



# VCU

## University Trademarks & Licensing

**Policy Type:** Administrative

**Responsible Office:** Department of Business Services, Office of Trademarks and Licensing

**Initial Policy Approved:** 06/24/2013

**Current Revision Approved:** 06/20/2016

### Policy Statement and Purpose

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Virginia Commonwealth University is committed to promoting and protecting the university's brand standards by ensuring proper usage of its name and symbols. The trademark licensing program ensures the quality and consistency of all merchandise bearing VCU marks. All merchandise bearing one or more VCU marks must be produced by a licensed vendor. Revenue generated from this program supports and enhances many student programs and scholarships.

The Collegiate Licensing Company Inc. (CLC) represents VCU and assists in the management of the University's licensing and trademark enforcement program. CLC is responsible for processing license applications, coordinating artwork approvals, collecting royalty payments, protecting trademarks and developing our brand. Manufacturers who wish to produce VCU merchandise must be licensed through CLC. Once a license application is submitted to CLC, the VCU Office of Trademarks & Licensing will review for approval. Licensed manufacturers may be required to pay a royalty fee. The institution only licenses merchandise and services that promote the image of Virginia Commonwealth University and the VCU Medical Center.

VCU's Licensing Program is in place for three principal reasons:

- **Protection of the Virginia Commonwealth University name** - Because licensed vendors have a written agreement with VCU through the Collegiate Licensing Company, the University has appropriate control of the way University trademarks are used and the quality of the merchandise bearing University trademarks.
- **Assuring VCU merchandise is produced under appropriate conditions** – Licensed vendors are used to produce VCU trademarks in order to ensure products are manufactured in a responsible and sustainable fashion. CLC enforces appropriate working conditions in factories that produce VCU licensed merchandise.
- **Product liability insurance** - The University requires licensed vendors provide product liability insurance.

Virginia Commonwealth University and the VCU Medical Center have registered their names, wordmarks and logos with the United States Patent & Trademark Office (USPTO) and/or the

Commonwealth of Virginia State Corporation Commission (SCC). The most familiar symbols are the Virginia Commonwealth University seal and wordmark, the VCU Rams logo, and the VCU Medical Center logo. Through its licensing efforts, the University promotes the officially licensed merchandise of VCU and enhances relationships with manufacturers and retailers of licensed goods.

All University-approved groups, departments and schools, as well as external individuals, groups and companies are required to obtain approval from the University’s licensing agent, the Collegiate Licensing Company, and the VCU Office of Trademarks & Licensing before producing any merchandise that use the institution's registered and common law trademarks. Approval is required regardless of use or method of distribution. Merchandise produced without written authorization may be considered "counterfeit" and subject to all available legal remedies, including seizure of the merchandise.

University trademarks are to use the appropriate trademark designation (™ or ®), and may not be altered. See “Trademark Designation” definition on page 4 for exceptions.

Noncompliance with this policy may result in disciplinary action up to and including termination. VCU supports an environment free from retaliation. Retaliation against any employee who brings forth a good faith concern, asks a clarifying question, or participates in an investigation is prohibited.

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## Who Should Know This Policy

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The VCU faculty, staff and students, as well as external vendors, contractors, businesses or organizations who wish to do business with VCU.

## Definitions

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### Common Law Trademark

A common law trademark indicates that the trademark rights are developed through use and not through state or federal trademark registration. Instead, common law trademark rights have been developed under a judicially created scheme of rights governed by state law.

## **Crafter License**

A Crafter License is for individuals producing domestic handcrafted items in the home with collegiate marks, and selling/distributing to individual consumers via events or direct sales. The Crafter License does carry a royalty fee as defined on the Trademarks and Licensing website.

## **Internal Campus Supplier License (ICS)**

The Internal Campus Supplier License (also referred to as a Restricted License) allows a company to produce merchandise bearing the trademarks of VCU for University departments and registered student organizations for internal consumption only. These sales are categorized as royalty exempt by the University.

## **Local License**

The Local License is for companies that desire to obtain a license with an institution located in their immediate in-state marketplace. This license type may better suit companies that do not believe they can qualify for a Standard License, but believe they can demonstrate sales success within a few years at the local level in order to qualify. The Local License carries VCU's standard royalty fee.

## **Manufacturers**

Any person, group or business that has the means to physically produce a VCU trademark(s) on merchandise. Examples include a t-shirt screen printer, embroidery service, etc.

