GUIDELINES FOR USING IPFW TRADEMARKS (LOGOS)
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All IPFW marks (logos) are protected by applicable trademark, copyright, and other intellectual property laws. This document helps you USE our trademarked assets appropriately. The university’s Identity System, identity.ipfw.edu, outlines APPLICATION GUIDELINES for IPFW trademarked assets.

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EXECUTIVE SUMMARY

IPFW IDENTITY/BRAND DEVELOPMENT

The cornerstone of effective identity management is sound guidelines for asset use and making assets readily available. IPFW Marketing and Creative Services recognizes that the university has grown and changed without the availability of the guidelines necessary to use and apply IPFW logos and trademarks, nor has the university fully leveraged our licensing and royalty program. This document provides guidelines that address institutional challenges in managing and communicating IPFW logos and trademarks usage, as well as providing insight into the value of protecting and managing both the integrity and long-term brand value of our trademarks. The goal of this program is to foster growth of IPFW licensed products while providing consumer access to quality licensed merchandise.

INTRODUCTION

Indiana University–Purdue University Fort Wayne is recognized as an economic, cultural, and societal leader in northeast Indiana. Our exemplary standards in teaching and research provide unparalleled value for career preparation and professional development. The growth of the university, its alumni, and increasing regional attention have produced a demand for products that display the trademarks, logos, and symbols associated with IPFW.

The purpose of the IPFW Trademark (Logo) Usage Guidelines is to protect and control the use of all marks and to ensure the image and integrity of the university is not damaged. It also protects the name and trademarks of the university such as the IPFW primary mark (triangle logo), IPFW Seal, and the Tusky head, while enhancing the institution’s image. This is ensured through the approval of the use of the trademarks on all marketing materials and merchandise.

The guidelines contained herein provide information regarding use of IPFW logos/marks, the need for licensing, logo/mark usage in various contexts, NCAA requirements, and the opportunity for garnering greater IPFW royalties through licensed retail sales.

The Indiana University–Purdue University Fort Wayne Trademark (Logo) Usage Guidelines will help the university move forward together by communicating a more consistent identity across all IPFW branded promotional items, marketing materials, and merchandise. Through your support of these guidelines and feedback, IPFW will achieve greater recognition in northeast Indiana and beyond.
1. IPFW Logos/Marks

The university logo(s) is the primary visual symbol of the IPFW identity and is consistently placed on all IPFW communications/marketing materials, including merchandise and promotional items. The IPFW logo(s) provides immediate recognition of the university’s leadership in higher education in northeast Indiana.

The purpose of outlining IPFW logo usage and appropriate vs. inappropriate use is to establish a consistent application of the university identity and logos across all communication channels. Communication materials and tools with a coherent, consistent look and feel are critical to building a solid identity.

Appropriate application of IPFW logos is equally important—the IPFW logo(s) acts as a form of endorsement and quality. Applying the IPFW logo implies a high level of responsibility and credibility. Information contained and conveyed in university communications ensures the university’s mission, vision, values, and goals are being upheld. Anyone using or applying IPFW logos must understand the level of responsibility and obligation associated with this use. Therefore, any use of the IPFW logo, key messages, and verbiage, as well as other graphic identifiers, must adhere to the standards set forth herein as well as follow the guidelines identified in the university identity system. identity.ipfw.edu (adopted by IPFW executive staff, 4-2011)
2. LICENSING

IPFW owns and controls the use of its logos, insignias, seal, designs, symbols, service marks, trade dress, trade names, depictions of campus buildings used commercially, and other trademarks, collectively called “Trademarks,” that are associated with the university, whether registered or not. These include, but are not necessarily limited to, the words “Indiana University–Purdue University Fort Wayne,” “IPFW,” “Mastodons,” “Dons,” the university seal, Tusky, or any derivations therefrom, and such other trademarks as are owned, developed, and adopted from time to time by the university. Each time an IPFW logo is used, the TM symbol must be placed in the lower right-hand corner of the mark.

