



Standard Administrative Policy and Procedure

Subject: University of Wyoming Trademark Licensing

Number: UW SAP 3-2.1

I. PURPOSE

The State of Wyoming and the University of Wyoming have registered or otherwise protected through common law the “Trademarks” of the State of Wyoming and the University of Wyoming. The State of Wyoming and the University of Wyoming have delegated the responsibility of protecting, promoting, preserving and licensing for use on “Products”, the “Trademarks” to the University of Wyoming Trademark Licensing Office (TLO).

II. DEFINITIONS

Officially Licensed Vendors: Vendors that have been approved to produce Products bearing the State of Wyoming and University of Wyoming Trademarks.

Products: Collectively refers to merchandise, apparel, headwear, drinkware, websites, social media, promotional items and materials, and other products.

Trademarks: Names, initials, logos, symbols, indicia, insignia, trade names, nicknames, service marks, and trademarks of the State of Wyoming and the University of Wyoming.

III. POLICY

1. This policy applies to all academic and administrative departments or units on campus, students of the University of Wyoming, the University Alumni Association, the University of Wyoming Foundation and the Cowboy Joe Club.
2. The policy applies to those Products bearing the Trademarks that are used for resale purposes, internal consumptive purposes, give-away or recruiting purposes, or for other promotional, marketing or public relations purposes.

IV. GENERAL LICENSING GUIDELINES AND PROCEDURE

A. Registered and Protected Trademarks

1. The following Trademarks are federally registered in the name of the State of Wyoming and made available to the University of Wyoming for university operations per the terms of a Memorandum of Understanding dated June 15, 2010: BUCKING HORSE & RIDER® (“BH&R”).

2. The following Trademarks are federally registered in the name of the University of Wyoming: UNIVERSITY OF WYOMING®; WYOMING COWBOYS®; THE WORLD NEEDS MORE COWBOYS®; COWBOYS AND PISTOL PETE DESIGN®; UWYO®; and the UNIVERSITY OFFICIAL SEAL®.
3. The following Trademarks are registered with the State of Wyoming in the name of the University of Wyoming: POKES™; PISTOL PETE™; COWBOYS™; UW™; and ONE WYOMING™.
4. All other names, symbols, initials, or graphic designs that refer to or are identified with the University of Wyoming are protected by federal and state law.
5. The university through the TLO will control use of the wordmark “Wyoming” in the colors Brown and/or Gold and the policies of this SAPP will be applicable to such Products if one or more of the following criteria is met:
 - a. If the Product is offered to the public by a university college, department or unit, the University Alumni Association, the University of Wyoming Foundation, or the Cowboy Joe Club.
 - b. If the Product is offered to the public on university property.
 - c. If the Product is situated in a retail space immediately adjacent to a space where there are other products bearing Trademarks or if the Product is intermixed with other products bearing Trademarks.
 - d. If the Product is situated in a retail space that is clearly intending to offer collegiate merchandise.
 - e. If the Product is being advertised to the public in conjunction with university related events.

B. University Procurement Procedures

1. An effort shall be made to procure items bearing Trademarks from Officially Licensed Vendors before other sources are considered. It shall be the responsibility of the requesting college, department or unit to verify with the TLO that the source of the desired items bearing Trademarks is a current Officially Licensed Vendor.
2. It shall be permissible to solicit bids or donations for items bearing Trademarks from sources that are not Officially Licensed Vendors. However, a bid will not be awarded or a donation accepted until the source, or the entity affixing Trademark to the items, becomes an Officially Licensed Vendor. All bid specifications, relevant to this policy, shall advise the bidder of the bidder's licensing obligations.

C. Licensing and Royalties

1. The university receives royalty payments for the use of any Trademarks. All vendors and organizations looking to use the Trademarks must hold a licensing agreement with the TLO.
2. Products bearing Trademarks produced for retail, external use, give-away or recruiting purposes, or for other promotional, marketing or public relations purposes shall be purchased from Officially Licensed Vendors and subject to applicable royalties.

3. **Licensing Exemptions:** The following products or types of products must comply with The Official UW Brand Book (“UW Brand Book”) but do not need to be purchased from an Officially Licensed Vendor and in general are exempt from royalties and the licensing policies and procedures outlined in this SAPP:
 - a. Office letterhead, envelopes, stationery and business cards
 - b. University identification cards and nametags
 - c. University publications, newsletters, posters, flyers, brochures, pamphlets, circulars, leaflets, notices and point of purchase displays
 - d. Employee uniforms and uniform patches
 - e. Vehicle decals, wraps and signage for use on university vehicles
 - f. University authorized signage
 - g. University Food Services eating utensils, plates, food containers and other similar items used by University Food Services and not intended for resale or promotional use.
4. **Royalty Exemption:** Products sold, invoiced or otherwise provided directly to the University of Wyoming Athletic Department for internal use and not intended for resale or used for resale or promotional purposes shall be exempt from the collection of and submission of royalties (effective as of July 1, 1991).

