Using UNC Charlotte Logos, Trade Name, and Trademarks: Who Needs a License and Why?

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Overview

• Background
• Definitions
• Policy
• Hot Tips
• Practical Advice
• Resources
Background

- University has registered a number of trademarks, including its **name** and **logos**, in order to protect and control their use.
- Any **merchandise** bearing UNC Charlotte logos, trade name, or trademarks must be produced by an **approved and licensed vendor**, regardless of the purpose or use of the items.
In the past, no clear policy for the campus community or vendors on licensing or use of University trademarks and logos.

University Policy 601.17, Policy on Licensing of University-Owned Trademarks (April 2023) sets standards and procedures for the responsible use of the University’s logos, trade name, and trademarks on any item.
Definitions

Trademark
• Any word, phrase, symbol, design, or a combination of these things that identifies your goods or services.
  • Identifies the source of your goods or services.
  • Provides legal protection for your brand.
  • Helps you guard against counterfeiting and fraud.

Service Mark
• Any word, name, symbol, device, or any combination, used in commerce, to identify and distinguish the services of one provider from the services provided by others, and to indicate the source of the services.
## Difference between Trademark, Patent, and Copyright

<table>
<thead>
<tr>
<th>What’s legally protected?</th>
<th>Trademark</th>
<th>Patent</th>
<th>Copyright</th>
</tr>
</thead>
<tbody>
<tr>
<td>A word, phrase, design, or a combination that identifies your goods or services, distinguishes them from the goods or services of others, and indicates the source of your goods or services.</td>
<td>Protects the trademark from being registered by others without permission and helps you prevent others from using a trademark that is similar to yours with related goods or services.</td>
<td>Safeguards inventions and processes from other parties copying, making, using, or selling the invention without the inventor’s consent.</td>
<td>Artistic, literary, or intellectually created works, such as novels, music, movies, software code, photographs, and paintings that are original and exist in a tangible medium, such as paper, canvas, film, or digital format.</td>
</tr>
<tr>
<td>Coca-Cola® for soft drinks</td>
<td>A new type of hybrid engine</td>
<td>Song lyrics to “Let It Go” from “Frozen”</td>
<td></td>
</tr>
<tr>
<td>What’s an example?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>What are the benefits of federal protection?</td>
<td></td>
<td></td>
<td>Protects your exclusive right to reproduce, distribute, and perform or display the created work, and prevents other people from copying or exploiting the creation without the copyright holder’s permission.</td>
</tr>
</tbody>
</table>
Difference Between ®, “TM,” and “SM”

- The symbol “TM” stands for trademark. The symbol “SM” stands for service mark. Both are informal symbols that indicate you claim common law trademark rights to a name or logo and are used prior to obtaining full federal registration.

- The symbol ® denotes that the mark has been granted full federal registration. This means that the owner of the mark may prosecute anyone who uses the mark without permission.
Owning a federal trademark registration provides several advantages, including:

- **Public notice** of your claim of ownership of the mark;
- A legal presumption of your ownership of the mark and your exclusive right to use the mark nationwide on or in connection with the goods/services listed in the registration;
- The ability to bring an action concerning the mark in federal court;
- The right to use the federal registration symbol ®; and
Definitions

Trademark Licensing

• A contractual relationship under which a trademark owner grants another the right to use a mark, subject to terms of the contract. Trademark licensing does not transfer ownership of the mark.

Licensor
The registered owner of a trademark (UNC Charlotte) that grants permission to use the trademark in commerce

Licensee
The person or entity (vendor) that enters into an agreement with UNC Charlotte or its Licensing Program Servicer (CLC) to use UNC Charlotte trademarks
Definitions

Royalty
- Fees paid by a licensee to a licensor in exchange for the right to use licensor’s intellectual property
  - At Charlotte, royalties are required for items bearing any indicia of UNC Charlotte that are resold, regardless of whether they are sold for profit.

Resale/Resold
- Any exchange of money for goods and includes “donations” for exchange or “membership” to a group or “access” to an event
Definitions

University “indicia” (logos, trade name, trademarks)

• All University academic and athletic marks (see logo sheet)
• University name variations:
  • Charlotte™
  • Charlotte Forty-Niners™
  • The University of North Carolina at Charlotte™
  • UNC Charlotte®
  • Forty-Niners™
  • Niner Nation®
• IMPORTANT: Do not use “UNCC”!
Policy

- **University Policy 601.17, Policy on Licensing of University-Owned Trademarks**, sets standards and procedures for the responsible use of the University’s logos, trade name, and trademarks on any item.