In order to meet the public demand for goods and services bearing IPFW’s Trademarks, IPFW grants non-exclusive, royalty-bearing licenses to companies to produce, market, and sell such goods and services. IPFW may or may not be represented in these licensing matters through agency agreements with licensing agents. The administrative responsibility for the trademark-licensing program rests in the IPFW Office of the Comptroller and the Office of the Chancellor, and is administered by IPFW Marketing and Creative Services.

Any staff member, faculty member, student, student group or organization, outside individual, commercial organization, or company wishing to use IPFW’s Trademarks for commercial purposes (including fundraising for student groups) must obtain permission to do so. All use of IPFW’s Trademarks must be done under license or permission granted by Indiana University–Purdue University Fort Wayne.

Use of IPFW’s Trademarks without license or permission is strictly prohibited. Prior authorization of the use of IPFW’s Trademarks will not be construed as an authorization of use in the future, nor will any prior course of conduct, use, or infringement prohibit IPFW from enforcing any of its rights with respect to the Trademarks. IPFW reserves the right to pursue any and all legal remedies and will take whatever measures necessary to protect its Trademarks from infringement.

University marks may be accessed through ipfw.edu/vault.

3. DEFINITIONS:

**TRADEMARK** — Any word, name, symbol, device, or any combination thereof that identifies the source of goods or services, whether or not they are registered. In practice, a Trademark also enhances the desirability of a product and, when properly controlled, can increase the value of the product as well as the goodwill inherent in the Trademark.

For the purposes of this document, Trademark is used to indicate, in addition to the strict legal definition, service marks, trade names, trade dress, any trademarked word, symbol, device, trademark, logo, insignia, seal, indicia, emblem, identifying mark, mark, or any combination thereof, used to identify the source of goods or services, whether or not they are registered.
3. DEFINITIONS, continued

The IPFW logo, or graphic representation or symbol of our university, is referenced in this document as Trademark.

**INFRINGEMENT** — Any unauthorized use of a Trademark; or the use of any word, term, logo, symbol, or device, or any combination thereof, or any false or misleading description or representation of facts, which in connection with any goods (or any container for goods) or services is likely to cause confusion or deceive the general public as to the affiliation, connection, or association of the producer to the university; or which causes confusion as to the origin/sponsorship/endorsement/approval of the producer’s goods, services, or commercial activities by another person; or any use of a trademark that is otherwise in violation of applicable law.

**LICENSING AGENT** — One who is empowered to act on behalf of another or represent another on issues related to the manufacture, distribution, and sales of goods or services bearing protected trademarks.

**LICENSOR** — One who contracts to allow another (licensee) to use licensor’s property (i.e., Trademarks), usually in exchange for a royalty as a percent of sales.

**AUTHENTIC** — The article or product being produced is identical to an original item.

**REPLICA** — The article or product looks substantially identical to an original item. Replicas are not the same as authentic.

4. ENFORCEMENT

Indiana University–Purdue University Fort Wayne reserves the right to pursue any and all legal remedies against infringement (refer to Definitions) of our Trademarks. If IPFW engages the services of an agent, the agent is authorized to pursue enforcement actions on IPFW’s behalf.

5. USAGE

**COMMERCIAL PROMOTIONS/DIGITAL USE**

The use of IPFW’s Trademarks in conjunction with a commercial promotion, including a commercial Internet site or mobile application, may be permissible if the following criteria are met:

- The promotion or use must be beneficial to IPFW. This benefit may be tangible or intangible.
- The use must be consistent with IPFW’s institutional mission, vision, and values as outlined by the current strategic plan.
- The use must be consistent with all other provisions of this policy.
- Approval of such use must be granted by IPFW Marketing and Creative Services.

Requests for approval to use the IPFW Trademarks shall be communicated to IPFW Marketing and Creative Services in writing. The university may require that such promotions operate under a promotional license, which would be issued by IPFW’s licensing agent.
5. USAGE, continued

SPONSORED EVENTS

When IPFW is an invited participant in an event or is co-sponsoring an event, and the event sponsor’s trademarks are used to name the event, IPFW allows the use of its Trademarks in conjunction with the sponsor’s/event’s trademarks to promote the event. IPFW Marketing and Creative Services must specifically approve each such use.

