



POLICY & PROCEDURE DOCUMENT

NUMBER: 0.2060

SECTION: General University

TITLE: University Licensed Marks

DATE: October 21, 2013

APPROVED: Administrative Council

I. Purpose and Scope

This Policy applies to and controls the use of University licensed marks by WKU departments on non-apparel items (i.e. printed material, brochures, key-chains, etc.) and apparel items.

II. Policy

The University owns its name and all trademarks associated with the University. Trademarks include any logo, signature, symbol, mark, seal, nickname, letters, word or derivative that can be associated with WKU and can be distinguished from those of other institutions or entities. WKU protects and enhances its reputation by assuring that its trademarks appear only on appropriate materials or quality products.

WKU has established a trademark licensing program which affects all marks or logos used by the University, including logos generally associated with the University, such as the seal, cupola, red towel, Big Red, words and phrases ("Western," "Top Scholar," "Hilltoppers," "Kelly Autism Program," etc.) and letters ("WKU," "CEC") which have been or may be associated with the University. The purpose of these registrations is to insure that others do not utilize the University's name or trademarks in a manner to WKU's detriment. These restrictions apply to any WKU licensed marks or the WKU or Western Kentucky University name. The oversight and enforcement process that follows requires continuous vigilance by the University.

The University maintains a contract with a Licensing Company ("LC") to license and regulate vendors which sell or manufacture apparel bearing University licensed marks, enforce the University's registration on marks and logos and collect royalties generated by the sale of apparel from appropriately licensed vendors.

Producers of commercial products bearing any WKU mark, including the WKU athletics logos, must have a license before offering these goods for sale. No product will be licensed without the approval of CLC and WKU. The list of approved vendors licensed to manufacture goods bearing the University's marks is available as a PDF document online at: CLC.com.

Vendors may contact Brittel Lloyd at CLC for information about being approved and added to the list.

III. Procedure

- A. All WKU departments and affiliated groups must purchase products bearing WKU marks or logos from licensed vendors. Stated another way, unlicensed vendors are prohibited by law from utilizing and/or selling WKU licensed marks.
- B. Royalties
 1. Non-apparel Products: Royalties are not collected from licensed vendors by WKU or its LC on the following non-apparel products:
 - a) Printed material, magazines, brochures, business cards, etc.
 - b) Promotional “give away” items such as card cases, visors, tote bags, key-chains, etc. (i.e. items not purchased for resale).
 - c) Signage.
 - d) “WKU” vehicle license plates issued by the state.
 2. Apparel Products: Royalties are paid by and collected from licensed vendors on the sale of apparel products bearing WKU marks or logos.
 - a) The list of approved vendors licensed to screen print and/or embroider WKU marks is available online at: CLC.com.
 - b) A department or WKU affiliated organization may go directly to these vendors and present payment with a WKU Purchase Order or Procard.
 - c) If the apparel items purchased are not intended for resale by the department or organization, no royalties will be charged to the vendor or collected on the sale. (See paragraph 3, below.)
 3. Waiver of Royalties on Apparel Products: WKU has the right to waive royalties on apparel products bearing WKU marks or logos when:
 - a) The apparel products are purchased by WKU departments and / or recognized affiliated organizations; and,
 - a) The apparel products being purchased are for internal consumption or use only by the Department or organization itself, or are purchased for “give away” purposes (products cannot be for resold); and,
 - b) The apparel products purchased have been or will be paid for with a WKU Purchase Order or Procard.
 4. Requesting Waiver of Royalties: WKU departments or affiliated organizations utilizing payment methods other than a WKU Purchase Order or Procard may request a waiver of royalties by contacting: Craig Biggs/WKU Athletics or Deborah Wilkins/WKU General Counsel.

5. WKU cannot waive licensing on apparel products that are manufactured for mass distribution and distributed to retailers generally. However, WKU departments may purchase apparel products that are manufactured for mass distribution at the WKU Bookstore, and purchases made with a Procard are discounted twenty per cent (20%.)
- C. Producers of commercial products bearing any WKU mark, including the WKU athletics logos, must have a license before offering these goods for sale.
1. No product will be licensed without the approval of CLC and WKU.
 2. The list of approved vendors licensed to manufacture goods bearing the University's marks is available as a PDF document online at: CLC.com.
 3. Vendors may contact Brittel Lloyd at CLC for information about being approved and added to the list.

IV. Related Policies

See also:

WKU Policy No. 08.1040, *WKU Logo Usage; Communication & Branding*