Washburn University has established a licensing program to manage the use of the name, nicknames, abbreviations, logos, seals, mascots, slogans, anything confusingly similar to such, and other marks. Any marks used in reference to Washburn University, Washburn Institute of Technology or anything confusingly similar are subject to licensing requirements. Any products bearing the marks must be approved and must display the Collegiate Licensed Product label.

The Washburn licensing program is designed to:

- Ensure that the names and trademarks licensed under the Washburn University program (Washburn University and Washburn Institute of Technology) are used appropriately, consistently, in good taste and with high-quality reproduction and to avoid misrepresentation of Washburn or Washburn Tech to the public.

- Allow the university to share in the benefits derived from the commercial use of its identifying marks.

- Establish a cooperative relationship with licensees to assist in the further development of a market of officially licensed products of Washburn University and Washburn Tech.

- Promote a relationship by which both Washburn University and Washburn Tech and their licensees will benefit.

- The director of business services is responsible for the Washburn licensing program.

Washburn has partnered with Strategic Marketing Affiliates, Inc., (SMA) to assist in the management of the licensing program. SMA is responsible for the daily administrative activities generated by a licensing program, such as processing license applications, coordinating artwork approvals, collection of royalty payments and enforcement of trademark infractions.

Strategic Marketing Affiliates, Inc.
8900 Keystone Crossing Ste. 605
Indianapolis, Ind. 46240
317-669-0808
smaworks.com

Requirements of the WU licensing program

- Manufacturers, producers, service providers, retailers and any other entity that plans to produce or sell products with trademarks of Washburn University or Washburn Tech must be properly licensed before producing or selling emblematic merchandise, regardless of the intended use or method of distribution of the merchandise.

- All Washburn University and Washburn Tech organizations, departments, individuals and affiliates wishing to use or distribute products incorporating marks protected under the WU licensing program must purchase goods from a licensed vendor or become a licensee.

- Companies must obtain a license and artwork approval from SMA prior to producing, distributing or selling any products that utilize registered and common law trade names, trademarks and service marks of Washburn University and Washburn Tech, regardless of use or method of distribution.

License information

- Licenses are issued by SMA.

- The license allows for the production of emblematic merchandise that will be sold by the licensee to retail establishments and/or merchandise requestors.

- Sample products are reviewed by SMA for quality and safety standards prior to the submission to Washburn for final approval.

- The standard royalty rate of 8 percent is included in the wholesale prices charged by the licensees.

- Washburn and SMA reserve the right to adjust this program and the respective fees as market trends permit.

License regulations

- The names and marks protected in the Washburn licensing policy are to be used on products that are tasteful and of such a nature as to reflect positively on the image of the university.

    - The names and marks of Washburn University and Washburn Tech will not be used in the promotion of alcoholic beverages, tobacco, illegal drug products or products or services deemed to be of poor taste.

    - Washburn marks may not be used in any manner that suggests or implies endorsement of products, services, political parties or views of religious organizations or beliefs

- Logos are to be used as registered, including the appropriate trademark designation.

- Logos may not be altered without the authorization of Washburn University and SMA.

- Departments and registered student groups may use certain logos for official business.

    - Departments requesting authorization for use within official university publications, letterhead and business cards, etc., should direct requests to Dena Anson, director, university relations, or Kay Farley, director, bookstore.

    - Departments may use the trademarks for in-house purposes such as stationery, business cards, letterhead, posters, signs, banners and other requests dealing with on-campus activities by following license use guidelines. Requests may be directed to the graphic designer in UMAPS.

- Washburn University or Washburn Tech names and logos cannot be used to endorse or promote a private group or business unless authorized by a formal contract or sponsorship agreement. Private companies are allowed to use university logos only after entering into a promotion-specific agreement with Washburn.

- Any use of marks that does not comply with Washburn's licensing and approval requirements will be considered unauthorized.

    - Merchandise produced without written authorization may be considered counterfeit and subject to all available legal remedies, including confiscation of the goods.

Royalties

- An 8 percent royalty will be charged on all purchases subject to licensing.

Royalty rebate program

Departments and registered student organizations that order items from licensed vendors through the university's purchase order system are eligible to receive an annual rebate for royalties paid.

- Purchases made by procurement card or any method other than the university's authorized purchase order procedure are not eligible for rebate.

- Rebate requests and documentation verifying purchases made during the previous fiscal year on which royalties paid must be **submitted before July 15.**

- Request for rebate form may be printed from www.washburn.edu/licensing.

