

**TEXAS STATE TECHNICAL COLLEGE
STATEWIDE OPERATING STANDARD**

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| No. GA 1.13 | Page 1 of 7 | Effective Date: 11/05/15 |
| DIVISION: | General Administration | |
| SUBJECT: | Ownership, Use of Texas State Technical College Name, Marks, Logos, and Brand Management | |
| AUTHORITY: | Minute Order #71-15 | |
| PROPOSED BY: | <i>Original Signed by Jeff Kilgore</i> | |
| TITLE: | Vice Chancellor & Chief Marketing Officer | Date: 11/05/15 |
| RECOMMENDED BY: | <i>Original Signed by Jeff Kilgore</i> | |
| TITLE: | Vice Chancellor & Chief Marketing Officer | Date: 11/05/15 |
| APPROVED BY: | <i>Original Signed by Mike Reeser</i> | |
| TITLE: | Chancellor | Date: 11/05/15 |

STATUS: Approved by BoR 11/05/15 MO #71-15

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POLICY

It is the policy of Texas State Technical College to actively manage its brand, its protected name, marks, symbols, and logos in a manner that insures that the value is maintained, protected and enhanced.

PERTINENT INFORMATION

Definitions

Trademark

A name, symbol, or combination of both which identifies the source of a product or service. In the case of licensed goods, a trademark indicates affiliation or sponsor rather than producer. 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 mark.

For the purposes of this document, “trademark” is used to indicate any or all of the following: trademark, trade name, service mark, logo, insignia, indicia, emblem, symbol, identifying mark or brand identifier, mascot, and name.

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| Infringement | Unauthorized use of a trademark that belongs to another, or use of a trademark so similar to that of another as to cause confusion in the minds of the public as to the source (affiliation or sponsorship) of the product or service. |
| Licensing Agent | One who acts on behalf of another on issues related to the manufacture, distribution, and sales of goods bearing protected name, marks, symbols, and logos. |
| Licensor | One who contracts to allow another (licensee) to use licensor’s property (trademark) in exchange for payment, usually royalty as a percent of sales. |
| Standard License | An agreement between TSTC’s licensing agent and a company desiring to produce licensed products for resale to the general public. |
| Restricted License | An agreement between TSTC’s licensing agent and a company desiring to only produce licensed products for internal use at TSTC. No products produced under this license agreement may be sold to the general public. |
| Promotional License | An agreement between TSTC and a company, organization, or individual in which permission is granted to use the TSTC name, marks, symbols, and logos in a commercial promotion for a certain period of time. All promotional material must be approved in advance by TSTC. |
| Commercial Promotion | A message created and displayed for the primary purpose of promoting a business, partnership, or organization and/or the products and services of that business, partnership or organization with the intent to influence choice, opinion, or behavior. |
| Brand Management | An asset that must be strategically managed to ensure that its impact, effectiveness, and value are maintained, protected and enhanced. Involves a host of activities that share this common goal. All TSTC campuses benefit from the value of the TSTC brand, and accordingly, must participate in the brand management process. |

Although the TSTC brand is owned and managed by the organization, its importance actually resides in the minds of TSTC’s constituents. Therefore, the brand must be managed through

indirect means. That is, TSTC must consistently and deliberately shape and coordinate its activities to produce the desired perceptions.

The various representations of TSTC are crucial components of the brand management process. The TSTC name, abbreviations, logos, wordmarks, symbols, style of images, taglines, domain names, Web sites, and other unique identifiers of TSTC (collectively referred to as "brand identifiers") are some of the components of the TSTC brand. The use of these brand identifiers must be exercised in a prudent, equitable, and mutually beneficial manner.

Since every appearance of a brand identifier plays a role in shaping the desired image of TSTC, all situations in which brand identifiers appear must be consistent over time and across the College. Additionally, brand identifiers must comply with an intentional and focused framework that is designed to strengthen the brand and facilitate the TSTC mission. The TSTC Marketing & Communication Standards Manual serves as the overall guide to statewide brand management, marketing, and public relations efforts.

The primary facilitators of brand management are the marketing and/or public information departments, although comprehensive brand management means that many groups throughout the campuses must be familiar with the concepts.

While the primary focus is on the external market, internal communications pieces which carry brand identifiers as official college communication pieces or whose intent is to promote college awareness, customer service, and/or workplace communication (and whose purpose is not for the instruction of students) should also comply with branding efforts as described in the TSTC Marketing & Communication Standards Manual.

DELEGATION OF AUTHORITY

The Chancellor will designate a Statewide Chief Marketing Officer who has the responsibility and authority to manage the TSTC brand, to coordinate statewide marketing and communications efforts, and to ensure all campus locations adhere to this Statewide Operating Standard (SOS).

