GOV-004

Use and Licensing of the University's Trademarks

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Policy Type University

Contact Office University Communications

Oversight Executive
Executive Vice President and Chief Operating Officer

Applies To Academic Division, the Medical Center, and University-Associated Organizations.

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Reason for Policy

This policy describes the general guidelines for adopting, using, and licensing the University's trademarks and service marks. The University maintains trademark and brand standards and trademark licensing programs, which includes the Academic Division, the Medical Center, and University-Associated Organizations, to:

- safeguard and control the University’s exclusive right to use its name, trademarks, and service marks (including logos and trade dress).
- promote the image of the University to the public as well as to the University community.
- establish a cooperative relationship with licensees and to assist in developing a market for officially licensed products of the University of Virginia.
- provide revenues in support of University programs.

Definition of Terms

Consumer Goods

Description Products bought for consumption by the average consumer.

Mark

Description A trademark or service mark.

Service Mark

Description

Any word, name, symbol, device, or any combination thereof (including colors, logos, or trade dress), used by the University to designate the University's services and to distinguish them from those manufactured or sold by others.

Trademark

Description

Any word, name, symbol, device, or any combination thereof (including colors, logos, or trade dress) used by the University to designate the University's goods and to distinguish them from those manufactured or sold by others.

University Marks

Description All the trademarks or service marks used by the University of Virginia.

Policy Statement

The University has established trademark and brand guidelines for the consistent use of University marks. The University also operates trademark licensing programs so that the public properly identifies and associates University logos on consumer goods bearing University marks. University Communications administers the University's licensing program and maintains the official inventory of University marks working in conjunction with the appropriate school/department/unit; approves the use and any application to register rights in any new University marks with the United States Patent and Trademark Office; and maintains a list of licensees authorized to manufacture and distribute consumer goods bearing the University marks. The UVA Wise Office of Marketing and Communications administers a separate licensing program at the University's College at Wise.

1. **General Guidelines:**
   This policy governs the use of all University marks for any purpose. Consistency in the use of University marks strengthens their value and the University's ability to protect them from unauthorized use. University school/departments/units and individuals may only use University marks in strict accordance with this policy and University brand standards. University Communications and the Office of University Counsel should be consulted whenever it is not clear whether a proposed use is permissible.

2. **General Trademark Licensing Guidelines:**
   Consumer goods are covered by a University licensing program if any University marks are used. All University school/departments/units are included in the licensing program. Therefore, all consumer goods using one or more University marks must be manufactured and distributed by authorized licensees and only licensed consumer goods are authorized for sale. Unless otherwise approved in writing, all University-Associated Organizations involved in the sale of goods are subject to this policy. Unless

otherwise approved in writing by University Communications, goods covered by the licensing program policy and sold on Grounds, through University sales outlets, or through University-Associated Organizations must be manufactured and distributed by an authorized licensee.

No consumer goods may be sold bearing, or in connection with, a University mark (or any other mark that is likely to cause confusion as to the origin, sponsorship, or approval of the consumer goods) without the express approval of the licensing program. Licensed consumer goods must be produced and sold by authorized licensees. This includes products ordered by University school/departments/units for internal consumption (i.e., not sold at retail).

3. **Guidelines to Administer the Program:**
   The director of licensing is responsible for administering the University's trademark licensing program. At the College at Wise, the associate vice chancellor of marketing and communications is responsible for administering the Wise trademark licensing program. Both the University's director of licensing and College at Wise associate vice chancellor of marketing and communications work in conjunction with the University's Office of University Counsel to approve all additions and/or revisions to the licensing program guidelines as well as any additions and/or changes to University marks subject to the licensing programs. Any commercial use of University marks in any manner must be approved and governed by the appropriate licensing program.

