



Licensing

Policy Statement

It is the policy of the University to register, protect, regulate, and promote the use of its name and identifying marks, including without limitation its seal, logos, insignias, designs, and symbols (“Trademarks”). The University permits use of its registered Trademarks on products and services only through the licensing approval process described in this policy. Violation of any of the requirements set forth in this policy may result in sanctions, including without limitation legal action enjoining the unauthorized use, confiscation of all infringing items, and remuneration to the University for losses and damages resulting from violation.

Reason for the Policy

The primary purpose of this policy is to protect the integrity of University Trademarks. The policy is also designed (1) to provide guidance to persons and entities seeking licenses; (2) to ensure that Trademarks are used in a manner that reflects favorably on the University in terms of the purposes and quality of licensed products and services; and (3) to generate revenues for the benefit of the University.

Strategic Direction

This policy supports the following goal in the University Strategic Plan:

- Focus the human, fiscal, environmental, technological, and physical resources of the University on institutional values and priorities

Applicability of the Policy

This policy applies to all persons, groups, organizations, University academic or administrative units, and other entities, whether or not UVM-affiliated, and whether for-profit or nonprofit, seeking to use University Trademarks, regardless of intent or purpose.

Policy Elaboration

University Trademarks include without limitation "The University of Vermont," "UVM," "Catamounts," the official University seal, and any design, symbol, logo, art, word, or words associated with or referring to the University or its sanctioned activities, such as athletics. In addition, the University owns certain trademarks that identify products and services developed in the course of University research or otherwise subject to the University's Intellectual Property Policy. Additional information regarding Trademarks may be found in the University Trademarks policy.

Definitions

Infringement: unauthorized use of a trademark that belongs to another, or use of a trademark so similar to that of another as to cause the likelihood of confusion in the minds of the public as to the source, affiliation, or sponsorship of the product or service.

License Agreement: typically a royalty-bearing contract between a licensor and a manufacturer or service provider, or its representative, to produce specific products or to offer specific services bearing one or more of the licensor's trademarks.

Licensor: one who contracts to allow another (licensee) to use licensor's trademark in exchange for payment or other consideration, usually a royalty as a percent of sales.

Registered mark: a trademark registered with the federal Patent and Trademark Office. Federal registration provides protection against trademark infringement.

Trademark: a word, phrase, logo, or other graphic symbol used to distinguish a product or service from those of others. Service marks are a type of Trademark covered by this policy.

Trademark License: an agreement by which the trademark owner gives another party the right to use the mark, subject to control over the nature and quality of the goods or services, in exchange for payment of a royalty or other consideration.

Unauthorized uses may include without limitation Trademark infringement, Trademark dilution, and unfair competition, in violation of federal and state laws. Use of any University Trademark is prohibited except by express license from the University.

Procedures

Any person or organization manufacturing a product or providing a service bearing or containing Trademarks belonging to the University must, prior to use of the mark, enter into a Trademark Licensing Agreement to obtain permission to use such mark, whether or not the person or organization is UVM-affiliated. No use of any UVM Trademark shall be authorized for use in products or services, regardless of whether for charitable, promotional, or commercial purposes, without an agreement. Each licensing agreement shall provide for either a reasonable royalty to be paid to the University or other consideration it deems appropriate in exchange for the

University's permission to use the mark. Licensees must obtain approval from the University for each use of University Trademarks, on a per product or service basis. No University-recognized or affiliated group and organization, or academic or administrative unit, is authorized to assign, license or sublicense, or modify University Trademarks except as provided in the Related Policies specified below.

Contacts

The Office of the Assistant Vice President for Marketing and Business Development is responsible for the operation of the University Licensing Program. Information regarding the program, criteria and procedures for obtaining licensing agreements, and eligibility requirements for waiver of royalty payments, are described at the Office website:

<http://www.uvm.edu/~license/> The Office is located in 225 Patrick Gymnasium, and may be reached at 802 656 7728.

The Vice President for Student and Campus Life is the University official responsible for the interpretation and enforcement of this policy.

Related Policies

- [Intellectual Property](#)
- [Names, Symbols, Letterhead and other Proprietary Indicia of Affiliation, Use of](#)
- [Trademarks](#)

Effective Date

Approved by the President on August 15, 2007