- The **University Licensing Program** protects the name and logos of UNC Charlotte from undesirable commercialism and the University’s trademark integrity through its internal quality assurance and product approval process.

- University’s Licensing Program Servicer, **Collegiate Licensing Company (CLC)**, provides licensing, marketing, and enforcement services.
Policy

Use of UNC Charlotte logos, names, and marks

• **Permission** from the [University Licensing Program Manager](#) is required before reproducing them in any way

• Merchandise bearing them must be **produced by an approved and licensed vendor**

• May not be used **in conjunction with the name or trademark(s) of any other entity** without the prior written permission of that entity and the [University Licensing Program Manager](#)

• All items bearing them must be **properly licensed**
Trademark Licensing

Proper licensing ensures that the quality and integrity of the University’s indicia are preserved by:

• Being protected and not abused;
• Being used in a manner consistent with the best interest of the University;
• Being produced in a manner consistent with directives from the UNC Charlotte Graphic Artist;
• Being used on high quality items in accordance with the University’s Licensing Program Servicer’s (CLC) licensee standards; and
• Incorporating the appropriate trademark designation symbols (i.e., ® or ™) in all uses of UNC Charlotte marks on products. No changes, deletions, or alterations to the marks are allowed.
Trademark Licensing

Vendor Licenses

• All local and national vendors seeking approval for manufacturing or selling products with University indicia must apply for a license through the University’s Licensing Program Servicer (CLC).

• Information on obtaining licenses through the University’s Licensing Program Servicer (CLC) is available on the University Licensing Program website.
License Types

**Retail**
Allows a company to produce products bearing the trademarks of collegiate institutions for sale at retail in approved retail channels and direct to consumer, as well as university departments and related entities.

**Internal Campus Supplier**
Allows a company to produce product bearing the trademarks of collegiate institutions for university departments and related entities for internal consumption only; cannot provide product at retailer direct to consumer.

**NCAA/Bowls/Conference**
The University’s Licensing Program Servicer (CLC) has a separate licensing process for “hot market” events, including NCAA tournaments, the College Football Playoff, bowl games, and athletic conferences.
License Requirements

Vendors

• Every vendor who is licensed is required to attach the "Officially Licensed Collegiate Products" label to the product
• Vendors must apply to become a licensee and be approved prior to production

Student Athletes

• Student-athletes are subject to the limitations and requirements of the “Green Light” Charlotte Name, Image, and Likeness (NIL) Rules and Regulations with regard to use of the University’s marks and logos
Royalties

Vendors

• All licensees (except internal exemptions) are required to pay royalties to UNC Charlotte in exchange for the right to use University intellectual property.

Internal Exemptions

• A Department, Affiliated Group, or Registered Student Organization may be considered for royalty payment exemption when producing an item that bears one or more University indicia if certain conditions are met.
Royalty Exemptions

Departments and Affiliated Groups

- **Internal consumption** (usage by/within the department or group)
  - An item that bears a UNC Charlotte indicia but is otherwise a workplace necessity used by a campus department in the ordinary course of business (e.g., stationery for departmental use, uniforms required to be worn by employees)

- **Promotional usage** (giveaway, not resold)
  - Only when the price of the item being resold does not exceed original product cost
  - Campus departments are not allowed to sell emblematic items without the department’s sub-brand
Royalty Exemptions

Departments and Affiliated Groups, contd.

- Outside sponsorship logos, marks, or indicia not included
  - Generally, non-UNC Charlotte sponsorship logos, marks, or other indicia may not appear on the item. However, an exemption may be allowed under certain conditions. Contact the University Licensing Program Manager to determine whether an exception may be granted.
Royalty Exemptions

Registered Student Organizations

• Item(s) must include the Student Organization name and can only be used as follows:
  1. Internal consumption (usage by/within the group);
  2. Promotional usage (giveaway, not resold); or
  3. Fundraising (club sub-brand or event name may also be included).

