

Approved: 2/12/96
Revised: 11/20/01
Revised: 6/16/03
Revised: 4/19/04
Revised: 8/13/04
Revised: 3/6/05

GUIDELINES FOR THE INTERNAL USE OF IOWA STATE UNIVERSITY'S MARKS

1. INTRODUCTION

Corporate and institutional names, symbols, logos and other identifying marks are intended to provide an instant identification of the institution. Because these marks identify the institution's products and services, they become important assets. If properly used and managed, these marks give the institution a unifying look, which is critical to public recognition. This look becomes identified with the institution and the quality of its products and services.

Similarly, Iowa State University benefits from the public recognition of its names, logos, and symbols (Marks). Its Marks distinguish Iowa State's programs from other institutions.

For these reasons, it is important to the University that its employees and students recognize the importance of monitoring and protecting these Marks and to become knowledgeable and skillful in their protection. The term University includes the University, its affiliated organizations, and organizations formally registered with the University.

The following Guidelines are established in compliance with the *Iowa State University Trademark Management Policy (Policy)*, *Licensing Program Guidelines for The Use Of Iowa State University's Marks (Program Guidelines)* and *Guidelines for University Trademark Use By Student And Campus Organizations (Student Use Guidelines)* to provide consistent use of the Marks by the University's various units in their review and approval of ordinary business uses of the Marks.

2. LAW, OWNERSHIP, AND MANAGEMENT OF MARKS

The University's rights to its Marks are governed by federal, state, and common laws. These laws place an obligation on the University to avoid consumer

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confusion and require that the use of any Marks be monitored to avoid losing exclusive control. The University owns federal service mark registrations and

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trademark registrations on its Marks, which assist in enforcing and maintaining these rights.

The University has delegated the management of its Marks to the Office of Business and Finance Trademark Licensing Office (Trademark Licensing) and has contracted with The Licensing Resource Group to assist in the administration and marketing of the marks. Trademark Licensing and The Licensing Resource Group, are responsible for the legal protection of the Marks, which includes approving users of the Marks and approving the use of the Marks. This legal protection is accomplished in two ways: (i) through Trademark Licensing and The Licensing Resource Group, individuals, organizations, and businesses are granted the right to use the Mark; licensing agreements provide the necessary control required by the Federal trademark law; and (ii) through consistency in the use of the Marks within the University.

3. APPROVAL & MONITORING UNIVERSITY USES

All internal uses of the Marks are approved and monitored by either the University or Trademark Licensing. Use of the Marks by officially registered student and campus organizations is controlled by "Guidelines for University Trademark Use by Student and Campus Organizations" (Student Use Guidelines) and, as applicable, this document. To the extent this document conflicts with or does not address issues contained in the Student Use Guidelines, the Student Use Guidelines controls.

A. The University approves and monitors most uses of the Marks, which fall within the ordinary business of the University.

- 1) The University approves and monitors the following uses of the Marks:
 - on printed publications and advertising created by or for the University for purposes of institutional or event promotion;
 - on printed supplies not for resale;
 - on items created internally by the University for internal consumption;
 - on items created internally by the University for external distribution but not for resale; and

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- on educational and scholarly materials created for or by the University and owned by the University for internal or external distribution either for give away or for resale.

2) Responsibility for monitoring University approved uses is delegated as follows:

- The Office of University Marketing is responsible for the management of the University's Visual Identity System;
- Each Executive Officer, which includes the President, the Provost, Vice Provosts, Vice Presidents, Deans, Directors, and affiliated organization Directors, is responsible for monitoring the use of the Marks within her/his area of oversight to assure compliance with these Guidelines; and
- Trademark Licensing is responsible for enforcing and interpreting these Guidelines on internal use of the Marks. A trademark advisory committee, appointed by the President, advises Trademark Licensing on marketing efforts. Current representatives of the committee come from the following areas: Athletic Department, Office of University Marketing, the University's Marketing Department, Division of Student Affairs, University Bookstore, GSB, and Alumni Association. A representative from the Office of University Counsel provides legal advice to the Committee and is a non-voting member.

B. Trademark Licensing approves and monitors all other uses and approves and monitors all licensing assigned to be administered by The Licensing Resource Group. Refer to the Policy for licensing requirements.

