



OLD DOMINION UNIVERSITY

University Policy

Policy #2300

TRADEMARK LICENSING POLICY

Responsible Oversight Executive: Vice President for University Advancement
Date of Current Revision or Creation: July 18, 2016

The purpose of this policy is to provide information and guidelines to the Old Dominion University community regarding the use of Old Dominion's trademarks in reference to both internal promotional merchandise and resalable merchandise in the retail market in order to protect the integrity of the institution's trademarks and to ensure such trademarks are used in an appropriate manner.

[Code of Virginia Section 23.1-301, as amended](#) grants authority to the Board of Visitors to make rules and policies concerning the institution. Section 6.01(a)(6) of the [Board of Visitors Bylaws](#) grants authority to the President to implement the policies and procedures of the Board relating to University operations.

[United States Patent and Trademark Laws](#)

[Board of Visitors Policy 1003 The University's Name and Identification](#)

Internal Promotional Merchandise- Any merchandise that is purchased by university departments, organizations and offices for promotional purposes.

License A legal permission to do something otherwise unauthorized.

Licensee A person or business to whom a license is given.

Manufacturers- Any person, group or business that has the means to physically produce an ODU trademark(s) on merchandise. Examples include, but are not limited to, heat screen printer and embroidery service.

Merchandise- Any product, including but not limited to, apparel, headwear, footwear, housewares and office supplies that bear the trademarks of Old Dominion University, whether or not for resale.

Sponsorship Agreement An agreement that governs the legal relationship between a sponsor and Old Dominion University which outlines the scope of the licensing agreement as to use of the University's trademarks and the benefits and obligations required.

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

This policy applies to all employees, students, volunteers, employees of affiliated organizations who are paid through the University and vendors of the institution. Employees include all staff, administrators, faculty, full or part-time, and classified or non-classified persons who are paid by the University. Students include all persons admitted to the University who have not completed a program of study for which they were enrolled; student status continues whether or not the University's programs are in session. Affiliated organizations are separate entities that exist for the benefit of the University and include Foundations, the Community Development Corporation, and the Alumni Association.

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- Local License is intended 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 for state institutions.
- 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 ODU's standard royalty fee.

The Athletic Department may designate 3 1 T

“Monarchs,” or other trademarks are covered by the [Trademark Licensing Program](#) if it can be determined the primary reason or effect of the use of the name is to cause purchasers to associate the product or service with Old Dominion University.

2. Photographs and artworks bearing the University’s trademarks or reference to the University are covered by the [Trademark Licensing Program](#). This includes reproductions and massproduced artworks with ref.2 rcle9 (n)5.2 (c)1.1 .011 Tw 0crga3011 T9 (l8aTw 25.761 hea)23 (

standards in the promotion of endorsed business and activities. The University is the owner of its names and trademarks and authorized external groups may not delegate the authority to use

POLICY HISTORY

Policy Formulation Committee (PFC) & Responsible Officer Approval to Proceed:

/s/ James A. Clanton July 7, 2016
Responsible Officer Date

Policy Review Committee (PRC) Approval to Proceed:

/s/ Donna W. Meeks March 22, 2016
Chair, Policy Review Committee (PRC) Date

Executive Policy Review Committee (EPRC) Approval to Proceed:

/s/ Alonzo Brandon July 14, 2016
Responsible Oversight Executive Date

University Counsel Approval to Proceed:

/s/ R. Earl Nance July 18, 2016
University Counsel Date

Presidential Approval:

/s/ John R. Broderick July 18, 2016
President Date

Policy Revision Dates: December 1, 1988; November 5, 2008; July 18, 2016

Scheduled Review Date: July 18, 2021