## **Merchandise**

Any product, including but not limited to apparel, headwear, footwear, house wares, office supplies, etc., that bear the trademarks of Virginia Commonwealth University, whether for resale or not for resale.

## **Registered and Protected Names**

Through State Corporation Commission (SCC) registration and federal registration with the United States Patent and Trademark Office (USPTO), Virginia Commonwealth University maintains several protected wordmarks and logos. Only approved licensees will be able to produce, display and distribute merchandise bearing these wordmarks and logos.

The following protected names and official artwork are the approved marks for use in representing VCU. Any mark other than the following must be approved by the VCU Division of University Relations and the VCU Office of Trademarks & Licensing.

The following are Registered and Protected Names of Virginia Commonwealth University:

- Virginia Commonwealth University®
- VCU®
- VCU Rams™
- Rams™
- VCU Health™
- Havoc™

## **Official Artwork**

Licensed vendors obtain VCU's official art sheet through the My CLC web portal. For internal use, please reference the VCU Brand Standards Guide.

### **Standard License**

The Standard License is intended for companies that are capable of extensive production and retail distribution of their merchandise and/or are introducing a unique and commercially viable product to the collegiate market. The Standard License carries VCU's standard royalty fee.

### **Trademark**

A word, logo, or a combination, used by organization, business, group, etc. to identify its goods and/or services and distinguish them from others.

### **Trademark Designation**

There are two types of trademark designations that VCU utilizes – the TM (™) mark and the ® mark. Both designations offer VCU exclusive rights to the logos or wordmarks they accompany, with these differences:

The TM (™) mark – The logos or wordmarks that VCU designates with a TM are registered in the Commonwealth of Virginia through the State Corporation Commission (SCC). This registration offers VCU statewide protection of the University marks and makes the marks searchable in the state database.

The ® mark – The logos or wordmarks that VCU designates with the ® mark are federally registered trademarks through the United States Patent and Trademark Office (USPTO). This registration gives VCU legal validity and exclusive ownership of our marks. The USPTO has very thorough standards of review for all federal trademark registrations to ensure there is no infringement on other registered marks. Federally registered marks are also listed on the national USPTO search reports and with U.S. Customs.

In almost all merchandise applications, the inclusion of the appropriate trademark symbol is required. Exceptions, like the following, may be granted with written permission from the VCU Office of Trademarks & Licensing:

- If the trademark symbol would be so small that it becomes illegible, it may be omitted and a label may be attached stating the logo is a trademark of VCU.
- If the merchandise is extremely high quality (e.g., gold or other precious metals, crystal), the trademark symbol may be omitted and a label may be attached stating the logo is a trademark of VCU.
- The trademark may be omitted on official University business materials and official team uniforms.

### **Wordmark**

Any word that is trademarked by the university, but which may or may not have a design or logo-type specified for use. Examples include the wordmark "VCU" or "Virginia Commonwealth University."

## Contacts

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The VCU Department of Business Services officially interprets this policy. The VCU Department of Business Services is responsible for obtaining approval for any revisions as required by the policy *Creating and Maintaining Policies and Procedures* through the appropriate governance structures. Please direct policy questions to The VCU Department of Business Services.

For licensing information contact:

Office of Trademarks and Licensing  
VCU Business Services  
Virginia Commonwealth University  
1111 W. Broad Street  
P.O. Box 980208  
Richmond, VA 23298-0208  
Phone Number: (804) 828-3615  
FAX: (804) 828-7867  
trademarks@vcu.edu

To become a VCU licensed vendor, contact:

Collegiate Licensing Company  
320 Interstate North, Suite 102  
Atlanta, GA 30339  
Phone Number: 770-956-0520

For information and guidelines regarding the proper use and style of VCU marks, please visit VCU Identity's website or contact:

VCU Division of University Relations  
827 West Franklin Street  
P.O. Box 842041  
Richmond, VA 23284-2041  
Phone: (804) 827-1480  
identity@vcu.edu  
www.identity.vcu.edu

## Policy Specifics and Procedures

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### 1. Procedures for University Departments and Registered Student Organizations

- a. Publication Use: University departments and registered student organizations requesting authorization for VCU trademark use within official institution publications, letterhead, and business cards should direct their requests to the Division of University Relations. For logo design or assistance with artwork utilizing VCU marks, please

contact University Relations.

