

Frequently Asked Questions

What is a trademark?

A trademark is a word, name, phrase, symbol or any combination thereof that identifies and distinguishes goods or services of one party from those of others. A trademark is a brand name. Rights in trademarks arise as a result of the use of the marks in commerce to identify the source or origin of goods and services. In addition, a trademark remains the property of the owner so long as the owner continues to use it properly and protects its authenticity as a trademark.

What qualifies as a trademark, logo or symbol?

Any mark, name, logo, symbol, nickname, abbreviation, word, mascot, slogan, uniform insignia or landmark that is associated with UNIVERSITY and is distinguishable from any other university, team or organization.

Who must be licensed?

Any individual or company that wishes to receive UNIVERSITY's express permission to use any or all of its trademarks/logos on products or for services sold in the marketplace, whether wholesale, retail or online. Other activities, such as some noncommercial use of trademarks/logos, may or may not need to be licensed. Some activity may constitute fair use or free speech so as not to require license. Advice in that regard should be sought from your own legal counsel.

How long does it take to obtain approval?

A decision on any license request will depend on the nature and extent of the use being applied for, the number of trademarks involved, the number and diversity of products for which the trademark or trademarks will be used, and other possible factors, such as whether the University believes there is a need to seek legal advice on the application. However, in most cases, an answer will be provided in 30 days or less.

What products can be licensed?

UNIVERSITY will not license activity which it believes would disparage the University or any of its trademarks, or would be libelous, slanderous, scandalous, offensive, vulgar or constitute an unfair trade practice, or otherwise reflect negatively on the University. Some activity may constitute fair use or free speech so as not to require license. Advice in that regard should be sought from your own legal counsel.

How can you obtain a licensing application?

You can obtain an application for a License Agreement directly from Strategic Marketing Affiliates. This application can be downloaded from their website at www.smaworks.com.

Does all artwork have to be submitted for approval?

Yes. All art designs must be submitted and approved by [UNIVERSITY LICENSING DIRECTOR](#) prior to products being produced.

How are the UNIVERSITY's trademarks able to be used with other Trademarks (co-branding)?

Any use of UNIVERSITY marks with other trademarks must be approved by the [UNIVERSITY LICENSING DIRECTOR](#), or through a University contract.

How much does it cost to become licensed?

The cost for a **Standard License Agreement** is:

1. \$100 non-refundable application fee and
2. 8% royalty fee for UNIVERSITY products.

The cost for a **Restricted License Agreement** is:

1. \$75 non-refundable application fee.

What is the difference between the Standard License and the Restricted License?

The **Standard License** is used by companies that desire to produce licensed products for resale to the general public.

The **Restricted License** is used by companies that desire to only produce licensed products for internal consumption by the UNIVERSITY. No products produced under this license agreement may be sold to the general public.

If I am a student or from a department of UNIVERSITY, do I need to ask permission to use a trademark?

Yes. Student Organizations and University Departments must complete and submit the licensing approval form. It is important for UNIVERSITY to protect the trademarks and controlling their use will maintain their value.

If the product is not going to be resold, does it have to be produced by a licensed vendor?

Yes. All items bearing UNIVERSITY marks must be produced by a licensed vendor whether they are for resale or not.

Are any requests exempt from royalties?

Generally, items are subject to royalties. However, each request is reviewed on a case-by-case basis.

What does UNIVERSITY do if unlicensed merchandise is discovered in the marketplace?

Merchandise produced without authorization may be considered counterfeit or infringing and subject to all available legal remedies.

When am I able to use the trademarks of UNIVERSITY?

Any trademark that identifies or is associated with UNIVERSITY may not be used without prior, expressed, written permission from the [UNIVERSITY LICENSING DIRECTOR](#). A questionnaire is available to assist you with providing pertinent information so that your request can be considered.

How long do requests usually take to process?

Typically, the review process is 2-5 university, business days. Each request is reviewed on a case-by-case basis to ensure compliance with UNIVERSITY policies.

How can I obtain a list of licensees?

A list of licensees can be obtained through Strategic Marketing Affiliates, the [UNIVERSITY LICENSING DIRECTOR](#) or the Local Vendors and UNIVERSITY Licensees page.

Is it acceptable to alter a UNIVERSITY Trademark?

No. At no time can UNIVERSITY Trademarks be altered. Altering a mark would hurt its integrity. This would dilute the strength and value of UNIVERSITY's marks.

