

University Marks Guidelines for Internal Use Employees and Student Organizations

Per the United States Patent and Trademark Office, a trademark is a word, phrase, symbol, and/or design that identifies and distinguishes the source of the goods of one party from those of others (e.g., brand names, slogans, logos). A service mark, which is what we technically have at Upper Iowa University (UIU or University), is a word, phrase, symbol, and/or design that identifies and distinguishes the source of a service rather than goods. The term "trademark" is often used in a general sense to refer to both trademarks and service marks.

UIU benefits from public recognition of its identifying marks. These University marks, in the form of "Upper Iowa University," "UIU" and the University and Peacock logos, are registered with the United States Patent and Trademark Office and require the ® (circle R) symbol. Federal and state laws govern the University's rights to its marks and place an obligation on the University to control its marks to avoid misrepresentation of the University's relationship to a product or service. Without proper control, the University risks losing its exclusive rights to its marks. These Guidelines for Internal Use, along with the University Name and Trademark Policy, help the University achieve that goal.

University Name

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 that suggests or implies University support or endorsement of any product, movement, political party or candidate, activity or program. In circumstances where there is potential for University endorsement or support to be construed, a disclaimer is required.

Internal Use

The University has delegated the management of its marks to the Office of Communications & Marketing (OCM), and has contracted with Learfield IMG College to assist in the licensing administration of University marks. OCM and Learfield IMG College are responsible for the legal protection of the marks, which includes approving users and uses of the marks. As an added benefit, these efforts help to provide consistency in our brand. The University approves most uses of the marks that fall within the ordinary business of the University, such as:

- Printed publications, promotional items, and advertising distributed by the University for the purpose of institutional and event promotion and recruitment;
- Printed supplies, not for resale;
- Items created internally by the University for internal consumption, but not for profit;
- Items created internally by the University for external distribution, but not for resale;
- Materials/items in relation to fundraising directly affiliated with the Office of Institutional Advancement & Alumni Development; and
- Educational and scholarly materials created for or by the University and owned by the University for internal or external distribution either for giveaway or for resale.

The University must obtain products from licensed suppliers except when marks are used on the following products:

- Printed publications and advertising distributed by the University for the purpose of institutional and event promotion and recruitment;
- Printed supplies, not for resale.

Products created by a University unit for resale, and bearing the marks must be licensed, except for products exempted above.

Licensing Royalties

Orders for licensed goods are subject to the standard royalty. An organization may request an exemption from royalties by completing an Internal Trademark Use Request Form. An exemption will not be granted for licensed merchandise that is sold above cost or sold at any cost to people who are not attending, or working for, UIU. A royalty exemption may be requested for:

- A product purchased by the University or a University-recognized support group, such as professional associations, employee organizations, athletic, cultural, and other interest groups for internal consumption or for sale at cost to their 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, consistent with these Guidelines for Internal Use.

General Guidelines

The following Guidelines are established in compliance with the University Name and Trademark Policy. Employees and student groups may only use University marks as granted by these guidelines. All recognized student organizations are responsible for understanding and adhering to applicable governing policies and principles.

A. Use

- Uses of the marks as permitted by these guidelines by employees or official student groups must be reviewed and approved by OCM for anything being promoted externally to campus or another UIU location. If use of marks is allowed, you will generally still need to work with an approved licensed vendor, and items may not be royalty exempt.
- If an item requires approval the first time it is ordered or produced, please seek approval again for the same item on any reorder if a period of six months has passed since the original approval. Any item that is modified prior to a reorder requires approval consistent with these guidelines regardless of how much time has passed.
- An employee/group's use of a mark must be for an activity within the scope of that organization's recognition by the University and is authorized by these guidelines.
- Employees/groups may use University marks on printed material, including letterhead, flyers, newspaper advertising, and websites to identify or advertise activities to the extent permitted in and consistent with these guidelines.
- No products considered dangerous or offensive will be approved, including but not limited to those causing potential health risks, products promoting firearms, drugs, alcohol, gambling/gaming, tobacco, or those with an unusually high product liability risk.

B. Design/Appearance

- Mark design is subject to the design standards established by the University's style guide. Items requiring licensing must be produced by licensed vendors.
- Designs must be of high quality and appropriately portray the marks and University.

- c. Consider your audience when selecting your mark (i.e., University logo vs. Peacock logo).
 - d. Generic designs or graphics that may be confusingly similar to an existing mark may not be used except as permitted by these guidelines.
 - e. Do not manipulate or alter University marks. Do not stretch or distort a mark. No graphics may cover or clutter a mark.
 - f. Use of the marks that the University owns should be denoted by the registered symbol of ® (Circle R) whenever possible. Use of the registered mark is even more important when communicating with audiences outside the University. OCM should be consulted as to the use of the registered mark for all external communications.
- C. Third Parties
- a. Use of any trademarks, images, designs, fonts, or other intellectual property of a third party or that may be confusingly similar to that of a third party must be approved by that entity in writing and submitted to OCM along with the desired artwork. A written release allowing for such use is required before OCM will grant approval for use of third-party intellectual property.
 - b. Employees/groups may list an outside entity's name and/or logo as a sponsor of the group/organization/event on products/materials along with a University mark as permitted by these guidelines if there is clear separation between the University mark and the sponsor mark(s).
 - c. 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 where endorsement provides substantial importance and/or value to the University.