

## **Trademark Licensing Policy**

### **INTRODUCTION**

Temple University has a long-standing policy of protecting the symbols that are associated with its name and its reputation as one of the finest universities in the country. Temple owns and controls its name(s) and other marks, logos, insignias, seal, designs and symbols (hereafter, "trademarks") that have become associated with the institution.

In addition, in order to comply with and assure protection under federal, state, and international trademark laws, Temple University is required to monitor and control all uses of its trademarks. Unauthorized use of Temple trademarks is subject to civil and criminal penalties. Temple reserves the right to take appropriate action when confronted with unauthorized use of its trademarks. Such actions may include confiscation of the goods, financial penalties, and legal action.

Temple trademarks include, but are not limited to: the words TEMPLE, Temple University Owls; and logos such as the stylized "T", and the Owl Head, the official Temple University Seal, and the Owl Eyes.

The purpose of this policy is to provide information and guidelines to the Temple community regarding the use of Temple's trademarks. The overall purpose of the Temple University Licensing Program is to protect the integrity of the institution's trademarks, and to ensure such trademarks are used in an appropriate manner. Temple's Trademark Licensing Program is administered by the Office of Business Services and overseen by the Associate Vice President of Business Services.

**Why does Temple care who uses its Trademarks or how?** Temple must control and monitor the use of its trademarks or risk losing its rights to use them as unique Temple Identifiers. Temple has a compelling interest in controlling the use of its trademarks for other reasons as well. These include, but are not limited to the following:

- Protecting the Temple name and ensuring that its use - regardless of the unit at Temple of which it is a part - is compatible with Temple University's excellence and reputation.

- Ensuring that any products or services that bear Temple trademarks are of the highest quality and are used only in connection with products and services with which the institution has chosen to be identified and which, as a result, it has assumed some level of responsibility;
- Preventing misleading or inaccurate portrayals of Temple 's relationship to others or to activities, and preventing others from taking advantage of the goodwill the institution has developed and which is symbolized by its trademarks; and
- Ensuring that products and services bearing Temple 's trademarks protect the integrity and reputation of the institution, maintain and build upon the goodwill of the institution, and promote support for and increase awareness of the institution, its mission and goals.

### **POLICY FOR INTERNAL USE OF TEMPLE TRADEMARKS BY TEMPLE DEPARTMENTS, GROUPS AND STUDENT ORGANIZATIONS**

Trademark Uses That May Not Require Approval: Some uses of Temple trademarks by Temple departments, groups and registered student organizations may not require prior approval from Temple 's Office of Business Services, including:

- The use of Temple trademarks by Temple departments, groups, and registered student organizations in the ordinary course of conducting Temple business provided they make no changes to the design or approved colors of Temple trademarks, and adhere to the Guidelines contained in this policy. Examples include: the use of unmodified Temple trademarks on stationery, business cards, reports, official Temple catalogs, publications, reports and similar materials, and materials used in academic courses.
- Use of the Temple name or other trademarks in connection with news reporting and other fair uses that do not undermine Temple 's rights to its trademarks.

**Trademark Uses That Require Approval:** All uses of Temple trademarks on products require prior approval from the Office of Business Services, even if the proposed uses do not involve the sale of a product; e.g., promotional items for conferences or meetings, items for fundraisers, items for giveaways, gifts, etc.

All other uses, except those listed above in the section "Trademark Uses That May Not Require Approval."

Temple departments, groups, and registered student organizations may not assign rights to or otherwise grant permission to any other entity for use of Temple trademarks for any purpose without prior review and approval by Temple's Office of Business Services.

**Products must be purchased from Licensed Manufacturers Only (Temple Licensees):**

All products bearing Temple's trademarks must be purchased only from Temple licensees. To ensure consistency in the use of Temple's trademarks, and to ensure compliance with a wide range of requirements associated with the manufacture and use of Temple's trademarks, products bearing Temple's trademarks may be purchased only from companies that are officially licensed by Temple to manufacture or distribute products bearing its trademarks.

There are over 100 companies officially licensed by Temple to manufacture products which bear Temple's trademarks.

**Sweatshop Issues:** Temple is committed to conducting its business affairs in a socially responsible and ethical manner. Temple requires that all manufacturers of products bearing Temple's trademarks strictly adhere to a Code of Conduct in the manufacture of those products. Temple prohibits products bearing its trademarks from being manufactured in abusive and unfair labor conditions. Issues addressed in the Code of Conduct include, but are not limited to: wages & benefits, working hours, overtime compensation, child labor, forced labor, health and safety, non-discrimination, and harassment or abuse. In addition, Temple requires all of its licensees to publicly disclose the names and locations of all of their factories which manufacture products that bear Temple's trademarks. Temple Licensees are required to subject those factories to independent monitoring of factory labor conditions through an organization with which Temple is affiliated, the Fair Labor Association.

