



The University of Vermont

Policy V. 5.18.3

Responsible Official: Vice President for  
University Relations and Administration

Effective Date: May 20, 2016

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## Licensing – Trademarks

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### Policy Statement

It is the policy of the University to register, 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 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 loss and damage resulting from a violation.

### Reason for the Policy

The primary purpose of this policy is to protect the integrity of University Trademarks. The policy is also designed to (1) provide guidance to persons and entities seeking licenses; (2) 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) generate revenues for the benefit of the University.

### 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 "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 marks that identify products and services developed in the course of University research or otherwise subject to the University's Intellectual Property Policy. 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.

*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.

*Trademark*: a word, phrase, logo, or other graphic symbol used to distinguish a product or service from those of others.

*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/or state law. Use of any University Trademark is prohibited except by express license from the University.

## Procedures

Any person or organization proposing to manufacture a product or provide a service bearing or containing a University Trademark must, *before* making use of the mark, seek a Trademark Licensing Agreement to obtain permission to use the 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 a fully executed licensing agreement in place. 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.

## Forms

None

## Contacts

The University Licensing Coordinator is responsible for the daily operations of the 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 Program website: <http://www.uvm.edu/~license/>.

University Licensing Program  
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The Vice President for University Relations and Administration is the University official responsible for the interpretation and enforcement of this policy.

## **Related Documents/Policies/Resources**

Intellectual Property Policy

[http://www.uvm.edu/policies/general\\_html/intellectualproperty.pdf](http://www.uvm.edu/policies/general_html/intellectualproperty.pdf)

Trademarks Policy

[http://www.uvm.edu/policies/general\\_html/trademark.pdf](http://www.uvm.edu/policies/general_html/trademark.pdf)

University Name, Symbols, Letterhead and other Proprietary Indicia of Affiliation Policy

[http://www.uvm.edu/policies/general\\_html/letterhead.pdf](http://www.uvm.edu/policies/general_html/letterhead.pdf)

## **Effective Date**

Approved by the President May 7, 2016