Trademark Licensing website maintains a current list of prohibited items. The 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, including knives, firearms, explosives, and fuels;
 - Alcohol-related products;

- Tobacco-related products;
 - Illegal drug-related products;
 - 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 designs that incorporate the name and/or marks of the University with the following will not be approved:
- Alcohol;
 - Illegal drugs;
 - Tobacco products;
 - Firearms or other weapons;
 - Racist, sexist, hateful, demeaning, or degrading language or statements;
 - Profanity;
 - Sexual acts; and
 - Statements impugning the University.
- E. Designs that incorporate trademarks or copyrights not owned by the University are not permissible, unless written permission is received from the trademark or copyright owner and from the Office of Trademark Licensing.
- F. Exceptions to the aforementioned prohibited uses are rare, but may be considered 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 must:
1. Define the conditions under which the name of the university, unit of the university, and/or university marks will be used.
 2. Define the compensations to be paid to the university for such use.
 3. Identify all the links to nonuniversity webpages.

The Vice President for University Communications and Marketing will consult with appropriate members of the university leadership, which may include the Senior Vice President and General Counsel and the Senior Vice President for Finance and Treasurer, to determine whether to advance the request to the University President. Only those requests for exception that are supported by the University President will be granted.