• The item(s) must be approved in writing in advance by the University Licensing Program Manager for exemption from royalty payments
Affiliation Identification

- **Faculty, staff, and students** may use the University’s logos, trade name, or trademarks for the limited purpose of identifying their affiliation with the University:
  - on research proposals, academic presentations, or proposals for academic or research funding;
  - must be approved in advance by the [University Licensing Program Manager](#).
Hot Tips

• University marks must be used in accordance with the University branding guidelines: brand.charlotte.edu
  • Name
  • Logo system
  • Color palette
Hot Tips

Using the University name correctly

CORRECT

• The University of North Carolina at Charlotte™
• UNC Charlotte®
• Charlotte™ (informal)
• Charlotte Forty-Niners™
• Forty-Niners™
• Niner Nation®

DO NOT USE

• UNCC
• UNC-C
• UNC-Charlotte
• University of NC at Charlotte
• University of North Carolina - Charlotte
• University of North Carolina Charlotte
• University of Charlotte
• Charlotte University
Hot Tips

University trademarks may not be altered

CORRECT

INCORRECT

See brand.charlotte.edu/visual-identity/logo-system for more information on the proper and improper uses of University logos.
Hot Tips

University trademarks must be in the approved PMS colors

**PRIMARY COLORS**

The University's school colors are green and white. For design purposes, our primary colors are Charlotte Green and Niner Gold. They represent UNC Charlotte at the highest level and should be present in all communications. These colors are supplemented by Metallic Gold (PMS® 10126) and White.

- **CHARLOTTE GREEN**
  - PMS®: 7484
  - CMYK: 92 8 75 58
  - RGB: 0 80 53
  - HEX: #005035

- **NINER GOLD**
  - PMS®: 7503
  - CMYK: 23 26 57 13
  - RGB: 164 150 101
  - HEX: #A49665

- **QUARTZ WHITE**
  - CMYK: 0 0 0 0
  - RGB: 255 255 255
  - HEX: #FFFFFF

See [https://brand.charlotte.edu/visual-identity/color-palette](https://brand.charlotte.edu/visual-identity/color-palette)
Hot Tips

Finding a Licensee

clc.com/license-search/

Internal Use

For merchandise using the University’s marks or logos for internal use only (not for resale), use Internal Licensees (designated in red).

<table>
<thead>
<tr>
<th>Juice That Brand (INTERNAL ONLY)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raleigh, North Carolina</td>
</tr>
<tr>
<td>980-875-7384</td>
</tr>
<tr>
<td><a href="http://www.Jucethatbrand.com">www.Jucethatbrand.com</a></td>
</tr>
<tr>
<td><a href="mailto:tim@juicethatbrand.com">tim@juicethatbrand.com</a></td>
</tr>
</tbody>
</table>

Resale

For merchandise using the University’s marks or logos that will be resold for a profit, including fundraisers, use Standard Licensees.

<table>
<thead>
<tr>
<th>704 Shop</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charlotte, North Carolina</td>
</tr>
<tr>
<td>704-280-4541</td>
</tr>
<tr>
<td><a href="http://www.704shop.com">www.704shop.com</a></td>
</tr>
<tr>
<td><a href="mailto:scott@704shop.com">scott@704shop.com</a></td>
</tr>
</tbody>
</table>
Hot Tips

Royalties

- Departments ordering products (for resale) with University logos must notify licensee IN ADVANCE that the product will be resold so they know how much to charge and to accurately report royalties back to CLC and the University.
- Royalties must be applied at all times when the product is being resold:
  - Includes organization/department fundraisers, short-term pop-up stores, etc.
  - Licensing Program Manager must be notified ahead of time about these events
Hot Tips

• Athletics marks (4-38) should be used only for official Athletics items and products (e.g., “Niners,” “49ers,” Norm images, etc.)
• Units other than Athletics should use only “Primary C” marks (1-3) and Institutional Marks (39-42) (see logo sheet)
Practical Advice

Design

• Contact Licensing first if you have questions about a design you want to use that you think may conflict with University branding standards
• Make sure you are not using another logo/design that is already trademarked
  • You must have permission from the registered trademark owner before using their logo/design
Practical Advice

Where to buy?

• If you are looking for a specific piece of merchandise, always check most up-to-date list of University-approved licensed retailers
  • aux.charlotte.edu/about-us/licensing/where-buy/
  • Just because a company is listed in the 49erMart does not mean it is an approved licensee
  • Look for the label; every licensed vendor is required to attach the “Officially Licensed Collegiate Products” label
  • Show your Niner spirit by patronizing these retailers!
Licensing FAQs: aux.charlotte.edu/licensing-faqs/

• DO DEPARTMENTS AND UNIVERSITY OFFICES NEED PERMISSION TO USE THE UNIVERSITY’S TRADEMARKS?

• CAN A UNIVERSITY DEPARTMENT OR CAMPUS ORGANIZATION USE THE UNIVERSITY’S LOGOS IN PRINTED INFORMATION DESCRIBING THE SERVICES OF THEIR DEPARTMENT OR ORGANIZATION?