D. Student Groups

1. Student groups not registered with the Center for Student Involvement and Leadership (CSIL) may not use, modify, or alter any of the Trademarks.
2. Student groups classified as Registered Student Organizations (RSO) by the CSIL are encouraged to and may use the Trademarks. If an RSO does elect to use the Trademarks or incorporates any of the Trademarks or university branding into the RSO’s logos, branding or word marks, the RSO must follow the UW Brand Book. The RSO may elect to not use the Trademarks or branding of the university in favor of nationally or internally preferred colors, marks or messages.
3. Only an organization that is sponsored by a unit of the university or is itself a unit of the university such as ASUW may use the name of the university or abbreviation thereof as part of its own name. A RSO may not use the name of the University of Wyoming or any abbreviation thereof as part of its own name; however, terms such as “campus” and “Wyoming” or “at the University of Wyoming” may be used by an organization as part of its identification to the public.
4. Events or activities sponsored by RSO’s shall not be advertised or promoted in such a way as to suggest that they are sponsored by the university or that the organization is acting on behalf of the university.
5. Any RSO commercial products, websites and promotional materials bearing the university name, Trademarks or other marks or branding representative of the university are subject to the university’s trademark licensing policies and the UW Brand Book. These items must be purchased from an Officially Licensed Vendor, are subject to applicable royalties, and shall not be designed in such a way as to suggest the group is sponsored by the University of Wyoming.
6. **Club Sports:** Teams that are part of the University of Wyoming Club Sports Program administered by the Division of Campus Recreation are allowed full use of the Trademarks

in accordance with the Club Sports Brand Standards Manual established by the Club Sports Coordinator. Club Sports uniforms, warm-ups, and apparel must be purchased from an Officially Licensed Vendor and are subject to the trademark licensing and royalty policies contained in this SAPP.

E. Prohibited Items

1. The TLO will not approve the use of Trademarks in conjunction with or the promotion of:
 - a. Dangerous products such as firearms, explosives, or fuels. This exclusion does not apply to limited edition or commemorative firearms or other special projects involving limited runs of firearms. Use of Trademarks on limited edition or commemorative runs of firearms will be reviewed on a case by case basis and requires approval by the Office of General Counsel, the Director of Athletics and by the Wyoming Secretary of State if the Trademark is the BH&R.
 - b. Illegal or “recreational” drugs or drug-related paraphernalia
 - c. Sexually suggestive products
 - d. Tobacco-related products
 - e. Products which the TLO deems inappropriate and as being inconsistent with the image, branding and mission of the university.
2. The Trademarks may not be used in any way that discriminates or implies discrimination against any persons or groups based on race, gender, religion, color, national origin, disability, age, protected veteran status, sexual orientation, genetic information, gender identity, creed, ancestry, political belief, any other applicable protected category, or in any other way that would be a violation of Wyoming’s non-discrimination policies or practices.

F. Alcohol Related Items

1. Use of Trademarks on product packaging in both primary and secondary packaging with respect to alcohol related items is subject to a case by case review and requires approval by the Office of General Counsel, the Director of Athletics and by the Wyoming Secretary of State if the Trademark is the BH&R.
2. Use of Trademarks on ancillary products such as drinkware, koozies, growlers, and flasks is permitted.
3. Use of Trademarks in the promotion and advertising of official alcohol sponsors of UW Athletics is permitted. Use of Trademarks on secondary packaging (for example a six pack or twelve pack beer container) by an official alcohol sponsor of UW Athletics, as designated and determined by the multi-media rights holder at UW, is permitted with review by the TLO. Use of Trademarks on primary packaging (for example on a beer can or a wine bottle) is subject to case by case review and requires approval by the Office of General Counsel, the Director of Athletics and by the Wyoming Secretary of State if the Trademark is the BH&R.
4. Any university related use of Trademarks other than the BH&R on alcohol related items not contemplated within this policy will be subject to review and approval by the Office of General Counsel and the Director of Athletics.

5. Any use of the BH&R on alcohol related items not contemplated within these policies will be subject to approval by the Wyoming Secretary of State.

G. Official University of Wyoming Seal Restriction

The commercial use of the University of Wyoming Seal is restricted and ultimately the TLO works to ensure it is used only on high-end items. Other than these special exceptions for commercial items that are reviewed on a case by case basis, use of the seal is reserved for formal printed materials such as diplomas, medallions, awards, designated honorary certificates and official university documents.

H. Labor Practices

The University is committed to the concept that all products bearing reference to the University of Wyoming will be manufactured by companies whose labor policies ensure that their employees are safe from abusive labor conditions. The TLO includes applicable labor and/or sourcing requirements in its licensing agreements with vendors or prospective vendors.

Responsible Division/Unit: Department of Intercollegiate Athletics, Trademark and Licensing

Source: None

Links: <http://www.uwyo.edu/regs-policies>

Associated Regulations, Policies, and Forms: None

Approved: 4/11/2022