- b. **Athletic Logo Use:** Registered student organizations are not permitted to use VCU's athletic logos to represent their organization. These logos are reserved for varsity teams only. When referring to VCU in the organization's name, "VCU" may not be placed in front of the organization's name; "at VCU" or "of VCU" are the only permitted uses (for example: Badminton Club at VCU or Equestrian Team of VCU). Please refer to University Student Commons & Activities for questions and more information.
- c. **Merchandise Use:** University departments and registered student organizations requesting authorization for University trademark use on merchandise should direct their requests to the VCU Office of Trademark and Licensing by submitting the **Student and Internal Licensing Request Form**. Merchandise bearing VCU trademarks must be produced by a licensed VCU vendor. "Merchandise" includes items that may be sold, promotional items for giveaways, gifts, etc., or items for fundraisers.
- d. **Exceptions:** Exceptions may be made with written permission from the VCU Office of Trademarks & Licensing. Merchandise designs cannot be produced without a copy of the Student and Internal Licensing Request Form signed by the VCU Office of Trademarks & Licensing. Please see our list of **Licensed VCU Vendors**.
- e. All identity items must adhere to VCU's **Brand Standards**. Please contact University Relations ([identity@vcu.edu](mailto:identity@vcu.edu)) for more information.
- f. **Co-Branding with VCU trademarks** – please see **Artwork Guideline 4.e.** on page9.

## **2. Contracts for External Groups, Businesses or Organizations**

- a. VCU trademarks may only be used by a private group or business through a contract with the University. The agreement needs to have been approved by University Counsel and the VCU Division of University Relations, in conjunction with the VCU Office of Trademarks & Licensing.
- b. Such contracts or agreements shall offer the nonexclusive use of the University's name and/or the University brand mark (logo), in compliance with University brand standards, in the promotion of endorsed business and activities. The University is owner of its name, wordmarks and logos and authorized external groups shall not delegate the authority to use the University name, wordmarks or logos to any person or entity without the written approval of the Executive Director of University Relations and University Counsel, in consultation with the VCU Office of Trademarks & Licensing.
- c. A promotion or sponsorship agreement with the University must not and does not convey the idea the University is endorsing the sponsor's products or services.
- d. Promotional or sponsorship agreements with external groups, businesses or organizations cannot utilize language that implies preferred status or official relationships with the University.

- e. Merchandise bearing any VCU trademarks, whether sold for retail or used as giveaways, must be produced by a licensed VCU vendor.

### 3. Procedures for Licensed Vendors

- a. Any vendor creating merchandise/products (apparel, bags, writing utensils, mugs, etc.) bearing any of Virginia Commonwealth University's trademarks, whether for on-campus departments or organizations, or for third party vendors to sell in stores for resale or general distribution, must be set up as an official licensee and go through an approval process before placing the University's trademarks on any merchandise/product.
- b. To become a licensed VCU Vendor, manufacturers must hold a license for VCU through The Collegiate Licensing Company Inc. (CLC). CLC is responsible for processing license applications, coordinating artwork approvals, collecting royalty payments and enforcing our trademarks. Once a license application is submitted to CLC, VCU Office of Trademarks & Licensing will review for approval. Licensed manufacturers may be required to pay a royalty fee.
- c. Licensed Vendors must adhere to the **Artwork Specifications**, outlined herein, as applicable. Trademarked VCU logos and wordmarks are available to all licensed vendors through My CLC, as outlined on the University's art sheet available at <http://www.bsv.vcu.edu/media/business-services/documents/trademarks/vcuartssheet.pdf>.

### 4. Artwork Specifications



- a. **Official University Seal** – Use of the Official University Seal as a primary graphic component is restricted to formal and official documents such as diplomas, legal and official records, transcripts and approved scholarly, ceremonial, presidential or Board of Visitors-related purposes. There is only one University seal. No other seals may be established.



- b. **University Logo** – The University Logo is to be used on official University business materials, including but not limited to publications, promotions, communications (in print and digital), and websites. It is the University's preference to utilize all three elements of the University Logo (the seal, VCU and bar) together. The "Virginia Commonwealth University" bar element and/or the seal element may be omitted with written approval by the VCU Office of Trademarks & Licensing.

Internal departments and registered student organizations wishing to order merchandise bearing any University trademarks must follow the “Procedures for University Departments and Registered Student Organizations.” External Groups and Vendors wishing to produce the University trademarks must hold a VCU license through the Collegiate Licensing Company. See VCU’s Brand Standards for more information on VCU’s graphic identity.