- 1) The University must obtain products from licensed suppliers except when Marks are used on the following products:
- printed publications and advertising for purposes of institutional and event promotion; and
 - printed supplies, not for resale.

There are three reasons for this requirement:

- Federal trademark laws require control of the quality and nature of the product or service on which the Mark is placed; if the product or service is

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from someone other than the University, a license agreement provides the needed control;

- It avoids unfair competition with private business; and
 - It promotes fair and equitable treatment of our licensees and suppliers.
- 2) Products created by a University unit for resale, and bearing the Marks must be licensed, except for products described in 3. A.

4. ROYALTY

In return for the right to use the University's Marks, a licensee is required to pay a royalty based on the wholesale cost of goods or pay a rights fee under certain circumstances. Exemptions and adjustments to payment of the royalty and rights fee are allowed.

To avoid issues of unfair competition with private business, Iowa State University units are not automatically exempt from paying royalties for use of its own Marks.

A royalty exemption (but not license exemption) may be granted upon request for:

- a product purchased by the University, its registered and affiliated organizations, or recognized support groups such as professional associations, employee organizations, athletic, cultural, and other interest groups for internal consumption or for sale at cost to the group's members. Promotional products given away by these groups are considered products for internal consumption. If the group has excess product after consumption or sale within its group, it can not be sold to non-members, but can be given away to non-members;
- advertising rights to use the Marks as granted in corporate sponsor agreements.

When a Unit submits a request for a royalty exemption, an Internal Trademark Use Form must be completed containing the contact person placing the order, a university contact that has reviewed the design (Executive Officer per Section 3.A.2.), number and description of the products ordered, the intended use and a copy of the design. Internal Trademark Use forms are available at Trademark Licensing's website

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(www.trademark.iastate.edu). It is the responsibility of the Unit to have all uses that include university trademarks approved by Trademark Licensing prior to use. Units may gain a preliminary approval from Trademark Licensing for the design and internal trademark use request prior to placing an order with a licensed vendor. Completed Internal Trademark Use request forms must be submitted with the design request by the Unit to the licensed vendor. Licensed vendors submit the design and the Internal Trademark Use request form to Trademark Licensing for final approval and must retain copies on file for auditing purposes. Trademark Licensing approves any royalty exemptions or adjustments not specifically defined in these Guidelines on a case-by-case basis.

5. DESIGN STANDARDS

A. General design standards which apply to any use:

- Designs must be of high quality and appropriately portray the image of Iowa State University;
- Selection of the Mark to be used should be carefully considered; for example, selecting an athletic Mark for use at an educational conference, may send the wrong message to the attendees;
- Uses of the marks by internal persons or entities that do not fall into the official internal business use of the Marks and are not officially registered as a student or campus organization must be reviewed and approved first by the Office of University Marketing and Trademark Licensing and then authorized by the University Executive Officer. These internal persons or entities may include but are not limited to individual groups of staff, students, or faculty such as class participants, program participants, graduate study participants, centers and affiliates. Uses of the Marks are reviewed on a case-by-case basis and may be approved. However, if Marks are allowed, the items may not be royalty exempt. It is suggested that requests from internal persons or entities to use the Marks be sent to University Marketing or Trademark Licensing at least three (3) weeks in advance of the due date for production.

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- A Mark can not be used with marks belonging to another party (i.e. schools, conferences, institutions, individuals, characters, etc.) unless appropriate approvals are obtained from the owners of other trademarks or copyrights;
- A Mark can not be incorporated into or dominated by the marks of others;
- No design can be associated with a company that would imply endorsement of the company's commercial product. A waiver to this prohibition may be granted, however, if such endorsement is the subject of an agreement of substantial importance and value to the University. Granting a waiver would permit the University's Marks to be co-branded with the marks of a company. The internal unit proposing a waiver must submit a waiver first to the Purchasing Department and Trademark Licensing. The Purchasing Department and Trademark Licensing shall comment and provide a recommendation on the waiver request and forward the recommendation to the Vice President of Business and Finance. After reviewing the recommendation, the decision to grant a waiver and the extent of the same, shall be at the discretion of the Vice President of Business and Finance, taking into consideration, among other things, Iowa State University's trademark management policy (main) goals:
 1. To promote and protect Iowa State University through implementation of a management system, which establishes the means for consistent, favorable, and professional use of the Marks;
 2. To fulfill the legal obligation to protect the Marks;
 3. To protect the consumer from deception or from faulty or inferior products and services bearing the University's Marks;
 4. To provide fair and equitable treatment of all licensees; and
 5. To realize and distribute earned royalties and other revenues for the benefit of the University;
- No Mark can be copyright protected by anyone other than the University;
- Use of the symbols TM, SM, and ® are not generally used with the Marks for internal purposes. The use of these symbols is governed by legal statutes and should not be used without first consulting Trademark Licensing or the Office of University Counsel;

