

Trademarks and Official Marks Use and Licensing Policy

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Approval Authority Vice-President (Advancement)	
Implementation Authority Director, Brand and Creative Brand Experience	
Effective Date January 1, 2018	
Last Revision N/A	

- 1 Purpose** The purpose of this policy is to outline the principles governing the use and non-exclusive licensing of University Trademarks and Official Marks.
- 2 Scope** This policy applies to all University Trademarks and Official Marks. It does not apply to the University’s corporate seal or the University’s academic seal.
- 3 Definitions** In this policy:
- a) “Academic Staff Member” means an individual who is engaged to work for the University and is identified as an academic staff member under Article 1 of the collective agreement between the Governors of the University of Calgary and the Faculty Association of the University of Calgary.
 - b) “Appointee” means an individual who is engaged to work for the University, or whose work is affiliated with the University, through a letter of appointment, including adjunct faculty, clinical appointments, and visiting researchers and scholars.
 - c) “Employee” means an individual, other than an Academic Staff Member or Appointee, who is engaged to work for the University under an employment contract.
 - d) “Official Mark” is an authorized mark that may only be adopted by royalty, universities, governments and public authorities in Canada and is used to identify the goods and services associated with a valid public authority.
 - e) “Student” means an individual registered in a University course or program of study.

- f) “Trademark” is a name or symbol or design, or a combination of any of these, used to identify or distinguish the source of a good, service or entity and means any and all of the following:
 - i. trademark;
 - ii. trade name;
 - iii. logo;
 - iv. coat of arms/crest;
 - v. tartan;
 - vi. seal, other than a corporate seal or academic seal which are intended to be used to authenticate the signing of documents;
 - vii. insignia;
 - viii. indicia;
 - ix. emblem;
 - x. symbol;
 - xi. certification mark;
 - xii. depiction;
 - xiii. mark; or
 - xiv. name.
- g) “University” means the University of Calgary.
- h) “University Units” means the functional and operational areas of the University, including faculties, departments, schools, academic centres and institutes, and business and support services (e.g. ancillary services).
- i) “Visual Identity Standards” means the visual identity requirements established by the Implementation Authority for the application and use of University Trademarks and Official Marks, as amended.

4 Policy Statement

General

- 4.1 The University owns, controls, and monitors the use of its Trademarks and Official Marks.
- 4.2 Any use of University Trademarks and Official Marks must comply with this policy, other University policies and the Visual Identity Standards.

Permitted Use

- 4.3 University Trademarks and Official Marks may only be applied to, or associated with, publications (print or digital), goods, services or initiatives that preserve or enhance the University’s reputation and comply with the University’s procurement requirements.
- 4.4 Non-commercial use of University Trademarks and Official Marks requires prior written approval from the Implementation Authority. University Units, Academic Staff Members, Appointees, Employees and Students are exempt from this requirement if the use complies with this policy, 4.16 of the Code of Conduct and the other provisions of the Code of Conduct, other University policies and the Visual Identity Standards.

- 4.5** Commercial use of University Trademarks and Official Marks requires a non-exclusive licensing agreement between the user and the University prior to such use. Commercial use includes, but is not limited to, third parties who:
- a) wish to use University Trademarks or Official Marks on their goods (including promotional items);
 - b) wish to use University Trademarks or Official Marks when promoting or advertising their goods or services; or
 - c) wish to use identifiable University facilities when advertising their goods or services.
- 4.6** Non-exclusive license agreement form(s) are established by the Implementation Authority, in collaboration with General Counsel. The General Counsel must approve the non-exclusive license agreement form(s) and any changes to the form(s).

Non-permitted Use

- 4.7** University Trademarks or Official Marks may not be:
- a) modified in any way (including language translations);
 - b) incorporated into the Trademark or Official Mark of another person or entity;
 - c) incorporated into non-University telephone numbers, internet addresses, domain names, digital handles or the like;
 - d) used in conjunction with the Trademark or Official Mark of any other person or entity without the prior written approval of that person or entity and the prior written approval of the Implementation Authority; or
 - e) used in any manner that violates law or any University policy, including but not limited to, the *Alberta Human Rights Act* and the University's Code of Conduct.
- 4.8** The Implementation Authority will not approve the use of University Trademarks or Official Marks nor grant a license to use University Trademarks or Official Marks in association with goods or services that:
- a) promote or advertise alcohol, tobacco, or recreational or illegal drugs;
 - b) relate to gambling;
 - c) relate to weapons, firearms or explosives;
 - d) are disparaging, discriminatory, or disrespectful, including items or slogans that are degrading or derogatory towards an identifiable group or population;
 - e) utilize profanity;
 - f) endorse a particular political party or view, or religious belief or view;
 - g) contain statements impugning other universities;
 - h) contain another entity's Trademark or Official Mark, unless prior written approval has been granted by that entity and by the Implementation Authority; or
 - i) the Implementation Authority determines is an unacceptable use of University Trademarks or Official Marks.

5 Responsibilities

Implementation Authority

- 5.1** The Implementation Authority will:
- a) create, manage, revise and issue regular guidance on the Visual Identity Standards;
 - b) approve the use and licensing of University Trademarks and Official Marks;

- c) retain and provide the master artwork for University Trademarks and Official Marks, as required;
- d) monitor the use of University Trademarks and Official Marks and notify General Counsel of suspected unauthorized or improper use;
- e) be the first point of engagement to address unauthorized or improper use of University Trademarks and Official Marks;
- f) in collaboration with General Counsel, seek registration of new University Trademarks;
- g) in collaboration with General Counsel, establish non-exclusive license agreement form(s) for commercial use of University Trademarks and Official Marks;
- h) establish a database of licensing agreements for the commercial use of University Trademarks and Official Marks and track third party royalty payments payable under such agreements;
- i) regularly review University advertising and promotional material and other documentation to ensure proper usage of University Trademarks and Official Marks; and
- j) retain samples of marketing materials and any other examples of use of University Trademarks and Official Marks for reference purposes.

General Counsel

5.2 General Counsel will:

- a) provide legal guidance and support , as needed, for searches, applications, renewals, and de-listings of University Trademarks and Official Marks;
- b) provide legal guidance and support for contractual matters relating to the commercial use or licensing of University Trademarks or Official Marks; and
- c) issue cease-and-desist correspondence, when escalated by the Implementation Authority, for unauthorized or improper use of University Trademarks or Official Marks.

Individuals

5.3 Individuals will:

- a) make themselves aware of the processes, responsibilities and Visual Identity Standards for use of University Trademarks and Official Marks in accordance with this policy.

6	Related Policies	Code of Conduct
7	Related Information	https://www.ucalgary.ca/brand/ https://www.ucalgary.ca/brand/brand-standards Procurement Handbook
8	References	Trademarks Act , RSC 1985, c T-13

9 History

December 15, 2017	Approved.
January 1, 2018	Effective.
May 15, 2018	Editorial Revision. Updated “Student” definition.
January 1, 2020	Editorial Revision. Updated format and links.
May 29, 2023	Editorial Revision. Updated title.