

LICENSING PROGRAM GUIDELINES
FOR
THE USE OF IOWA STATE UNIVERSITY'S MARKS

1. INTRODUCTION

The following guidelines provide specific information and procedures for licensing Iowa State University's names, logos, mascots, and other marks (Marks), which comply with *Iowa State University's Trademark Management Policy* (Policy).

Federal Trademark laws require the University to control its Marks or risk losing exclusive rights to its Marks. The Trademark Licensing Office (Trademark Licensing) and its contractor, The Licensing Resource Group provides this needed control by granting individuals, organizations, and businesses the rights to use the Marks under a license agreement.

As provided in the Policy, these Guidelines are established and governed by Trademark Licensing. The term University includes the University, its affiliated organizations and organizations formally registered with the University.

2. USERS AND SUPPLIERS MUST BE LICENSED

A. All non-University users of the Marks must be licensed except when the use:

- is by the news media for news reporting;
- is by an artist in an original work of art which will not be reproduced; or
- is a congratulatory or supportive advertising message using the University's names but not its logos and symbols. For example, "Go Cyclones" or "Welcome Back ISU Students" are supportive types of messages.

B. Suppliers of products to the University bearing any Mark must be licensed 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.

Approved: 2/12/96

Revised: 11/20/01

Revised: 4/19/04

Revised: 3/6/05

C. Products created by a University unit for resale, and bearing the Marks must be licensed, except for educational and scholarly materials owned by the University and printed publications and advertising for purposes of institutional and event promotion.

All licensing is managed by Trademark Licensing and administered by its contractor, The Licensing Resource Group .

3. 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 fixed right to use fee under certain circumstances. Exemptions and adjustments to payment of the royalty and rights fee are allowed.

A royalty exemption (but not license exemption) may be granted 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 groups 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 cannot 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.

Licensees must obtain written approval from Trademark Licensing for an exemption to pay royalty. These approvals must be retained by the licensee for auditing purposes. Trademark Licensing approves any royalty exemptions or adjustments not specifically defined in these Guidelines on a case-by-case basis.

4. APPROVAL OF USES

All external and/or commercial uses of the Marks must be approved and monitored by Trademark Licensing and, as delegated, The Licensing Resource Group.

5. LICENSING AND APPROVAL PROCEDURES

A. Trademark Licensing works directly with Purchasing to provide efficient licensing and approval procedures for suppliers of products to the University under a University purchase order.

B. Standard application and approval procedures for all other licensing:

- The licensing process begins by contacting The Licensing Resource Group for an application.
- The Licensing Resource Group reviews applications for the applicant's ability to comply with the license, appropriateness of product, and product liability risks associated with the product.
- If the applicant is approved for licensing, the applicant is notified and the appropriate license agreement is sent to the applicant.
- Before the applicant is licensed to use any Marks, approvals must be given by Trademark Licensing and/or The Licensing Resource Group for (i) the design and use of the Marks in the design, (ii) the product, (iii) the quality of the method of application of the design onto the product, and (iv) appropriate insurance coverage.

C. During the term of the license, licensee must obtain approval for any change in the original licensed use, including the following:

- changes to approved design;
- use of approved Mark in additional designs;
- use of additional Marks; and
- use on additional product.

6. DESIGN STANDARDS

The following standards will be used in approval of designs:

- Designs must be of high quality and appropriately portray the image of Iowa State University;
- A Mark may be incorporated into a design as long as the integrity of the Mark is not altered;
- The Marks can not be altered in any way except in the following circumstances: (i) use of the University's official nameplate and use of the

Approved: 2/12/96

Revised: 11/20/01

Revised: 4/19/04

Revised: 3/6/05

- University's names as they appear in the official Athletic Identity Program designs are encouraged, however, varying type styles may be used unless the type style is similar to the official type styles; if the use is confusingly similar to the official type styles, than the exact Mark or the nameplate must be used; and (ii) representations of CY, the cardinal mascot, in the walking and leaning poses, may vary in posture and expression provided that the character of CY is not altered and that CY is depicted in good taste; this exception does not apply to CY in the Athletic Identity Marks;
- The Marks 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;
 - Use of the University's Marks on products, in promotions, and in advertising is allowed with marks of other entities but such use is carefully reviewed on a case by case basis;
 - 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 University seal is restricted for use on official documents and selected consumer products including sweatshirts and T-shirts in the soft-goods line and on a case by case basis for up-scale gift type items; designs are limited to traditional designs and must appear alone or with the words "Iowa State," "Iowa State University," "Iowa State Alumni," or "Iowa State University Alumni"; no other words, symbols, or designs may appear with or around the seal; all other uses must be approved by the Office of University Marketing;
 - When using red and gold, the official athletic school colors, the correct Pantone® colors must be used: red Pantone® 200c and gold Pantone® 130c; colors used with the Athletic Identity Marks require the addition of blue Pantone® 282c and white;
 - The University's official color palette consists of two parts:
 1. Primary Palette:

Color	Pantone® (coated paper)	Pantone® (uncoated paper)
gold	142	141
dark green	342	3435
dark blue	309	315
red	186	186
khaki	449	449
warm gray	419	412

These colors are used both for large areas of color and for accent colors. These colors are used for the nameplate.

2. Secondary Palette:

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

Color	Pantone® (Coated Paper)	Pantone® (uncoated paper)
olive green	5743	5743
orange brown	1675	159
red brown	1815	180
golden brown	723	1385
medium green	341	340
medium blue	322	321

These colors are used as accent colors and can not be used for large print areas of color or applied to the nameplate; and

- The Athletic Identity Marks may only appear in one of the following versions: the four Pantone® colors, lined black and white, or screened black and white versions; approval of single color uses are on a case by case basis.

7. 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 products causing potential health risks, promoting drugs, alcohol, gambling/gaming or tobacco; and
- No products with an unusually high product liability risk will be approved.

8. STANDARDS FOR NON-PRODUCT USE

A. Except as provided in Section 6, 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. The Vice-President of Business and Finance must approve any exception.

B. Except as provided in Section 6, use of the Marks in advertising or promotions with other entities must be reviewed carefully to assure that there is no implication of product endorsement.

Approved: 2/12/96

Revised: 11/20/01

Revised: 4/19/04

Revised: 3/6/05

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.

9. LABELS AND MARKINGS

Whenever possible, the University's Marks must include the TM symbol, or when the Mark is federally registered in the product class on which it appears, the symbol ®.

Trademark Licensing is a member of a labeling group, which uses the Collegiate Licensed Product label. The label is used to identify-licensed collegiate merchandise in the marketplace. The label provides a public awareness program as well as facilitates the monitoring of merchandise in the marketplace. All products for resale bearing the University's Marks must display the official Collegiate Licensed Product label.

10. FEES AND COSTS

All royalty rates use fees, and other fees are determined by Trademark Licensing and implemented by The Licensing Resource Group.

11. CONTACT

Trademark Licensing Office

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Approved: 2/12/96

Revised: 11/20/01

Revised: 4/19/04

Revised: 3/6/05

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