**Guidelines for Use of Trademarks**

Temple trademarks may not be altered in any way.

Temple trademarks may not be used in conjunction with the name or trademark(s) of any other entity without the prior written permission of that entity. If permission is granted by the Office of Business Services to use both the Temple trademark and another party's trademark in a design, the trademarks must be distinct and separate from each other, and Temple's trademarks must not be overshadowed or diminished in any way in comparison to the other entity's trademark. Approval of any such dual use of Temple trademarks will be limited to instances where there is a compelling institutional priority in allowing such a use.

Temple trademarks may not be used in any manner that suggests or implies Temple's endorsement of other organizations, companies, products, services, political parties or views, or religious organizations or beliefs.

Temple'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, disability, national origin, race, religion, sex, sexual orientation or veteran status, or in any other way that would be a violation of Temple's anti-discrimination policies or practices.

No one other than Temple may claim copyright or trademark rights in, or seek to register any design that uses Temple trademarks.

All uses of Temple's trademarks on products will incorporate the appropriate trademark designation symbols, i.e., all designs using Temple trademarks will include ®, with the exception of the word Temple, which will use TM.

Temple will not approve the use of Temple trademarks in connection with certain types of products. These include, but are not limited to the following:

- Products that could be used to injure or kill;
- Alcohol-related products;
- Tobacco-related products;
- Illegal drug-related products;
- Sexually suggestive products or language;
- Gambling-related products;
- Products that present an unacceptable risk of liability;
- Products that could be harmful to the mission or image of the institution.

Certain artwork or designs will not be approved for use in conjunction with Temple's trademarks. These include, but are not limited to the following:

- Art depicting or implying the use or endorsement of
  - alcohol;
  - illegal drugs;
  - tobacco products;
  - firearms or other weapons;
  - racist, sexist, hateful, demeaning or degrading language or statements;
  - profanity;
  - sexual acts;
  - statements impugning other universities;
- Art or a design incorporating trademarks or copyrights not owned by Temple, unless written permission for such use satisfactory in form and substance to Temple is obtained from the trademark holder or copyright owner, and approved in advance by the Office of Business Services.

Approval to use a Temple trademark for a one-time application only (for example, a t-shirt) does not constitute approval to use the trademark again, or in connection with any other item, or to change the design in any way, without seeking additional approval.

**Student Athletes:** Any and all uses of the names, numbers, and/or images of Temple student athletes must comply with Temple policies and NCAA regulations. Questions should be directed to the office of Business Services, which will consult as appropriate with Temple University Athletics.

**Approval Process:** Send an e-mail to Linda Frazer, the Director of Business Services ([ltfrazer@temple.edu](mailto:ltfrazer@temple.edu)) Include the following information: your department/organization, requestor's name, e-mail address and telephone number, description of product(s) to be ordered, quantity desired, the date the product is needed, and artwork including all names/logos to appear on product. Please describe the purpose/event the product is being ordered for; the start and end date of the event; whether the product is being sold or given away; and if the product is being sold, where the proceeds from the sales will be directed. The review and approval process can take up to two weeks.

**Appropriate Use of Trademarks:** In instances where there is uncertainty regarding the appropriate use of any Temple trademarks, the Associate Vice President of Business Services will consult with Temple's Senior Vice President, and/or Temple's Office of Legal Counsel. Temple reserves the right to disapprove any use of its trademarks, even if such use is not explicitly prohibited by this policy or these guidelines.

**Contact:** For further information or assistance, contact Linda Frazer (215-204-7271), Director of Business Services in the Office of the Associate Vice President of Business Services.

### **Licensing Contact**

Anyone who wishes to use the names or icons of Temple University for retail sale or profit must first become licensed. A license can be obtained via Temple's exclusive licensing agency, the Collegiate Licensing Company (CLC). Through its relationship with CLC, Temple University is able to maximize every aspect of its licensing program.

As such, it is important for all Temple University coaches, administrators, and students to direct anyone looking for information about licensing or the licensing process to:

John Greeley  
Vice President, University Services  
The Collegiate Licensing Company  
290 Interstate North Circle, Suite #200  
Atlanta, GA 30339  
770.956.0520 phone  
770.955.4491 fax  
[jgreeely@clc.com](mailto:jgreeely@clc.com)

Please note that all products incorporating these marks must be submitted to Temple's Department of Business Services via the Collegiate Licensing Company for approval prior to production.