

# LUTHER COLLEGE

## POLICIES AND PROCEDURES

---

Department:	Communication
Subject:	Trademark Usage and Licensing Policy
Date Issued:	Proposed April 2024
Updated and Reviewed By:	Bill Smith, Vice President for Communication, April 2024
Approved By:	Senior Leadership Council, April 2024

---

### I. Policy/Procedure

Luther College owns and controls the federally registered trademark of “Luther College,” as well as other marks, logos, seals, and insignia which have become associated with the visual and textual identity of the college. Along with the federally registered trademark of “Luther College”, the institution considers as trademark representation of Luther College the official seal, the Luther College wordmark logo, the athletic and spirit logos associated with Norse athletic teams, “Luther Norse,” and signature educational experiences including, but not limited to, Paideia Program, Nordic Choir, Norskkor, Dorian Music Camps, and Christmas at Luther.

The college reserves the right to not license the use of its marks to groups, projects, or items which do not align with the college’s mission, and will not approve the use of its name or marks with text or graphics considered as offensive toward a specific group, sexually suggestive, or infringe on other trademarks.

### II. Purpose

This policy ensures that Luther College maintains control of its federally licensed trademarks and other identifying trademarks which represent Luther College.

### III. Scope

This policy applies to all employees of Luther College, as well as all individuals, businesses, or corporations seeking to license or utilize the registered marks and trademarks of Luther College.

### IV. Terms and Definitions

- **Trademark:** A word or device associated with a college which includes names, words, logos, symbols, mascots, colors, or combinations of these qualify as a trademark. They are representative of the institution
- **Registered Mark:** A trademark registered with the U.S. Patent and Trademark Office is considered exclusive within its registration category, and is the highest level of protection. Federally registered trademarks have additional remedies available for trademark infringement.

- **Infringement:** The unauthorized use of a trademark constitutes infringement, as well as the use of a similar trademark which causes confusion in the mind of the public.
- **Indicia:** Two specialized symbols indicate trademark and must be displayed. A federally registered trademark is indicated by the © symbol, also known as the “circle-r” for registration. The words “Luther College” are registered with the U.S. Patent and Trademark Office, and all commercial applications should include ©. Luther College has ™ status for other logos, including, but not limited to, the Norse Athletics, Luther Spirit Mark, and others as designed or disseminated by Luther College to represent the institution. The ™ must be present on any commercial applications of Luther College trademarks not federally registered.

## V. Procedures and Guidelines

- A. The Division of Communication shall protect and regulate the use of the Luther College trademarks. All current and any future trademarks shall be subject to the policies and procedures defined in the Brand Visual Standards managed by the Division of Communication. Any variances, including caricatures, that may cause the public to believe they represent Luther College fall under this policy, including usage of the Luther College name in advertisements or other public statements.
- B. Permissions for usage of the Luther College trademarks will be granted for specific purposes and specific periods of time. As a general practice, no open-ended approvals are granted. The college will apply standards for acceptable appearance and usage, and may deny usage based on certain community standards. The college reserves the right to prohibit uses that are inconsistent with the mission of the college.
- C. The external use of Luther’s marks requires prior expressed written approval from the Division of Communication. The use of Luther’s marks by internal audiences does not require written approval from the Division of Communication, but prior coordination is requested.
- D. Both external and internal uses of the college’s marks must comply with the Luther Brand Visual Standard guide, including the use of appropriate indicia.
- E. Requests for commercial use by external groups must include description of use, intended market for use, and a visual representation for prior approval.
- F. College departments, divisions, offices, or affiliated organizations may not assign or modify the trademarks of the college, nor permission or sublicense the use of the marks.
- G. Governance: Federal, state, and common laws are in place to govern and protect the college’s rights related to its trademarks. The same laws oblige the college to control its trademarks, and without proper control, the college risks losing its exclusive right to its trademarks. The licensing process and the monitoring of usage are mechanisms to provide the needed control.
- H. Effective date for implementation is June 1, 2024. All materials purchased, composed, or disseminated after the implementation date must comply with appropriate logo usage and indicia. This policy does not intend the removal from operation existing materials which may not exhibit the current logo indicia. Existing materials may be used until inventories are exhausted.

## VI. Confidentiality and Record

All records of trademark usage will be maintained by the Division of Communication. Record of violations to this policy will be maintained by the relevant division cabinet member as well as the Office of Human Resources.