4. **Trademark Licensing Agents:**
   To help manage the licensing programs, the University has retained the exclusive services of a trademark licensing agent(s) to:
   - license rights to use University marks on and in connection with the manufacture of consumer goods.
   - collect and distribute licensing revenue.
   - conduct trademark licensing marketing and promotions.
   - maintain a trademark enforcement program to assist the University in policing the use of University marks on unlicensed products offered.
   - maintain a trademark portfolio maintenance program to assist the University in maintaining and maximizing the value of University marks.
5. **Licensing Program Revenues:**
   Annual licensing program operating expenses are covered from licensing revenues. Net revenues (after operating costs) are distributed to the Department of Athletics, the University General Fund, and University Communications per a schedule approved by the executive vice president & chief operating officer. At the College at Wise, annual licensing program operating expenses are covered from licensing revenues. Net revenues (after operating costs) are distributed to the Wise Department of Athletics.

6. **Enforcement of the Licensing Program:**
   Orders for products bearing University marks placed by University school/departments/units or University-Associated Organizations must be placed directly with an authorized licensee or made through an authorized retail vendor. Participation and compliance by licensees and retailers will be checked periodically by the licensing programs and trademark licensing agent(s) as part of the regular administrative responsibility for the programs.

   The licensing programs and trademark licensing agent(s) will develop ongoing educational programs to make University school/departments/units, vendors and retailers, and consumers fully aware of the University's licensing program benefits and requirements.

The University has determined that the following products will NOT normally be licensed:

- bathroom articles (toilet seats, toilet paper, etc.)
- sexually suggestive statements or articles
- statements infringing upon other schools
- political, sexist, racist, religious products and/or statements
- items of poor quality in relation to the proposed sale price
- products bearing the name or likeness of or otherwise promoting a current University student-athlete, except in conjunction with approved name, image and likeness activity
- any item not meeting minimum standards of quality and good taste or having abnormal product liability possibilities (including certain athletic equipment, certain food stuff, products that due to content are unusually short-lived) as determined by the director of licensing

Licensing fees are a percentage of the manufacturer's selling price on items licensed for retail sales. In promotions, a higher royalty rate shall be charged on premiums. An additional-rights-fee may be charged depending upon the scope of the promotion and the amount of revenue projected from premiums used in the promotion. Certain promotions may be exempted from either royalties or rights fees based on other considerations received by the University through sponsorship or contributions. The licensing agent(s) should be made aware of such exceptions.

7. **School/Department/Unit Marks; Student Use of Marks:**
   University marks used by schools/departments/units in the course of University programming or providing University services are ordinarily not subject to the licensing programs. When creating or developing a proposed new University mark for such uses, schools/departments/units should work with their communications staff, University Communications, UVA Health Office of Strategic Marketing & Communications as applicable, and the Office of University Counsel to review and get approval before adopting the new University mark.

   University Communications, working with the Office of the Vice President and Chief Student Affairs Officer, shall develop and administer clear guidelines governing the acceptable use of University marks by student organizations.

8. **Trademark and Brand Standards:**
   The University has established trademark and brand standards for the consistent use of University marks by the University and approved licensees. Brand standards are in place for the University, UVA Health, and the College at Wise.

9. **Compliance with Policy:**
   Failure to comply with the requirements of this policy may result in disciplinary action up to and including termination or expulsion in accordance with relevant University policies.

   Direct questions about this policy to University Communications.

Related Information

EXT-015: Endorsement of External Entities and Products
FIN-036: Signatory Authority for Executing University Contracts
University Brand Guidelines
College at Wise Brand Guidelines
UVA Health Brand Standards

Major Category Governance

Next Scheduled Review Friday, October 19, 2029

Revision History

Confirmed 10/19/26; Revised 2/5/24; University-Related Foundation changed to UAO 5/10/22; Added Compliance section 12/16/21.

Policy Summary

The Rector and Visitors of the University of Virginia owns all the trademarks and service marks used or licensed by the University of Virginia. Trademark and brand guidelines and trademark licensing programs have been established so that the public properly identifies and associates University marks used in connection with the University's goods and services and those goods and services of approved trademark licensees.

Supercedes Policy Text

XV.G.5 Using the University's Federally Registered Trademark.

Approved By Policy Review Committee

Approved Date Tuesday, September 16, 2014