OFF-CAMPUS ADVERTISING

The use of IPFW’s Trademarks in advertisements in various media, including but not limited to TV, radio, print, Internet, and mobile, may be permissible if any of the following four criteria are met:

- The advertisement promotes the sale of officially licensed IPFW merchandise;
- The official IPFW Seal is not used;
- The advertisement does not state or imply any endorsement of the company or its products by IPFW; and
- The advertisement artwork is approved in writing by IPFW Marketing and Creative Services prior to publication/launch/air date, and complies with any other requirements imposed by this document and/or Marketing and Creative Services.

PHOTOGRAPHS/ILLUSTRATIONS OF IPFW

A license agreement IS required and royalties ARE due if:

- The picture or illustration is used as a graphic decoration on a commercial product.
- The packaging or advertisement for the product that contains or carries a photograph or illustration is presented in a manner that implies affiliation or association with IPFW.
- IPFW’s Trademarks (including the name “Indiana University–Purdue University Fort Wayne” or “IPFW”) appear on any packaging or promotional materials and/or announcements that promote the merchandising of the product.

A license agreement is NOT required and NO royalties are due if:

- The photograph or illustration is being purchased for noncommercial (in-home) use.
- The photograph or illustration is to be used in a commercial establishment as decoration, but only in a manner that would not imply an affiliation, endorsement, or association with IPFW.
- The photograph or illustration is being used by a recognized news-gathering service for publication or broadcast.
- The photograph or illustration is being used in a historical context by a recognized news agency, publisher, or other service.
- The photograph or illustration is used in an entertainment or artistic context, such as commercial movies or TV shows. IPFW Marketing and Creative Services must receive written requests for this use.
6. COMMERCIAL PRODUCT DESIGN APPROVAL

IPFW Marketing and Creative Services reserves the right to approve each use of its Trademarks on a per-product, per-design basis. Licensees, or those given permission, will submit each proposed use, product, or design to IPFW Marketing and Creative Services or IPFW’s authorized agent (for commercial products) for approval.

IPFW Marketing and Creative Services reserves the right to approve the use of its Trademarks on or associated with/on the following products:

- Alcoholic beverages
- Tobacco or tobacco-containing products
- Legally controlled substances
- Sexually oriented products or designs
- Religious affiliated products or designs
- Inherently dangerous products, including weapons, firearms, or explosives
- Political products or designs
- Products that use profanity
- Games of chance (according to the Indiana Gaming Commission)
- Appliqués, patches, or heat transfers for retail sale
- Tattoos or body art

In addition, IPFW Marketing and Creative Services will not approve the use of Trademarks in text or graphics which are deemed to be sexually suggestive; denigrate any groups, including another college or university; or infringe on the rights of other trademark owners. IPFW Marketing and Creative Services will not approve products that do not, in IPFW Marketing and Creative Services’ discretion, meet minimum standards of quality and/or good taste or those that are judged to be dangerous or carry high product liability risks.

IPFW Marketing and Creative Services will not approve the use of Trademarks on any product or design that may violate NCAA rules, per the discretion of Athletics Director of Compliance, including:

- Jersey numbers, except on authentic or replica merchandise;
- Photos or any other likeness of a current student-athlete;
- Names of student-athletes;
- Nicknames of student-athletes;
- IPFW Marketing and Creative Services approves products or designs incorporating its current Trademarks. Trademarks that are obsolete or replaced by updated Trademarks continue to be protected and owned by Indiana University–Purdue University Fort Wayne.
7. TRADEMARKS AND NCAA REQUIREMENTS

There must be no violation of NCAA regulations. For clarification and interpretation of NCAA requirements, please contact the IPFW Athletics Director of Compliance or the Assistant Athletic Director–Media Services.

