



## POLICY

### **Title:** Licensing - Trademarks

#### 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.

#### Definitions

<u><i>Infringement:</i></u>	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.
<u><i>Licensor:</i></u>	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.
<u><i>Trademark:</i></u>	a word, phrase, logo, or other graphic symbol used to distinguish a product or service from those of others.
<u><i>Trademark License:</i></u>	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

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.

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.

## Contacts

Questions concerning the daily operational interpretation of this policy should be directed to the following (in accordance with the policy elaboration and procedures):	
Title(s)/Department(s):	Contact Information:
University Licensing Program	<a href="mailto:Krista.Balogh@uvm.edu">Krista.Balogh@uvm.edu</a> (802) 656-1744

## Forms/Flowcharts/Diagrams

- None

## Related Documents/Policies

- [Intellectual Property Policy](#)
- [Trademarks Policy](#)
- [University Name, Symbols, Letterhead and other Proprietary Indicia of Affiliation Policy](#)

## Regulatory References/Citations

- None

## Training/Education

Training will be provided on an as-needed basis as determined by the Approval Authority or the Responsible Official.

## About this Policy

<b>Responsible Official:</b>	Chief Communications Officer	<b>Approval Authority:</b>	President
<b>Policy Number:</b>	V. 5.18.3	<b>Effective Date:</b>	May 7, 2016
<b>Revision History:</b>	<ul style="list-style-type: none"><li>• V. 5.18.1 Approved by the President on August 15, 2007</li><li>• V. 5.18.2 Approved by the President on June 19, 2014</li><li>• Responsible official officially changed from the Vice President for University Relations and Administration to the Chief Communications Officer on October 5, 2020</li><li>• Reaffirmed February 16, 2021</li></ul>		

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*University of Vermont Policies and Operating Procedures are subject to amendment. For the official, approved, and most recent version, please visit UVM's [Institutional Policies Website](#)*