The Vice Chancellor/Chief Marketing Officer or designee serves as the statewide designated licensing officer and assists the colleges in maintaining a coordinated licensing effort College wide. Each campus must coordinate the proper application of permission and restrictions to ensure accurate representation of TSTC and strengthening of the TSTC image.

OPERATING REQUIREMENTS

In order to manage the TSTC brand and meet the public demand for goods bearing the TSTC name, marks, symbols, and logos, TSTC allows manufacturers of these goods to acquire a license to produce, market, and sell such goods. TSTC is represented in these licensing matters through an independent licensing agent. The administrative responsibility for the licensing program rests with the Vice Chancellor and Chief Marketing Officer.

Any individual, organization, or company wishing to use TSTC's trademarks for any purpose must obtain written permission to do so from TSTC through the licensing agent (or through the

designated licensing officer for promotional licenses). All commercial use of TSTC's trademarks must be licensed and shall be regulated by the respective TSTC designated licensing officer.

The Chief Marketing Officer will provide overall guidance and coordination of statewide brand management and marketing efforts. Each entity will ensure the integrity of the brand and determine that the content, design, purpose, and publishing format of college marketing and recruitment materials, publications, advertising, domain names, Web sites, and all other communication media serve the goals and objectives of the brand management and are complementary to the mission of TSTC. The TSTC Marketing & Communication Standards Manual will serve as the basis for such decisions.

The TSTC Marketing & Communication Standards Manual provide guidance for use and brand management, including but not limited to:

- Graphic Identity. TSTC's visual brand identity is centered on an accurate use of the TSTC logo, seal, name, and colors, as well as consistency with TSTC's current theme. The main elements that give TSTC its theme and family look are typography, color, division of space, tagline, and style of images.
- Writing Standards. Accuracy as well as proper use of voice, grammar, and applications of the TSTC name is essential in managing the brand. Marketing and recruiting publications and communication pieces should also include an equal opportunity and affirmative action statement, accrediting statement, copyright, and publishing date, as appropriate.
- Standards & Formatting. Business cards, letterhead, and envelopes follow a standard, approved format to reinforce the TSTC brand.

In addition to being consistent with current branding themes, all marketing and recruiting pieces, such as catalogs and view books and Web sites, will carry information on all the TSTC campuses.

Use of TSTC's name, marks, symbols, and logos without license or permission is strictly prohibited. TSTC will take appropriate measures necessary to protect its trademarks from infringement.

1. **LICENSING PROCEDURES.** Any manufacturer or producer wishing to use TSTC's name, marks, symbols, and logos on its products must be properly licensed to do so. The manufacturer or producer may obtain authorization by applying with TSTC's licensing agent. TSTC may exempt vendors for promotional purposes. Except for promotional licenses, TSTC will not issue licenses directly. All other licensing, whether standard or restricted, is granted through the licensing agent.

TSTC bookstores, other retailers, distributors, or brokers of licensed goods are not required to be licensed, nor will licenses be issued for such purposes.

2. **PRIVATE USE OF THE TSTC BRAND IDENTIFIERS.** The use of the TSTC name, marks, symbols, and logos to promote a commercial entity is prohibited. Any use of the

name, marks, symbols, and logos which state an endorsement or approval of a product, service, or company is prohibited.

3. **PROMOTIONAL USE OF THE BRAND IDENTIFIERS.** The use of the TSTC name, marks, symbols, and logos in conjunction with a commercial promotion (either for TSTC, a partnership, or an organization/service group) may be permissible if the following criteria are met:
 - A. The promotion must be beneficial to TSTC. This benefit may be tangible or intangible.
 - B. The use must be consistent with TSTC's institutional mission, values, and standards.
 - C. The use must be consistent with all other provisions of this logo and trademark licensing policy.

Requests for such use shall be reviewed by the College designated licensing officer to assure that these criteria are met. Each request for approval should allow for three days to respond and will be specifically approved in writing if the criteria are met.

4. **USE OF MARKS IN NAMED EVENTS.** When TSTC is an invited participant in an event where the event sponsor's name and/or logos are used to promote the event, TSTC allows the use of its marks in conjunction with the sponsor/event names and logos to promote the event. Each such use must be specifically approved by the appropriate TSTC designated licensing officer.
5. **PRODUCT/DESIGN APPROVAL.** TSTC shall approve each use of its marks on a per product, per design basis. Licensees must submit each product or design to the licensing agent for approval by TSTC. Standard and restricted licensees must use the online approval system. Promotion licensees may bring a hard copy or send an electronic proof to the designated licensing officer.