2012–13 NCAA DIVISION I MANUAL STATES:

13.4.3.1 Recruiting Advertisements. The publication of advertising or promotional material, by or on behalf of a member institution, designed to solicit the enrollment of a prospective student-athlete is not permitted, except as provided in Bylaw

13.4.3.1.1. Accordingly, a member institution may not buy or arrange to have space in game programs or other printed materials published to provide information concerning the athletics participation or evaluation of prospective student-athletes (e.g., recruiting publications) for any purpose whatsoever, including advertisements, a listing of prospective or enrolled student-athletes who will attend the institution, and informative materials related to the institution. [D] (Revised: 4/28/05 effective 8/1/05)

13.4.3.1.1 Nonathletics Institutional Advertisements. An institution (or a third party acting on behalf of the institution) may publish nonathletics institutional advertisements or promotional material (e.g., use of signage, booths, kiosks, and distribution of printed materials) at high school or two-year college athletics events provided: [D] (Adopted: 4/28/05 effective 8/1/05)

(a) The funds generated by the advertisements or promotional materials are not used for the high school or two-year college’s athletics program;

(b) The institution’s athletics department is not involved in the advertisement or promotional activities;

(c) The advertisements or promotional materials do not contain athletics information (unless as noted in Bylaw 13.4.1-(e); and

(d) The institution documents the cost of the advertising and promotional activities.

(2012-13 NCAA Division I Manual, July 2012 Effective August 1, 2012 Bylaws 13.4.3, 13.4.3.1, 13.4.3.1.1)
8. ROYALTIES

All licensed goods and services for sale to the public are subject to a royalty. The royalty rate is determined by IPFW and is subject to change by IPFW. The IPFW Office of the Comptroller or IPFW’s authorized licensing agent(s) administers the royalty policy.

IPFW Marketing and Creative Services or the Office of the Comptroller may grant exemptions from royalty payments in the following situations on a case-by-case basis:

- Items purchased by IPFW for its use (“internal consumption”). This includes items purchased for conferences and university-sponsored events. Also included are promotional items that are given away by IPFW departments. A registered licensee must produce these items unless an exception is granted by IPFW Marketing and Creative Services, IPFW Purchasing Department, or the IPFW Office of the Comptroller.

- Items purchased by IPFW student organizations for official fundraising purposes, approved by the IPFW Dean of Students.

- Items purchased by non-IPFW philanthropic groups for fundraising purposes. IPFW Marketing and Creative Services will provide licensed manufacturers with written notification that these goods are exempted from royalty payments. IPFW Marketing and Creative Services will provide written permission if an unlicensed manufacturer produces any of these goods. All other provisions of this policy regarding Trademarks apply to items that are exempt from royalty payments.

DISBURSEMENT OF ROYALTY INCOME

Royalties generated by the licensing program are disbursed at the discretion of the IPFW Office of the Comptroller.

9. GUIDELINES FOR LOGO/MARK DISPLAY, PRESENTATION, AND REPRODUCTION

Technical guidelines are established that describe how IPFW’s Trademarks should be presented, displayed, and reproduced. They may be found in the IPFW Identity System, identity.ipfw.edu (adopted by IPFW Executive staff, 4-2011)

These guidelines may change from time to time. Current guidelines are available from IPFW Marketing and Creative Services or the IPFW Office of the Comptroller. IPFW encourages creative uses of its Trademarks in promoting school spirit and recognizes that concepts or designs developed by licensees may not clearly fall within the guidelines. IPFW Marketing and Creative Services will be the judge of acceptability and reserves the right to grant approval of uses and designs that may deviate from these guidelines.
10. QUESTIONS

Questions about IPFW logo/mark guidelines and/or interpretations may be directed to the following individuals:

**MARKETING AND CREATIVE SERVICES**

Lea Ann Powers  
Creative Director/Trademark Licensing Brand Manager  
Support Services Building, Room 126  
2101 East Coliseum Boulevard  
Fort Wayne, Indiana 46805-1499  
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**IPFW ATHLETICS**

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**IPFW COMPTROLLER’S OFFICE**

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