- c. **Athletic Logos** – The VCU Athletic Logos are limited to varsity athletic and informal usage and must not be used for academic applications, academic merchandise, or university websites. Written permission from the VCU Office of Trademarks & Licensing must be obtained to use these logos when not representing VCU Athletics.
- d. Virginia Commonwealth University wordmarks and logos have a protected area. No lines, words or artwork may overlap or intersect the mark, and no alterations may be made to the logos.
- e. Virginia Commonwealth University marks may not be used in conjunction with other trademarks or registered marks without written permission from the owner of the mark and from VCU’s Office of Trademarks & Licensing. See **FAQs** section for an example.

## 6. LICENSING PROCESS

Merchandise bearing Virginia Commonwealth University’s protected trademarks must be produced by a vendor that is an approved licensee through Collegiate Licensing Company (CLC). Once licensed, vendors must submit proofs of all merchandise designs through the My CLC web portal system to ensure VCU’s brand standards are met. Vendors will generally be notified within 1 to 3 business days if their artwork is approved or requires revision.

### Types of Licenses:

Any person, business, or organization desiring to produce VCU's trademarks (logos and/or wordmarks) on any merchandise is required to obtain a license. This includes premiums, promotions, and advertising. Most merchandise will be considered for a license. However, the institution reserves the right to refuse a license to any person, organization, or business. The institution will not license merchandise deemed to be inappropriate.

**INTERNAL CAMPUS SUPPLIER (ICS):** Internal Campus Suppliers produce and supply merchandise for internal University purposes only and cannot sell to any entity if the product will be resold and/or used for promotional purposes (gift with purchase) or fundraising. Each request must be approved through the VCU Office of Trademarks & Licensing with the Student and Internal Licensing Request Form before placing the order.

**LOCAL LICENSE:** Local Licensees may only apply for three institutions or less with the initial application, but can ultimately become licensed for up to five institutions within the same state as their business location. Local Licensees ARE permitted to sell product to institutions and their departments, retailers, and directly to consumers and carries VCU’s standard royalty fee. A Local Licensee cannot be upgraded to Standard status until licensed for at least one full year as a Local Licensee. CLC will review Local



Licensee applications and merchandise designs for quality and safety standards before submission for final approval to the VCU Office of Trademarks & Licensing.

**STANDARD LICENSE:** The Standard License is usually not for first-time applicants or companies without well-established marketing plans, existing product distribution and/or a solid financial history of selling licensed products. CLC will review Standard Licensee applications and merchandise designs for quality and safety standards before submission for final approval to the VCU Office of Trademarks and Licensing.

**CRAFTER LICENSE:** The Crafter License is defined as an individual producing domestic handcrafted items in the home with collegiate marks, and selling/distributing to individual consumers via events or direct sales. This might include events organized by church, school, county, state, craft, holiday, Junior League, street festivals, gift marts or flea markets. This license allows a Crafter to sell to individual consumers only. Sales of items on a wholesale basis to a third party are not permitted. All items must be hand-made and no commercially manufactured items are allowed. The anticipated sales must not exceed 500 units or sales revenue of more than \$2,500 in one year.

#### **General Licensing Process Information:**

For more information or to answer any questions regarding types of license and the application process, please contact the Office of Trademarks & Licensing at (804) 828-3615 or [trademarks@vcu.edu](mailto:trademarks@vcu.edu).

For purposes of consistency, the institution does not exempt campus-operated stores from the requirement to purchase emblematic merchandise from licensed sources. Royalties are charged to campus stores in the same manner as charged to off-campus retail establishments. Departments of the institution and recognized organizations participating in fund raising activities are also required to purchase emblematic merchandise from "Officially Licensed" vendors.

It takes approximately 2 to 4 weeks for a vendor to become an approved licensee. After approval by CLC and the Office of Trademarks & Licensing, vendors may access the official VCU artwork and begin designing merchandise. Each submission is reviewed individually to make sure all actions are in the best interest of Virginia Commonwealth University and the VCU Medical Center. Virginia Commonwealth University and its agent reserve the right to create new licensing programs and fees as market trends permit.

#### **Usage Restrictions:**

Virginia Commonwealth University trademarks cannot be used in conjunction with the following products and images, including but not limited to: products that can be used to injure, kill or present a high risk of liability exposure; alcohol, tobacco and drug related products; sexually suggestive products and products that are detrimental to the mission or image of the University. Art and graphic designs depicting or endorsing alcohol, tobacco, illegal drugs, firearms or other weapons will not be approved in combination with VCU marks. Art representing racist, sexist, or hateful images will not be approved. Art associated with profanity; demeaning or degrading language will not be approved. Art depicting sexual acts or impugning other universities will not be approved for use with VCU trademarks.

