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Policy Information

Effective Date:

January 1, 2003

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December, 2019

Policy Number:

UR-101

Responsible Unit:

Trademarks & Licensing Office

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Purpose and Summary

The Arizona Board of Regents on behalf of the University of Arizona has registered or otherwise protected through common law the "Trademarks" of the University. The University has delegated the responsibility for maintaining, managing, and licensing of all "Products" that bear University Trademarks to the Trademarks & Licensing Office in University Marketing & Brand Management, regardless of the manner of distribution.

Scope

Products bearing University Trademarks and distributed for resale, as premiums, or for any other purpose are subject to the licensing requirements of this Policy.

Definitions

"Products," for the purposes of this policy, refers collectively to merchandise, premium items, websites, promotional materials, and other products.

"Trademarks" include all names, initials, logos, symbols, indicia, insignia, trade names, service marks, and trademarks of the University.

Policy

1. The use of any trademark that identifies, or is associated with, the University of Arizona, may not be used without the prior express written authorization of the University of Arizona's Trademarks & Licensing Office. Only an Officially Licensed Vendor may produce Products bearing the University of Arizona Trademarks. "Officially Licensed Vendors" and Procurement and Contracting Services "Approved Vendors" or other University vendors may not always be the same. For a current list of Officially Licensed Vendors see the [Trademarks & Licensing website](#) [2].
2. Private companies are allowed to use University Trademarks on Products only after entering into a specific license agreement with the University through the Trademarks & Licensing Office that allows for trademark use. For additional information regarding inappropriate uses of Trademarks refer to the University of Arizona [Corporate Relations Policy](#) [3].
3. The Trademarks of the University will not be used in the promotion of weapons, alcohol, tobacco, or "recreational" drug products. The University reserves the right to prohibit other uses that it deems inappropriate and as being inconsistent with the image and mission of an educational institution. Products bearing University Trademarks and produced without proper written University authorization may be considered counterfeit or infringing and subject to all available legal remedies, including but not limited to, seizure of the Products.

A. Registered and Protected Trademarks

1. The following trademarks are federally registered in the name of the Arizona Board of Regents on behalf of the University of Arizona:
THE UNIVERSITY OF ARIZONA®; ARIZONA®; BEARDOWN®; CATS®; ZONAZOO®,
University official seal; official block letter "A"; Wilbur mascot; graphic cat face logo; and the cactus logo.
2. The following marks are registered with the State of Arizona in the name of the Arizona Board of Regents on behalf of the University of Arizona:
ZONA™; WILDCATS™; WILDCAT COUNTRY™; WILDCAT FOR LIFE™.
3. All other names, symbols, initials, or graphic designs that refer to or are identified with the University of Arizona are protected by federal and state law.

B. Procedures

1. Entities of the University designing Products to bear a University trademark must order all items from an Officially Licensed Vendor. That vendor will secure approval on behalf of the department.

C. Labor Practices/Code of Conduct

1. The University of Arizona is committed to the concept that all Products bearing reference to the University (including names of each department and any recognized club and organization affiliated with the University) will be manufactured by companies whose labor policies protect their employees from abusive labor conditions.
2. The University of Arizona has adopted strict Labor Code Standards that require manufacturers of licensed products (Licensees) to certify their compliance with the

Code. In addition to certifying their compliance with the Code, Licensees are required to disclose the location, address, phone number, e-mail, and contact person for each facility it owns or contracts with for the production of goods, and they must authorize the University (or its agents) to make announced or unannounced inspections of their manufacturing facilities. See the Labor Code Standards online at the Office of Trademarks & Licensing website.

3. The University requires that any product produced for the University (or for departments or recognized clubs and organizations) that carries a University trademark or uses the name of or refers to a University department or a recognized club or organization be manufactured by those companies that are appropriately licensed to use University Trademarks (Licensees) and are in compliance with the University's Labor Code Standards. For a current list of Officially Licensed Vendors see the [Trademarks & Licensing website](#) [2].