• WHAT PROCESS MUST BE FOLLOWED IF A DEPARTMENT WANTS TO HAVE THE UNIVERSITY’S NAME OR LOGO ON ITEMS SUCH AS T-SHIRTS, NOVELTY ITEMS, ETC?

• CAN A UNIVERSITY DEPARTMENT, EMPLOYEE, OR CAMPUS ORGANIZATION PERMIT A COMPANY TO ASSIGN, SUBLICENSE OR MODIFY A UNC CHARLOTTE TRADEMARK?

• ARE THERE ANY PRODUCTS THE UNIVERSITY WILL NOT LICENSE?
Contacts

Rachel Skipworth, University Licensing Program Manager
  •  rachel.skipworth@charlotte.edu

Amy Kelso, Senior Associate General Counsel
  •  amy.kelso@charlotte.edu
Resources

Licensing FAQs
• aux.charlotte.edu/licensing-faqs/

Licensee Search
• clc.com/license-search/

Current UNC Charlotte logo sheet
• aux.charlotte.edu/wp-content/uploads/sites/167/2023/05/20221129MarksSheet.pdf (see following slides)
Established: 1946  |  Location: Charlotte, NC  |  Nickname: Forty-Niners
Mascot Name: Norm  |  Conference: Conference USA (CUSA)

Charlotte Green
PANTONE 7484 C
CMYK: 92, 8, 75, 58  |  RGB: 0, 87, 63
MADIERA-Rayon: 1370  |  RA: 2392

Niner Gold
PANTONE 7503 C | Metallic: PANTONE 10126 C
CMYK: 23, 26, 57, 13  |  RGB: 168, 153, 104
MADIERA-Rayon: 1070  |  RA: 2630

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Primary C Marks  |  Secondary CLT Marks  |  Tertiary 49ers Marks  |  Tertiary 9ers Marks

NOTE: The marks of The University of North Carolina at Charlotte are controlled under a licensing program administered by Collegiate Licensing Company. Any use of these marks will require written approval from CLC.
The University of North Carolina at Charlotte

**Current Revision Date: 04/14/22**

<table>
<thead>
<tr>
<th>C Type Marks</th>
<th>Wordmarks</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="13" alt="Charlotte" /> <img src="14" alt="Niners" /> <img src="15" alt="Charlotte" /> <img src="16" alt="Niners" /></td>
<td><img src="19" alt="Charlotte" /> <img src="22" alt="Niners" /> <img src="20" alt="Charlotte" /> <img src="23" alt="Niners" /></td>
</tr>
<tr>
<td><img src="17" alt="Charlotte" /> <img src="18" alt="Niners" /></td>
<td><img src="21" alt="Charlotte" /> <img src="24" alt="Niners" /></td>
</tr>
</tbody>
</table>

**Font System**

```
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
OPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
..,:!?@#$%^&*()[]
```

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<table>
<thead>
<tr>
<th>Green</th>
<th>Brown</th>
<th>Flesh</th>
<th>Gold</th>
<th>Gray</th>
<th>Black</th>
<th>White</th>
</tr>
</thead>
<tbody>
<tr>
<td>PANTONE 7484 C</td>
<td>PANTONE 463 C</td>
<td>PANTONE 487 C</td>
<td>PANTONE 465 C</td>
<td>PANTONE Cool Gray 7 C</td>
<td>PANTONE Process Black C</td>
<td>White</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Pants Light</th>
<th>Hat/Gloves Light</th>
<th>Flesh Light</th>
<th>Flesh Shadow</th>
<th>Beard Light</th>
<th>Beard Shadow</th>
<th>Shoe Light</th>
<th>Shoe Shadow</th>
<th>Pickaxe Shadow</th>
<th>Shirt Shadow</th>
</tr>
</thead>
<tbody>
<tr>
<td>PANTONE 349 C</td>
<td>PANTONE 4635 C</td>
<td>PANTONE 489 C</td>
<td>PANTONE 486 C</td>
<td>PANTONE 1615 C</td>
<td>PANTONE 161 C</td>
<td>PANTONE 4485 C</td>
<td>PANTONE 448 C</td>
<td>PANTONE Cool Gray 10C</td>
<td>PANTONE 2796 C</td>
</tr>
</tbody>
</table>

Approved University colors or the "PANTONE® colors listed on this page must be used. The colors on this page are not intended to match PANTONE color standards. For PANTONE color standards, refer to the current editions of the PANTONE color publications. "PANTONE® is a registered trademark of PANTONE, Inc."

**Norm Marks**

27  28  29  30  31  32

33  34  35  36  37  38

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