

# Trademark Policy

<b>Subject</b>	Use of University Name, Logos and Trademarks
<b>Revised</b>	April 2012, May 2024 (proposed)
<b>Web Link</b>	<a href="https://www.montana.edu/policy/trademark_licensing/">https://www.montana.edu/policy/trademark_licensing/</a>
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<b>Responsible Party</b>	University Communications

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## Table of Contents

<a href="#">100.00</a> Introduction and Purpose	<a href="#">500.00</a> Registered and Protected Trademarks
<a href="#">200.00</a> Authority	<a href="#">600.00</a> Licensing and Royalties
<a href="#">300.00</a> Use of Trademarks	<a href="#">Appendix A</a>
<a href="#">400.00</a> Prohibited Use of Trademarks	<a href="#">Appendix B</a>

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## 100.00 Introduction and Purpose

This policy applies to all use of the names, logos, symbols, indicia, insignia, trade names, service marks, and trademarks (collectively, “Trademarks”) of the University and its programs. The University vigorously protects its Trademarks from unauthorized or improper use.

At no time may the use of University Trademarks imply or state endorsement of any third-party products, services, or activities. As a matter of practice, the University does not

generally permit institutional endorsement of any kind through the use of its Trademarks. Actual or implied endorsement may suggest a relationship with another entity that does not exist and, in some cases, might compromise the integrity of the University's educational and research mission. As such, any use of University Trademarks, including by individuals, organizations, students, or University employees, must comply with this policy. In all situations, use of University Trademarks by an authorized individual or organization must be consistent with the University's research, outreach, educational mission and its reputation for excellence. This policy helps protect against the improper use of University Trademarks by identifying the office charged with authorizing use of University Trademarks and establishing the framework and requirements for permissible use of University Trademarks.

## 200.00 Authority

1. The University has delegated responsibility for maintaining, managing and licensing University trademarks to University Communications.
2. Use of University Trademarks is not permitted without the prior express written authorization of University Communications, unless otherwise authorized by University policy.
3. Products bearing University Trademarks and distributed for resale or other promotional purposes are subject to the licensing requirements of this Policy. Authorization can be requested using the MSU brand use form: <https://www.montana.edu/bobcatspirit/use-msu-brand.html>.
4. Any uses not expressly permitted under this policy require approval from University Communications.
5. University Communications has the authority to approve use of University Trademarks not specifically outlined in this policy, provided such uses are consistent with the purpose and intentions of this policy.

## 300.00 Use of Trademarks

All uses of University Trademarks must be approved by University Communications and comply with this policy and any other applicable University policies and guidelines.

Trademarks are to be used only in the specific manner approved in writing by the University, together with the appropriate Trademark designation, and may not be otherwise altered or combined with another organization's name or marks without the express written authorization of University Communications.

Institutional marketing materials produced by the University for official University business shall meet the criteria established by the University's [Graphic Identity and Branding Policy](#).

University Departments and Units may use logos approved by University Communications in accordance with the University's branding guidelines for official business. Registered Student Organizations (RSOs) and club sports may use University Trademarks consistent with the Use of University Name and Logos by Registered Student Organizations Policy ([https://www.montana.edu/policy/university\\_name\\_logos/](https://www.montana.edu/policy/university_name_logos/)), provided that any such uses comply with the requirements of this policy.

### 310.00 Using Officially Licensed Vendors

Only an Officially Licensed Vendor may produce merchandise bearing University Trademarks. For information on Officially Licensed Vendors contact University Communications.

University Departments, Units and recognized clubs and organizations, are required to purchase emblematic merchandise 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." A list of current local licensees is attached in [Appendix B](#).

All departments of the University, recognized campus clubs and organizations, individuals, and companies are required to obtain approval from University Communications prior to producing, or arranging for production of, any product that utilizes the University's Trademarks, regardless of use or method of distribution.

### 400.00 Prohibited Use of Trademarks

The following uses of University Trademarks is prohibited unless authorized by University Communications:

1. In situations which will negatively impact the University's reputation, or which may have the potential to negatively impact the University's reputation.
2. In a manner that endorses or implies endorsement of (a) a non-University entity; or (b) the programs, products or services of a non-University entity.
3. In association with any commercial activity or outside venture.
4. In connection with goods, materials, or services which: (i) violate any law or regulation; (ii) are discriminatory; (iii) could be considered obscene or pornographic;

- (iv) are of poor quality or that do not meet minimum standards of quality; or (v) are defamatory.
5. In ways that imply any endorsement or affiliation with any religious activities, political activities, positions, or candidates.
  6. In the promotion of weapons, alcohol, tobacco, or drugs or associated services or products, except as otherwise provided under this policy.
  7. In connection with sexually suggestive statements or articles.
  8. In connection with a product bearing the name or likeness of, or otherwise promoting a current University student athlete, except in conjunction with approved name, image and likeness (NIL) activity.

The use of University Trademarks for the promotion of an alcoholic beverage is authorized only when all the following conditions are met:

1. The University, as directed by the President, issues a solicitation for a commemorative tribute in honor of a significant University Anniversary; and
2. The label design may not include the Bobcat head or other athletic insignia; and
3. Any vendor authorized to use the University Trademark for the promotion of an alcoholic beverage must enter a separate agreement with the University in which the vendor agrees to follow this policy, the requirements of the Alcohol Marketing Guidelines ([http://www.montana.edu/policy/campus\\_alcohol\\_drug/index.html#400.00](http://www.montana.edu/policy/campus_alcohol_drug/index.html#400.00)), and any special conditions required by the University.

Merchandise 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, monetary damages and seizure of the merchandise.

## 500.00 Registered and Protected Trademarks

1. The University registers its marks federally and in the state of Montana. This ensures protection of the integrity and identity of the University while allowing the collection of royalties through the licensing program. Please refer to [Appendix A](#) for a listing of registered trademark logos and verbiage.
2. All other names, symbols, initials, or graphic designs that refer to Montana State University, including its programs, activities, and athletics, are otherwise protected by state and federal laws, as well as common law.

## 600.00 Licensing and Royalties

1. University Communications determines royalties and licensing fees and reserves the right to change these at any time.
2. The University generally allows for two types of licenses to be issued but may create new licensing arrangements as needed.
  - a. **Traditional Retail:** Allows a company to produce products bearing the trademarks of the University for sale at retail in approved retail channels and direct to consumer, as well as university departments and related entities.
  - b. **Internal Use:** Allows a company to produce product bearing the trademarks of the University for university departments and related entities for internal consumption only; cannot provide product at retailer direct to consumer.
3. The University can arrange for other entities to issue licenses on the University's behalf.
4. 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 product impacts the commercial market; or
  - d. The product is distributed as a giveaway or a gift; or
  - e. the name, mark or logo of a third party is used in conjunction or in association with the Trademark.
  - f. These guidelines are usually sufficient in determining royalty/non-royalty.
5. However, each submission shall be reviewed individually to make sure all aspects of the situation are taken into consideration. Royalty waivers generally apply only to internal use by University departments and recognized campus clubs and organizations creating products that are for the use of its members.

For further information contact:

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Montana State University  
PO Box 172220

Bozeman, MT 59717

406-994-5737

[jkipfer@montana.edu](mailto:jkipfer@montana.edu)

## Appendix A: Registered trademark logos and verbiage

<https://www.montana.edu/bobcatspirit/registered-trademarks.html>

## Appendix B: list of current local licensees

<https://www.montana.edu/bobcatspirit/retailer-resources/retail-licensee-list.html>