



## POLICY

### **Title:** Trademarks

#### Policy Statement

Under the procedures described in this policy, the University will register and maintain trademarks identifying the University and its products, services, programs, or activities. These marks are the property of the University, protected under state and federal trademark law. Use of a University trademark without the consent and approval of the responsible University official constitutes an unlawful infringement of the mark.

#### Reason for the Policy

The purpose of the policy is to promote and to protect the use of the University's name and identifying marks.

#### Applicability of the Policy

This policy applies to any faculty or staff member, student, alumnus, University unit or program, University-recognized group or organization, or UVM-affiliated or non-affiliated entity or person wishing to use the University of Vermont's trademarks, or to register a new trademark that uses a UVM trademark *whether for commercial or charitable purposes*.

#### Definitions

**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 UVM or its authorized agents gives another party the right to use a UVM Trademark, subject to control over the nature and quality of the goods or services, in exchange for payment of a royalty or other consideration.

**UVM Intellectual Property or UVM IP:** patents, inventions, copyrights, and computer software, developed by University faculty, staff, students or post-docs and as defined in the University's Intellectual Property Policy.

#### 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 sports. In addition, the University owns certain marks that identify products and services developed in the course of University research or that are otherwise subject to the University's Intellectual Property Policy.

Office of the General Counsel (OGC) is responsible for maintaining the official University record of registered trademarks.

### **Registration of New University Trademarks - Generally**

University faculty, staff, or students who wish to seek trademark registration for a product, service, program, or activity ("product") *that is not UVM IP* should contact OGC.

OGC will initially determine whether the proposed mark covers a University product, and whether the proposed mark is likely to be subject to registration under trademark law. If so, OGC will verify that the proposed registration has programmatic approval at the appropriate department or unit level and, if so, OGC will submit the trademark request for review and approval by the Senior Vice President and Provost, the latter of whom will consult with the Chief Communications Officer. If the request is approved, OGC will initiate the trademark registration process. The department or unit seeking registration will pay the costs associated with registration of the trademark.

If the proposed mark does not cover a University product, but would involve the affiliation of a product with UVM, OGC will assess whether the proposed mark is likely to be subject to registration under trademark law. If so, OGC will submit the trademark request for review and approval by the Senior Vice President and Provost, the latter of whom will consult with the Chief Communications Officer. If the request is approved, OGC will initiate the trademark registration process. The individual or department seeking registration will pay the costs associated with registration of the trademark.

OGC will refer all licensing requests for use of *preexisting* Trademarks to the Associate Athletic Director for External Relations and Communications and University Licensing Director.

### **Registration of UVM Intellectual Property Trademarks**

The University may seek to register trademarks that support UVM IP ("UVM IP Marks"). Determinations on applying for trademark and service mark registrations relating to UVM IP Marks will be made by the Director of UVM Innovations (UVMI) in consultation with OGC. UVMI will pay for the costs associated with registration of a UVM IP Mark.

If a UVM inventor or creator wishes to register a new mark that would reflect the affiliation of a product with UVM, the inventor must contact UVMI, which will initiate the review and authorization process. UVMI, in consultation with OGC, will seek a decision on the request to register the mark from the Provost & Senior Vice President, the latter of whom will consult with the Chief Communications Officer. If the request is approved, the inventor will pay for the costs associated with registration of a trademark.

UVM may enter into Trademark Licenses with licensees of UVM IP.

### **Licensed or other Uses of University Trademarks**

All uses of University Trademarks, whether for commercial or non-commercial purposes, must be properly licensed. Inquiries about University Trademark Licenses should be directed to the Associate Athletic Director for External Relations and Communications and University Licensing Director.

## 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:
UVM Innovations <b>(Registration of UVM IP Mark)</b>	<a href="mailto:innovate@uvm.edu">innovate@uvm.edu</a> Waterman 209 (802) 656-8780
Office of the General Counsel <b>(Registration of new Trademarks)</b>	<a href="mailto:General.Counsel@uvm.edu">General.Counsel@uvm.edu</a> 351 Waterman (802) 656-8585
Associate Athletic Director for External Relations and Communications and University Licensing Director <b>(Licensing agreements for products using a UVM Trademark)</b>	<a href="mailto:Krista.Balogh@uvm.edu">Krista.Balogh@uvm.edu</a> 224 Patrick-Forbush-Gutterson Athletic Complex (802) 656-1744

## Forms/Flowcharts/Diagrams

- None

## Related Documents/Policies

- [Intellectual Property Policy](#)
- [Licensing – 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>	Provost and Senior Vice President	<b>Approval Authority:</b>	President
<b>Policy Number:</b>	V. 2.27.3	<b>Effective Date:</b>	November 27, 2017
<b>Revision History:</b>	<ul style="list-style-type: none"> <li>• V. 3.4.10.1 effective February 2, 2007</li> <li>• V. 2.27.2/V. 3.4.10.2 effective November 4, 2013</li> <li>• Reaffirmed with minor revisions November 2, 2021</li> </ul>		

*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](#).*