Updated: 6/16/26

Florida Atlantic Trademark Licensing Guidelines for College, Department, Division and Organization Logos

I. Background

Section II, (a) of the University Trademark Licensing Policy states "The University's Office of Brand Development, Licensing & Marketing (BDLM) has the responsibility for maintaining, managing, and licensing the Trademarks. The use of any Trademark that identifies, or is associated with, Florida Atlantic University may not be used without the approval of the University's Licensing Administrator or designee."

The University's Trademarks hold value when used on products; regardless of if the product is then sold to a consumer or given to a consumer. The University does not have separate trademarks for "free items" and "for sale" items. The use of Florida Atlantic University Trademarks on products competes against the other 200+ Florida Atlantic licensed products in the market, all of which pay royalties. Unlike other elements provided by Florida Atlantic Colleges, Departments, Divisions and Organizations, promotional products do not have an end date and do not self-terminate. Promotional products issued 5-10 years ago still are in use today, while several advertising and sponsorships from last academic year terminated at the end of that year. This is why they need to be addressed separately and the requirement for a royalty to be paid. The requirement to use a licensee and that licensee to pay a royalty is not unique to Florida Atlantic University.

Florida Atlantic Colleges, Departments, Divisions and Organizations will be able to continue to seek sponsors for specific events; however, those groups should not grant trademark rights without the approval of BDLM. The below guidelines are provided solely for guidance in the use of Florida Atlantic Trademarks in connection with Florida Atlantic College, Department, Division and Organization logos.

These guidelines are subject to change from time to time.

II. Guidelines

A. Promotions. These are marketing events and programs designed to increase awareness, sales, or a call to action. Examples include advertising, signage, point-of-purchase displays, contests, fan involvement, sponsorships, and coupons for sponsor's product. These marketing tools generally have terms that include start dates, end dates, consumer reach, territory, number of locations, number of ad placements, number of impressions, etc.

   Items exempt from the requirement of a licensee and royalty rate would include temporary point-of-purchase displays, coupons, disposable cups, food trays and food tray liners, temporary window signage in concert with a promotion, team schedule cards, game day programs, team posters. The designs should be approved for proper trademark usage by the Office of University Communications (Creative Services and Brand Development Licensing & Marketing). These types of items don't carry a value outside of the offer, or text.

B. Promotional Products/Merchandise. These are items that are given-away to fans or – as "Free-with-purchase" – to consumers, and hold other value other than the promotional value (such as coupons). Unlike promotions, they are not "space specific" nor have start and end dates, but

can be quantified by the number of units distributed. Common promotional items are T-shirts, koozies, hats, flying discs, fans, calendars, towels, sunglasses, bobble heads, etc.

Social Media apps need approval by the Office of University Communications (Brand Development, Licensing and Creative Services) if the consumer can create content with the marks and distribute via web.

C. When Promotional Products are Involved:

1. Use of a vendor that holds a Trademark license for the promotional use of Florida Atlantic Trademarks is required, including College, Department, Division and Organization logos. The license list is updated monthly and can be found at www.fau.edu/otlm.

2. Requires proper prior artwork approvals from OTLM.
   a. OTLM will use reasonable efforts to respond to any design approval requests within 5 business days if submitted to SMART2.0 website by licensee.
   b. Florida Atlantic Colleges, Departments, Divisions, Organizations and licensees need to factor in the design approval time, and any revisions that may be required.
   c. Done on a case-by-case basis.
   d. Should include pertinent information about the promotional items, including without limitation quantity to be distributed and the particulars of the program.

D. Proper Use of FAU Trademarks:

1. When FAU Trademarks are used on promotional products or on promotions, a qualifier statement should be used to establish the relationship, such as:
   a. "XYZ company supports *College of Business* ";
   b. "ABC company is a proud Sponsor of *Division of Student Affairs*";
   c. "123 Company. The Official _____ of *College of Education*"

2. Florida Atlantic Trademarks should not appear with the Sponsor or Advertiser name or marks alone by themselves. On small promotional items with space requirements, Florida Atlantic trademarks should be on opposite sides (e.g. pens, key fobs, sunglass holders).

3. Special considerations are required when the sponsor or advertiser has the words "Campus"; "University"; "Owls" or similar in their name so as not to confuse the consumer that the sponsor is not part of Florida Atlantic. (The use of "University Towers" would cause confusion that University Towers is a part of Florida Atlantic University, when it's actually a 3rd party private apartments).

4. Products only distributed at events. Distribution of promotional materials by sponsors or advertisers at their place of business(s) would require a proposal and written approval on a case-by-case basis.

5. Use of the University's trademarks on non-affiliated entities' buildings. Sponsors, or those designated parties such as "Official _____ of *The Runway at Florida Atlantic*" cannot

use trademarks on their buildings or offices. The use of Florida Atlantic Marks indicates that it is a Florida Atlantic University owned or leased property.

6. Agreements between Florida Atlantic Colleges, Departments, Division and Organizations and their sponsors/advertisers should be clear as to the above requirements.

E. Packaging and Collectible Items. On occasion, sponsors or advertisers would want to create packaging that crosses over into promotional product. These types of items typically would be plastic mugs or cups for beverages that are not single use, or which commemorate an anniversary of a championship. (An example of this type is the Coca-Cola 2001 inaugural bottles of Coke). These items should be handled on a case-by-case basis and a royalty rate adjusted to that specific type of promotional item.

III. Sponsor Levels for use of Florida Atlantic Trademarks

A. $1,000+ annually
- Access to University divisions, colleges, departments and organizations logos on Promotions

B. $2,000+ annually
- Access to University divisions, colleges, departments and organizations logos on Promotions
- Access to University divisions, colleges, departments and organizations logos on Promotional Products/Merchandise

C. $25,000+ annually
- Access to University divisions, colleges, departments and organizations logos on Promotions
- Access to University divisions, colleges, departments and organizations logos on Promotional Products/Merchandise
- Access to Florida Atlantic University general verbiage(s) on Promotions
- Access to Florida Atlantic University trademark(s) on Promotional Products/Merchandise

D. $100,000+ annually
- Access to University divisions, colleges, departments and organizations logos on Promotions
- Access to University divisions, colleges, departments and organizations logos on Promotional Products/Merchandise Access to Florida Atlantic University general verbiage(s) on Promotions
- Access to Florida Atlantic University trademark(s) on Promotional Products/Merchandise
- Royalty FREE

For layout purposes, the sponsor mark and Florida Atlantic marks needs to have separation such as Florida Atlantic University prominent, sponsor secondary location.