## Forms

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1. Student and Internal Licensing Request Form (URL will be available soon)
2. Request for Trademark Registration Questionnaire (URL will be available soon)

## Related Documents

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Related documents are critical to the development of corresponding policies and procedures. Related documents include federal regulations, state regulations, state policies and VCU policies, procedures and guidelines.

1. VCU Identity (<http://www.identity.vcu.edu/overview/index.html>)
2. VCU Brand Standards (<http://www.identity.vcu.edu/identity/index.html>)
3. University Student Commons & Activities (<http://www.usca.vcu.edu/index.html>), Student Organizations (<http://www.usca.vcu.edu/slic/student-organizations/>)
4. Licensed VCU Vendors (<http://www.bsv.vcu.edu/trademarks-and-licensing/>)

## Revision History

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This policy supersedes the following archived policies:

June 24, 2013                      *University Trademarks & Licensing Policy*

## FAQs

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### 1. What is a trademark?

A trademark is a word, logo, letter, phrase, symbol, design, or product configuration that is associated with its owner and can distinguish its owner from others.

### 2. What are the benefits of a trademark licensing program?

Virginia Commonwealth University's licensing program:

- Promotes the institution in a positive, consistent, and uniform manner.
- Ensures products are manufactured in a responsible and sustainable fashion.
- Protects all of the institution's trademarks, service marks, and logos from unauthorized uses.
- Protects the consumer from inferior merchandise bearing institutional marks.
- Provides revenue to intercollegiate athletics for scholarships and advancement.

### 3. Who must be licensed?

Any person, business, or organization desiring to produce VCU's trademarks or verbiage on any merchandise is required to obtain a license. This includes premiums, promotions, and advertising.

### 4. What merchandise can be licensed?

Most merchandise will be considered for a license. However, the institution reserves the right to refuse a license to any person, organization, or business. The institution will not license merchandise deemed to be inappropriate.

### 5. What types of merchandise may be deemed to be inappropriate?

Please refer to 'Usage Restrictions' on page 10.

### 6. How can I tell if the merchandise I am purchasing is a licensed product?

Always look for the "Officially Licensed Collegiate Products" label.



### 7. What happens if a trademark is used without a license?

The institution is legally obligated to enforce its trademark ownership rights. The institution's agent and the VCU Office of Trademarks and Licensing staff conduct routine marketplace surveys and work closely with local and state law enforcement organizations to shut down illegal uses. VCU's trademarks have been registered to prevent illegal entry of counterfeit merchandise into the United States.

### 8. Do I need to use an official licensee?

If you are having a University logo or wordmark applied to merchandise, regardless if the merchandise will be for sale or a giveaway, it must be produced by an official licensee. Licensees are under contract and have agreed to use the marks as prescribed by the institution.

### 9. What does "used in conjunction with" mean?

For example: A student group wishes to produce a t-shirt with Rodney the Ram on it to give away at a fundraiser to support their organization. A local restaurant is assisting the group with funds to have the t-shirts made and wishes to have their logo on the t-shirt as well, as a sponsor. Before this t-shirt can be produced, VCU Office of Trademarks & Licensing and the restaurant must both approve the use of their respective logo in conjunction with the other. A licensed vendor must also be used to produce the t-shirt as it bears a VCU trademarked logo.

### 10. How can I know who is currently licensed?

The [list of Officially Licensed Vendors](#) is updated on a quarterly basis.

**11. How do I obtain a license?**

For information concerning licensing and royalties please contact:

The Collegiate Licensing Company  
320 Interstate North, Suite 102  
Atlanta, GA 30339  
Phone: (770) 956-0520  
FAX: (770) 955-4491

**12. I am a retailer of Officially Licensed VIRGINIA COMMONWEALTH UNIVERSITY merchandise. Can you assist me in my merchandising efforts?**

For assistance in merchandising efforts, please contact the VCU Office of Trademarks & Licensing at (804) 828-3615 or trademarks@vcu.edu.

**TRADEMARK USE IN PUBLICATIONS AND MEDIA**

Questions regarding the design and nomenclature guidelines governing use of the VCU and VCU Health names, logos, and trademarks in various publications and other media should be directed to the VCU Division of University Relations at (804) 828-6052.