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

### 1. INTRODUCTION

Corporate and institutional names, symbols, logos, mascots, 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 services and 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 recognized 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. DESCRIPTION OF THE MARKS

The University is the owner of all right, title and interest in and to certain designations including but not limited to designs, names, images, graphics, trademarks, service marks, collective membership marks, logographics, symbols and/or color which have come to be

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associated with the University, including derivatives thereof, and, without limitation, the designations set forth at <http://www.trademark.iastate.edu/marks/>.

### 3. 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 confusion and require that the use of any Marks be monitored to avoid losing exclusive control. The University owns federal service mark registrations and trademark registrations on its Marks, which assist in enforcing and maintaining these rights.

The University has delegated the management of its Marks to the Trademark Licensing Office (Trademark Licensing), housed under the Office of Business and Finance, and has contracted with The Licensing Resource Group (LRG) to assist in the administration and marketing of the marks. Trademark Licensing and LRG, 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 LRG, individuals, organizations, and businesses are granted the right to use the Marks; licensing agreements provide the necessary control required by federal trademark law; and (ii) through consistency in the use of the Marks within the University.

### 4. APPROVAL & MONITORING UNIVERSITY USES

All internal uses of the Marks are approved and monitored by Trademark Licensing. Use of the Marks by officially recognized student and campus organizations is controlled by 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;

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- 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
- 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; and
- domain names must follow the University's Domain Name System (DNS) Policy (<http://policy.iastate.edu/policy/dns>).

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 officials, 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 Vice President for Business and Finance, advises Trademark Licensing on marketing efforts. Current representatives of the committee come from the following areas: Athletics Department, University Marketing, College of Business Marketing Department, 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 LRG. 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

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- 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 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 4. A.

## 5. 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.

Trademark Licensing authorizes all royalty exemptions. The online Internal Trademark Use Form must be completed when a Unit uses the marks. A request for a royalty exemption is part of the form under usage as defined above. The completed form will be

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sent electronically to the Trademark Office for review. Once reviewed, electronic messages will be sent to the unit and licensee on the status of the request including whether or not an exemption has been granted. The online form may be accessed at [www.trademark.iastate.edu/form](http://www.trademark.iastate.edu/form). It is the responsibility of the Unit to have all uses that include university trademarks approved by Trademark Licensing prior to use. Royalty adjustments not specifically defined in these Guidelines are reviewed on a case-by-case basis.

## 6. 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 Athletics Identity 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 by the 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 Trademark Licensing at least three (3) weeks in advance of the due date for production.
- 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

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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 request 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;
  - 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

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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 three categories for additional design standards; the University Identity, the Athletics Identity and all others.

1. Consult the University's Visual Identity System ([www.marketing.iastate.edu/identity/](http://www.marketing.iastate.edu/identity/)) for the University Identity design standards. University Marketing should be consulted for design standards for other Marks not covered in this section 6.B.
2. Consult the University's Visual Identity System for design standards for the use of the Athletics Identity Marks ([www.marketing.iastate.edu/identity/](http://www.marketing.iastate.edu/identity/)) in addition to the following:
  - When using the Athletics Identity Marks, the correct Pantone® colors must be used:  
Primary colors: Cardinal Pantone® 202c and Gold Pantone® 123c  
Alternate color: Cardinal Pantone® 187c  
Highlight color: Pantone® 121c;
  - The Primary Athletics Mark (I State) may appear in one of the following versions: four Pantone® colors, three Pantone® colors, two Pantone® colors, one-color, grayscale, lined black and white, or screened versions are

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acceptable if the integrity of the mark is maintained. Color combinations in provided art must be used with the exception of the one-color version of the marks;

- The Supplemental Athletics mascot marks may appear in one of the following versions: three Pantone® colors or one-color.
- Athletics word marks may appear in one of the following versions: three Pantone® colors, two Pantone® colors, one-color, grayscale, lined black and white or screened versions are acceptable if the integrity of the mark is maintained.
- The Athletics Identity Marks can not be altered in any way;
- The Athletic Identity Marks may be incorporated into a design as long as the integrity of the Mark is not altered; and
- Trademark Licensing will consider any deviation to these design standards on an individual case-by-case basis.

3. The University Vintage Collection may not be appropriate for internal use as these marks represent the university's historical past and are not the current brand.

## 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 but not limited to causing potential health risks, products promoting firearms, 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. 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 must approve any exception for Business and Finance.

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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.

## 9. CONTACTS

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

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

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