

Policy 3-163: Trademark Use and Licensing

Revision 0. Effective date: April 9, 2024

- I. **Purpose and Scope** 1
- II. **Definitions** 2
- III. **Policy** 3
 - A. Trademark Ownership 3
 - B. Brand Standards 3
 - C. Use of University Trademarks 3
 - D. Use by University of Outside Entity Trademarks 4
- IV. **Policies/ Rules, Procedures, Guidelines, Forms and other Related Resources** 5
- V. **References** 5
- VI. **Contacts** 5
- VII. **History** 5

I. Purpose and Scope

A. Purpose.

The University of Utah (“University”) has an interest in maintaining, protecting, promoting, and expanding its brand, reputation, and goodwill as a top academic institution. This policy sets forth the operating framework where the University brand, goodwill, and reputation are responsibly and uniformly maintained,

protected, and promoted through the proper administration of University Trademarks.

B. Scope.

This policy applies to the University of Utah, the University of Utah Health, and all operating units, faculty, staff, academic departments, students, and student groups.

II. Definitions

The following definitions apply for the limited purposes of this policy and any associated regulations.

- A. "Brand," in the context of trademarks, refers to a distinctive symbol, name, word, phrase, or design that identifies and distinguishes a particular product or service from others in the commercial marketplace. It serves as a means for consumers to recognize and associate products or services with the University.
- B. "Brand Standards" means a set of rules and guidelines (University and U Health) established by the University Brand Office and U Health Marketing Office that govern the brand identity of the University and U Health respectively.
- C. "Outside Entity" means any person, group, business, corporation, etc. outside of the University. The University colleges, departments, and divisions are not outside entities. When operating within the scope of their employment, university employees are not considered outside entities.
- D. "Recognized Student Organization" means a recognized student organization as described in Rule R6-401A.
- E. "Trademark" means a word, sentence, phrase, symbol, design, or a combination thereof that identifies and distinguishes a source of the goods or services of one party from those of others.
- F. "University Trademarks" means Trademarks owned by the University, whether registered or unregistered, including all Trademarks associated with the

University academic colleges, departments, divisions, University programs, activities and events, University athletics, or other University goods or services.

III. Policy

A. Trademark Ownership

1. The University retains sole ownership, control, and revenue retention of University Trademarks. This includes any variations made to existing University Trademarks.

B. Brand Standards

1. The University Brand Office may update the Brand Standards (University specific) anytime in collaboration with the Trademarks and Licensing Office.
2. The U Health Marketing Office may update the Brand Standards (U Health specific) anytime in collaboration with the Trademarks and Licensing Office.

C. Use of University Trademarks

1. All internal institutional use of University Trademarks must comply with the Brand Standards (University and U Health).
2. Use by Departments.
 - a. Departments may use University Trademarks to produce goods displaying University Trademarks for internal, noncommercial use only (e.g., department uniforms, promotional items, etc.) and only after receiving artwork approval by the Trademarks and Licensing Office.
 - b. The use of University Trademarks in conjunction with the University's & U Health's marketing communications shall comply with the Brand Standards (University and U Health). Furthermore, website requirements for University Trademarks use shall comply with Rule R4-003G: Web Site and Web Page Design Requirements.
3. Use by Faculty and Staff. Faculty and Staff are permitted to use University Trademarks for use in their professional capacity as employees of the

University of Utah. Any use of University Trademarks by faculty and staff must comply with the Brand Standards and must adhere to the brand standards as posted by The University Brand Office on the Brand Standards website.

4. Use by University Students and Recognized Student Organizations. Students and student groups are permitted to use University Trademarks with permission from the Trademarks and Licensing Office. Any use of University Trademarks by students and student groups must comply with the Brand Standards and must be pre-approved by the Trademarks and Licensing Office.
5. Use by Outside Entities. Any unlicensed use of University Trademarks by an Outside Entity is prohibited. The Trademarks and Licensing Office reserves the right to manage the licensing agreement with any Outside Entity to use University Trademarks.
6. The Trademarks and Licensing Office reserves the right to prohibit Trademark uses by Outside Entities and organizational units that are inappropriate or inconsistent with the University's image and mission.
7. The Trademarks and Licensing Office reserves the right to legally enforce the University's rights, title, and interest in University Trademarks against any Outside Entity.

D. Use by University of Outside Entity Trademarks.

The University respects intellectual property rights in Trademarks of Outside Entities. All unauthorized use of Trademarks of Outside Entities is expressly prohibited. University employees, representatives or students may not use Trademarks of Outside Entities in connection with their University-related activities or employment without obtaining prior written permission from the owner of such Trademarks.

Sections IV- VII are for user information and are not subject to the approval of the Academic Senate or the Board of Trustees. The Institutional Policy Committee, the Policy Owner, or the Policy Officer may update these sections at any time.

IV. Policies/ Rules, Procedures, Guidelines, Forms and other Related Resources

- A. Policies/ Rules. [*reserved*]
- B. Procedures, Guidelines, and Forms. [*reserved*]
- C. Other Related Resources.
 - 1. Brand Guidelines
 - 2. Student Group Logo Usage Memo

V. References

- A. Rule R6-401A: Recognized Student Organization Classification

VI. Contacts

The designated contact officials for this Regulation are:

- A. Policy Owner(s) (primary contact person for questions and advice): Director of Auxiliary Business Development
- B. Policy Officer(s): Associate Vice President Auxiliary Services

See Rule 1-001 for information about the roles and authority of policy owners and policy officers.

VII. History

Revision History.

- A. Current version. Revision 0.
 - 1. Presented for the Information of the Academic Senate March 11, 2024, and approved by the Board of Trustees April 9, 2024, with effective date of April 9, 2024.

- 2. Legislative History
- 3. Editorial Revisions
- B. Previous versions. [reserved]
- C. Renumbering
 - 1. Not Applicable