- Requests will be processed and royalty fees will be reimbursed by a transfer to the departments and registered student organizations.

Royalty exemptions

- Departments and registered student organizations do not have to pay a royalty fee on print products, such as letterhead, business cards, etc., whether produced by UMAPS or a licensed vendor off campus.

    - Printers are required, however, to complete the licensing process.

    - Designs must be approved prior to production. Submissions must be made online according to licensing guidelines.

- Official uniforms of Washburn athletic teams are exempt from royalties under the following terms only:

    - Uniforms are defined as apparel necessary to play the intended sport for the sporting event that bears the number of the player.

    - No exception is granted for athletic or sport themed replica or authentic items to be resold, donated, given or given in kind to the general public.

    - For official university uniforms to be exempt from royalty fee, the order must be placed on a university purchase order. The team numbers of the players must be on the order form, along with a statement that the uniforms are exempt from royalty charge.

    - Orders not placed utilizing the university purchasing system will not be exempt from royalty fees.

Frequently asked questions

What is a trademark?

A trademark is any logo, symbol, wordmark, nickname, letter(s) word or derivative that can be associated with Washburn University and Washburn Tech that can be distinguished from those of other universities, teams, mascots or organizations and are protected under Washburn's trademark licensing program.

What is a service mark?

A service mark indicates that the source or origin of the mark is for services (such as the provision of educational services) as opposed to goods (a sweatshirt). Service marks are subject to the same rules, use, protection and infringement policies.

What are examples of Washburn University trademarks?

Washburn University trademarks include any graphic representation, symbol, drawing, official university seal, words or series of words and acronyms that have come to be associated with the university, its programs or intercollegiate athletic teams. These marks include, but are not limited to, designs that incorporate:

Any designs which may cause confusion in the mind of the public are a direct infringement upon Washburn University or Washburn Tech trademark rights.

What is the purpose of the Washburn licensing program?

The purpose of the program is to ensure that names and trademarks of Washburn University and Washburn Tech are used appropriately, in good taste and with high-quality reproduction. The program seeks to avoid misrepresentation of Washburn to the public.

Why must I purchase a product bearing the name or mark of Washburn University or Washburn Tech from a licensed manufacturer or retailer?

All purchases of merchandise bearing names or trademarks protected under the WU licensing policy must be from licensed manufacturers or retailers. The licensees have agreed to supply the university with quality, safe merchandise and pay the university a royalty fee for providing products with the university marks. In exchange, the university has granted the supplier a unique opportunity to provide such merchandise.

Who needs a license?

Manufacturers, producers, service providers, retailers and any other entity that plans to produce or sell products with the trademarks protected under the WU licensing policy must be properly licensed by the university before producing or selling emblematic merchandise, regardless of the intended use or method of distribution of the merchandise.

Where can I find a list of approved licensees?

The list of officially licensed vendors is continually being changed. Updates are issued and posted monthly at www.washburn.edu/licensing.

What products can be licensed?

Anything, but Washburn University reserves the right to consider and approve any product or product category for license. This ensures products bearing trademarks protected under the Washburn licensing policy are of the highest quality and represent the university in a positive manner. Proactive review helps to identify products that may not be appropriate for Washburn trademarks, may be hazardous or present a liability concern.

How do I know if a product is properly licensed?

Washburn University and SMA are proud supporters of the Independent Label Program. All licensees are required to display the Collegiate Licensed Products label on their products either via a hangtag or a sticker. This label should also contain manufacturer information as well.

What happens if a trademark is used without a license?

The university is legally obligated to enforce its trademark ownership rights. SMA and university personnel work closely with federal, state and local law enforcement organizations to shut down illegal uses. The university and SMA will conduct periodic checks to ensure retailers are compliant with our licensing requirements.

Do university departments have to pay royalty fees for print materials?

Royalty fees are not required on print products (brochures, letterhead, business cards, etc.). Printers are required, however, to go through the licensing process and designs must be submitted for approval prior to production.
Questions as to whether royalties should be charged for a print item should be directed to Dena Anson, 670-1711, or Kay Farley, 670-1927.

Purchases by staff, faculty, students, alumni and friends:

All Washburn organizations, departments, individuals and affiliates wishing to use or distribute products incorporating protected WU marks must purchase goods from a licensed vendor, regardless of the intended use or method of distribution of the merchandise.

For more information

For additional information concerning the university's licensing program or for assistance in determine appropriate uses for the university logos and marks, contact Kay Farley, 670-1927, or Dena Anson, 670-1711.

Licensing information is also at www.washburn.edu/licensing

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