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- Use of the University Seal is restricted for use on official documents of the University. The Office of University Marketing must approve all uses of the Seal. The University Nameplate should be used as the University official identifier on all items such as certificates, plaques, awards, and gifts generated by University units;
 - Use of trademarks or other intellectual property owned by a third party must be approved by that entity in writing and submitted to Trademark Licensing along with the desired artwork. For example, if you wish to use artwork, slogans, or trademarks created by someone not associated with the university, written permission from the third party allowing for such use is required before Trademark Licensing will grant design approval;
 - University units may list an outside entity's name and or logo as a sponsor of the university unit on products along with University trademarks as long as there is a clear separation between the University marks and the sponsor marks. Use and placement of an outside entity's name and or logo cannot have the appearance of a University endorsement of the outside entity or its products;
and
 - University units that are sponsoring, hosting or co-hosting an event may use the University trademarks on products as long as the name of the event and the date of the event appear in the design. The use and placement of other entity's names and or logos that are also sponsoring the event is allowed as long as the outside entity's name and or logo does not have the appearance of a University endorsement of the outside entity or its products.
- B. The Marks are divided into two categories for additional design standards: the nine Athletic Identity Program Marks and all others.
- 1) Consult the University's Visual Identity System (www.marketing.iastate.edu/identity/) for design standards in the internal use of Marks other than the Athletic Identity Program Marks. The Office of University Marketing should be consulted for design standards for other Marks not covered in this section 5.B.

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2) Consult the University's Visual Identity System for design standards in the use of the Athletic Identity Program Marks (www.marketing.iastate.edu/identity/) in addition to the following:

- may only appear in one of the following versions: the four official Pantone® colors, lined black and white, screened black and white versions or the following single color versions:

All Athletic Marks
red on white
black on white
black on red
red on gold
gold on red
tone-on-tone

- the official Pantone® colors are red Pantone® 200c, gold Pantone® 130c, blue Pantone® 282c and white;
- the Marks can not be altered in any way;
- a Mark may be incorporated into a design as long as the integrity of the Mark is not altered;
- the Marks' type style may not be used for other words in a design incorporating a Mark; and
- any deviation to these design standards will be considered on an individual case-by-case basis by Trademark Licensing.

6. PRODUCT STANDARDS

The following standards will be used when approving product:

- all products must be of high quality;
- no products considered dangerous or offensive will be approved, including causing potential health risks, products promoting drugs, alcohol, gambling/gaming or tobacco; and
- no products with an unusually high product liability risk will be approved.

7. STANDARDS FOR NON-PRODUCT USE

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- A. Advertising that displays or lists the University as a user of any product or service or as the source of research information on which a commercial product, program or publication is based is prohibited. This prohibition extends to advertising using any name, picture, landmark building or other Mark. Any exception must be approved by the Vice-President for Business and Finance.
- B. Use of the Marks with marks of other entities must be reviewed carefully by the unit responsible to assure that there is no implication of product endorsement.
- C. An employee may use the University's name in making a true and accurate statement of his/her relationship with, or employment by, the University. However, employees may not use the University name or other Marks or their affiliation with the University in any manner, which suggests or implies University support or endorsement of any product, movement, activity or program. In circumstances where there is potential for University endorsement or support to be construed, a disclaimer is required.

8. CONTACTS

If an administrative unit has questions about how to interpret these Guidelines, contact:

- the Office of University Marketing for assistance with the Visual Identity System;
- the Office of University Counsel for legal questions; or
- Trademark Licensing for information on design standards and Mark application, royalty, licensing, and product standards.