

HOFSTRA UNIVERSITY Policy and Procedure

Subject: University Trademark Licensing Policy
Date Last Revised: Wednesday, August 20, 2014
Responsible Office: University Relations

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Purpose

The purpose of this policy is to protect the integrity of Hofstra University's name, brand, and identifying marks and to promote the university. This trademark licensing policy ensures that products bearing Hofstra University's marks are of good quality and that each licensed use reflects positively on the University. Furthermore, this policy is part of Hofstra's effort to monitor all uses of its trademarks, as required in order to comply with and assure protection under federal trademark law, Title 15, U.S.C., section(s) 1051 et seq.

The policy applies to all uses of the Hofstra trademarks, including but not limited to uses by Hofstra departments and student organizations. Suppliers and manufacturers of commercial and non-commercial products should follow their licensing agreement with the University's trademark licensing partner Licensing Resource Group (LRG).

Definitions

Trademarks

A trademark (including a service mark) includes any word, name, symbol, or device, or a combination of them, used to associate goods (or services) with a particular entity and to distinguish them from the goods (or services) of others. A trademark may only be used by or with the consent of the owner thereof. Unauthorized use of trademarks is subject to civil and criminal penalties. For questions about whether or not something is a trademark, contact the University Relations Office.

Registered trademarks

The university's marks that have an active registration with the United States Patent and Trademark Office can be found at hofstra.edu/licensing/HU_RegisteredMarks.

Licensing

Licensing is the process of obtaining legal permission through a contract for the right to use an entity's trademarks.

Licensee / Supplier

An individual or company who enters into an agreement to use Hofstra trademarks is referred to as a licensee or licensed supplier. Suppliers include, but are not limited to: manufacturers, manufacturers' representatives, agents, wholesalers, distributors, printers, embroiderers and screen printers.

Policy

Hofstra University asserts ownership over its name and any other mark, logo, insignia, seal, crest, design, symbol or any combination of these that have come to be associated with the University, including but not limited to the University's Registered Trademarks. The University's trademarks may not be used without permission and may only be used in accordance with this policy.

Any person, department, organization or corporation – including University employees, departments, and student organizations - wishing to manufacture a product bearing or containing any of the marks of the University, or to provide a service (e.g. screen printing or embroidering) that will use the marks, must enter into a licensing agreement that authorizes such use. Only officially licensed, approved vendors (licensees) may produce merchandise bearing the University's trademarks or name. This applies to any product whether for internal use, giveaways or sale. Examples of products include coffee mugs, apparel, uniforms, sports equipment, etc. The approved vendors listed can be located at hofstra.edu/licensing/InternalVendors.

In addition, all merchandise designs must adhere to the University standards. University standards can be found in the Visual Identity Usage Guides (for the University and Athletics).

The university licensing program is administered by the Office of the VP for University Relations and in partnership with the Licensing Resource Group (LRG). University departments and student organizations wishing to participate in the licensing program should follow the procedures at hofstra.edu/licensing/departments and hofstra.edu/licensing/student, respectively.

Approval to use the design for one product, e.g., T-shirts, does not constitute approval to change the design even slightly for reuse or to apply it to another product, such as a coffee mug, without seeking additional approval.

University departments or student groups who use a Hofstra trademark for on letters or memos associated with that department or group do not require permission from University Relations. In addition, where trademarks are used on items produced through the University Print Shop, such as business cards, individuals should follow the standard Print Shop approval process; no additional approvals are needed.

Prohibited Uses of University Marks

Hofstra University reserves the right to approve or disapprove of any use of its trademarks, even if not explicitly prohibited by this policy or these guidelines.

The lists below are not exhaustive; other items may also be prohibited as a general rule:

- A. Hofstra's trademarks may not be incorporated in the name or logo of a business, and may not be used in advertising services or in conjunction with a product in a way that states or implies an endorsement.
- B. Hofstra's trademarks may not be used in any way that discriminates or implies discrimination against any persons or groups based on age, ancestry, belief, color, creed, physical or mental disability, national or ethnic origin, race, religion, sex, sexual orientation, gender identity or expression, or marital or veteran status, or in any other way that would be a violation of the University's non-discrimination policies.
- C. Hofstra will not license the use of Hofstra's name or trademarks in connection with products or designs that are harmful to Hofstra's mission or inconsistent with Hofstra's policies.

- D. Food and beverage products and accompanying packaging may be allowed on a case-by-case basis as determined by the Office of the VP for University Relations.
- E. Designs that incorporate trademarks or copyrights not owned by the University are not permissible, unless written permission is received from the trademark or copyright owner and the Office of the VP of University Relations.
- F. Exceptions to the aforementioned prohibited uses are rare, but may be considered on a case-by-case basis by submitting a request in writing to the Office of the VP of University Relations. Such requests will only be considered if submitted by a University Vice President or Dean and must:
 - 1. Define the conditions under which the name of the university and/or university marks will be used.
 - 2. Define the compensations to be paid to the University for such Use.
 - 3. Identify all links to non-university webpages.

The Office of the Vice President for University Relations will consult with appropriate members of the university leadership, which may include the Senior Vice President for Planning and Administration, the Vice President for Legal Affairs and General Counsel, and the Vice President for Financial Affairs and Treasurer, to determine whether to advance the request to the University President. Only those requests for exception that are supported by the University President will be granted.

Compliance

The Office of University Relations will monitor compliance with this policy and the University will take action as necessary to enforce it.

Related Documents

- A. Hofstra University Visual Identity Usage Guide
- B. Hofstra Athletics Visual Identity Usage Guide
- C. Student Organization Request for Use of University Logos Approval Form