TSTC will not approve the use of its name, marks, symbols, or logos on the following products:

- alcohol,
- tobacco,
- controlled substances,
- sexually-oriented products or designs,
- religious products or designs,
- political products or designs,
- games of chance, or
- appliques, patches, or heat transfers for retail sales.

In addition, TSTC will not approve the use of its name, marks, symbols, or logos in text or graphics which are judged to denigrate any groups, including another college or university,

or infringe on the rights of other trademark owners. TSTC will not approve products which do not meet minimum standards of quality and/or good taste or are judged to be dangerous and/or carry high product liability risks.

TSTC will approve products or designs incorporating only current brand identifiers. Names, marks, symbols, or logos which are obsolete or replaced by updated versions will continue to be protected by TSTC but will not be approved for use in new products or designs.

6. **ROYALTIES.** All licensed goods manufactured for sale to the public are subject to a royalty. The royalty rate is designated by TSTC and is subject to change by TSTC. The royalty is paid on wholesale sales by the manufacturer of the goods. The royalty policy is administered by TSTC's licensing agent.

TSTC may grant exceptions from royalty payments in the following cases:

- A. goods purchased by TSTC for its use,
- B. goods purchased by TSTC Student Organizations for bonafide fundraising purposes approved by the Office of the Vice President for Student Development,
- C. goods purchased by the Alumni Association for internal use,
- D. goods purchased by Faculty and Staff for campus use,
- E. goods purchased for promotional use for prospective students, employees, or campus events, or
- F. goods purchased for Residence Life or Student Activities for current students or campus activities/events.

In these cases, manufacturers are required to have a letter from TSTC exempting the sale from royalties. These letters are sent from the marketing/public information office at the request of the exempt group or activity.

All goods bearing Texas State Technical College name, marks, symbols, and logos must follow the normal approval process whether exempted from royalties or not.

7. **DISBURSEMENT OF ROYALTY INCOME.** Royalties generated by the licensing program shall be deposited into the respective campus or College account. Further disbursement of these funds is at the discretion of the campus or College Operations.
8. **GUIDELINES FOR LOGO USE.** Only approved and current marks may be used. Current name, marks, symbols, logos, and colors are identified in the TSTC Marketing & Communication Standards Manual and available to licensees through the licensing agent.
9. **JUDGING ACCEPTABILITY.** TSTC encourages creative uses of its name, marks, symbols, and logos in promoting school spirit. TSTC recognizes that its licensees are

creative in this regard and that some concepts or designs developed by licensees may not clearly fall within the guidelines of this SOS. When this occurs, the respective campus and/or College designated licensing officer will be the sole judge of acceptability.

10. NOTICE TO VENDORS. A licensing notice will be made to merchants doing business with TSTC on TSTC bid requests and purchase orders to include verbiage similar to that below:
 - A. Verbiage on the bid. “Vendors using the marks, logos, and verbiage of TSTC must be an approved licensee of TSTC prior to the bid award. See <<licensing agent’s web site or phone number>> for license application if needed.”
 - B. Verbiage on the Purchase Order. “By accepting this award, vendor acknowledges to be an approved licensee of TSTC through <<licensing agent>> and will submit all artwork through <<proof method/Web site as appropriate >>. Product received without a <<licensing agent>> artwork approval number may be refused by TSTC and returned at vendor’s expense.”

Each campus will follow guidelines established within the SOS and the TSTC Marketing & Communication Standards Manual, including but not limited to student clubs, organizations, faculty and staff associations, student activities, bookstore, purchasing, bookstore, physical plant and the like.

PERFORMANCE STANDARDS

1. Approved licensees utilize the approval process and designated licensing officer(s) review and approve, disapprove, or indicate resubmission of artwork is required within three business days of artwork submission.
2. Unauthorized use of TSTC’s name, marks, symbols, and logos are reported to the licensing agent.
3. Brand management activities are equitably beneficial to all components of TSTC.
4. Marketing and recruitment materials, domain names, Web sites, and all other types of communication media follow the TSTC Marketing & Communication Standards Manual. Any exceptions are pre-approved by the Chief marketing officer or designee before production or publication.
5. Completed copies of published items are submitted to the main office.
6. Each campus is provided hard copies and electronic copies of the TSTC Marketing & Communication Standards Manual for reference.
7. Each campus communicates the content and procedures of the TSTC Marketing & Communication Standards Manual to appropriate College officials, to include but not be limited to, cluster/division directors, department directors, and department chairs for the purpose of educating them with the concepts of brand management.