D. Implementation

1. All products bearing the University of Arizona's Trademarks must be approved and licensed as specified by this Policy. Resale items will generally be subject to the current standard royalty rate established by the University.
2. Promotional or "premium" items, regardless of distribution points, are also subject to these licensing requirements. Royalties will be determined based upon the scope of the promotion and other factors considered appropriate by the University.
3. Institutional marketing materials produced by the University for official University business shall meet the criteria established by the University's Identification Program. Other promotional items, regardless of production method or source of distribution, are subject to the approval process in this Policy.
4. The University of Arizona's official stationery shall be produced under the direction of the Marketing & Brand Management Office and the Department of Printing & Graphics Services, a division of Procurement and Contracting Services. Official stationery shall include University and departmental business cards, stationery, envelopes, and notecards.
5. Companies and individuals wishing to extend congratulatory messages (or statements of support) not meeting the criteria of paragraph E below may receive authorization from the Trademarks & Licensing Office to use prescribed trademarked verbiage (e.g., GO CATS® or Congratulations Wildcats™). Such messages must be clearly separate from the sale or promotion of any products, and require written approval from the Trademarks & Licensing Office.

E. Licensing and Royalties

1. Any person, business, or organization desiring to use the University's Trademarks in any manner and for any purpose must be licensed to do so. The University has arranged for licenses to be issued for products by the Collegiate Licensing Company (CLC) on the University's behalf. For a complete description, see the Trademarks & Licensing website.
2. The University generally permits three types of product licenses to be issued, but may create new licensing arrangements as needed.
 - a. **Traditional Retail** for the production of emblematic Products which will be sold by the Licensees to retail establishments.
 - b. **Restricted** issued to a company whose sole use of the University's Trademarks is in response to a production request by a department (non-retail) or a recognized campus club or organization. On-demand Licensees are not authorized to sell any products for traditional retail sales.
 - c. **Promotional Use**, use of University Trademarks for an approved limited-duration commercial use.

3. A product is generally subject to royalty fees if a University Trademark is utilized *and*
 - a. the product is for resale; or
 - b. the product promotes a specific event; or
 - c. the name, mark, or logo of a third party is used in conjunction or in association with the Trademark.
4. These guidelines are usually sufficient in determining royalty/non-royalty. However, each submission shall be reviewed individually to make sure all aspects of the situation are taken into consideration.

F. Exemptions

1. For purposes of consistency, the University does not exempt campus-operated retail stores from purchasing emblematic Products from Officially Licensed Vendors. Royalties are charged to campus retail stores in the same manner as charged to off-campus retail establishments.
2. Departments of the University, and recognized clubs and organizations, are also required to purchase emblematic Products from "Officially Licensed Vendors." Receiving authorization for a design or to utilize a Trademark does not constitute approval to manufacture a particular product. The product must be manufactured by, and purchased from, an Officially Licensed Vendor. Activities or products that include the use of a commercial sponsor's names or logos on the licensed product will be assessed a higher royalty.

Compliance and Responsibilities

Trademarks & Licensing Office. The mission and purpose of the Trademarks & Licensing Office [2] is to

1. Control the use of Trademarks that have come to be associated with the University of Arizona, protect all University Trademarks from unauthorized uses, and facilitate the process of granting authorization for legitimate internal and third-party use of University Trademarks;
2. Require that the University secures a legitimate and reasonable royalty for the use of its Trademarks; generate revenue for University Marketing & Communications and Intercollegiate Athletics; and enhance the quality of life for faculty, staff, and students across the campus; and
3. Promote the University in a consistent and uniform manner to protect the University's reputation, name, and image by permitting only appropriate uses and assuring that only quality products bear the University's Trademarks; and protect the consumer from inferior products bearing University Trademarks.

All departments of the University, recognized campus clubs and organizations, individuals, and companies are required to obtain approval from the Trademarks & Licensing Office prior to producing, or arranging for production of, any product that utilizes the University's Trademarks, regardless of use or method of distribution, except as otherwise authorized under paragraph D4 above. Products bearing University Trademarks and produced without proper written University authorization may be considered counterfeit or infringing and subject to all available legal remedies, including but not limited to, seizure of the Products.

Related Information*

University of Arizona Corporate Relations Policy [3]

Revision History*

Nonsubstantive revisions 12/13/ 2019

Revised July 16, 2012

Source URL:

<http://tobaccofree.arizona.edu/administration-university-relations/product-licensing-and-trademark-usage>

Links

[1] [mailto: licensing@arizona.edu](mailto:licensing@arizona.edu)

[2] <https://licensing.arizona.edu>

[3] <http://policy.arizona.edu/ethics-and-conduct/corporate-relations-policy>