



MISSISSIPPI STATE
UNIVERSITY™

OP 06.03: TRADEMARK LICENSING

PURPOSE

The purpose of this operating policy and procedure is to protect and control the utilization of the University seal, name, logos, slogans, and emblems and to encourage aggressively the proper use of these trademarks to promote the University and produce revenue for its benefit. Mississippi State University is under contract with IMG Collegiate Licensing (IMGCL) to assist in the management and marketing of the Trademark Licensing Program. Accordingly, all actions taken by the University must adhere to the terms of the contract.

POLICY

The University shall control the use of its trademarks through a licensing program that encourages proper use that will reflect favorably on the University and will produce maximum revenue for its benefit.

PROCEDURE

Licensing Agreement

Permission to use the University name or trademarks for commercial purposes shall generally be granted by a nonexclusive license. Any exclusive licensing agreements must be approved in advance by the President.

University Purchases

The University shall only purchase merchandise that is produced by a licensed vendor.

Royalties

Licensed vendors shall pay a royalty for the use of the University trademarks. The royalty rate shall be a percentage of net sales of all products on which any University mark is used.

Royalty Income

All expenses directly associated with the Licensing Program shall be paid from royalty income. Distribution of the royalty income shall be determined by the President and shall be distributed as soon as possible after the closing of the books for the University's fiscal year end of June 30.

Inquiries

All inquiries regarding use of the University marks shall be directed to the Trademark Licensing Office. Proper use of the marks shall be encouraged to promote the University and to produce revenue for its benefit.

Trademark Artwork

Licensed vendors are provided digital artwork from IMGCL. Internal departments may request digital graphics from the Trademark Licensing Office.

License Agreement

Applications for license should be submitted to IMGCL. Contact information for the agency may be obtained from the Trademark Licensing Office.

Product Approval

A representative sample of any product to be produced for sale bearing the University marks shall be submitted for approval prior to production. The manufacturer shall submit a production sample of the product for final approval. Should a product sample be disapproved, the manufacturer may resubmit a conforming or revised sample for approval. Additional products may be submitted for approval during the term of the License Agreement.

Licensed products shall be reviewed periodically to ensure that the manufacturer adheres to the agreed standards, specifications, and characteristics for each product.

University Purchases

A list of licensed manufacturers and licensed products shall be available by contacting either IMGCL or the Trademark Licensing Office. It is the responsibility of the University department or organization wishing to purchase an item bearing the University marks to contact the Trademark Licensing Office to confirm the product and manufacturer are licensed. The University department or organization shall follow established University purchasing procedures to purchase the item. The Trademark Licensing Office and IMGCL shall make every effort to license any manufacturer with whom the University wishes to do business.

Retail Stores

A list of licensed manufacturers and other current information on the Licensing Program shall be provided to retailers upon request. Retailers are required to purchase only licensed products. Every effort shall be made to license any manufacturer with whom a retailer would like to do business.

Exemptions from Royalty Payments

University purchases of licensed merchandise for University use - **not resale** - may be exempted from royalty payments. It shall be the responsibility of the University department or organization to request an exemption. The request for exemption shall be submitted to the Trademark Licensing Office and shall include a description of the item to be purchased, the intended use, and the suggested vendor (all purchases must be made from a licensed vendor). The Trademark Licensing Office shall respond to the department or organization with a letter of exemption or disapproval. No other royalty exemptions are allowed.

REVIEW

The Office of General Counsel is responsible for review of this policy every four years (or whenever circumstances require immediate review).

This policy has been superseded.

REVIEWED:

/s/ Joan Lucas
General Counsel

03/15/2018
Date

/s/ Timothy N. Chamblee
Assistant Vice President and Director
Institutional Research and Effectiveness

03/26/2018
Date

APPROVED:

/s/ Mark Keenum
President

03/26/2018
Date

This policy has been superseded.