

College Operating Procedures (COP)



Procedure Title: Use of College Name, Marks, and Seal
Procedure Number: 08-0609
Originating Department: Office of Auxiliary Services

Specific Authority:

Board Policy 6HX6:5.03
Florida Statute 1004.726
Florida Administrative Code n/a

Procedure Actions: Adopted: 01/20/2010; 01/14/2011; 03/3/2011; 04/19/2017;
09/18/2018; 01/20/2021

Purpose Statement: Florida SouthWestern State College is the owner of certain distinctive name, logos, restricted images, or other identifiers (“Marks”) and has devoted substantial resources to the creation and protection of these distinctive College marks. This College Operating Procedure provides a licensing process to ensure that the College marks are protected and used appropriately.

I. INTRODUCTION

This College Operating Procedure provides a licensing process for College’s distinctive name, logos, restricted images, or other identifiers (“Marks”) to ensure that the College marks are used appropriately with the goal to:

- A. Promote and protect Florida SouthWestern State College through implementation of a management system which established the means for consistent, favorable, and professional use of the Marks;
- B. Fulfill the legal obligations to protect the Marks;
- C. Protect the consumer from deception or from faulty or inferior products and services bearing the College’s Marks;
- D. Provide fair and equitable treatment of all licenses; and
- E. Realize and distribute earned royalties and other revenues for the benefit of the College.

The licensing process for College Marks is operated by Auxiliary Services.

II. DESCRIPTION OF THE MARKS

The College designated Marks may be found at www.fsw.edu/licensing. The Marks may only be used in the proportions in which they appear on the official designation and may only be used in the colors in which they appear.

Internal departments may download the Marks located in the portal. Departments are prohibited from sharing the downloaded files with persons outside of the College. Requests to share files must be made through Auxiliary Services to ensure licensing requirements have been met and if any additional review of use of the logo is required.

III. USERS AND SUPPLIERS MUST BE LICENSED

All non-College users of the Marks must contact Auxiliary Services to determine what licensing is needed, if any. No purchase orders will be issued by the College for non-approved users/suppliers.

IV. ROYALTY

In return for the right to use the College's Marks, a licensee may be required to pay a royalty based on the wholesale cost of goods. Exemptions and adjustments to payment of the royalty and rights fee are allowed.

A royalty exemption (but not a license exemption) may be granted for:

- product purchased by the College, its registered and affiliated organizations, or recognized support groups such as professional associations, employee organizations, athletic, cultural, and other interest groups for internal consumption or for sale at cost to the groups' members. Promotional products given away by these groups are considered products for internal consumption. If the group has excess product after consumption or sale within its group, it cannot be sold to non-members, but can be given away to non-members.
- Advertising rights to use the Marks as granted in corporate sponsor agreements.

V. APPROVAL OF USES

All external and/or commercial uses of the Marks must be approved and monitored by Auxiliary Services. In determining whether a license will be approved, Auxiliary Services will examine: (i) the design and use of the Marks in the design, (ii) the product, (iii) the quality of the method of application of the design onto the product, and (iv) appropriate insurance coverage. During the term of the license, the licensee must obtain approval for any change in the original licensed use including the use of the Mark in additional designs, use of additional Marks, and use on additional product.

VI. DESIGN STANDARDS

The following standards will be used in approval of designs:

- A. Designs must be of high quality and appropriately portray the image of Florida SouthWestern State College;
- B. A Mark may be incorporated into a design as long as the integrity of the Mark is not altered and the design has been preapproved in writing by Auxiliary Services;
- C. The Marks cannot be altered in any way. Size of marks may be made larger or smaller, however proportions must be retained. Marks that include the word "Buc" or "Buccaneer" must also have in close proximity Florida SouthWestern State Colleges' name, nickname (FSW), logo or other school Mark.
- D. The Marks cannot be used with marks belonging to another party (i.e. schools, conferences, institutions, individuals, characters, etc.) unless appropriate approvals are obtained from the owners of other trademarks or copyrights and the design has been preapproved in writing by Auxiliary Services;
- E. No design can be associated with a company that would imply endorsement of the company's commercial product in the absence of a trademark agreement or authorized contract.

- F. No Mark shall be registered by anyone other than a person with the approval of the College President or designee.

When using the College's Marks, the correct colors must be used: The College's official color palette consists of:

COLORS	PANTONE	HTML	RGB	PROCESS
Purple	2617	470A68	R:71 G:10 B:104	C:84% M:99% Y:0% K:12%
Aqua	3262	00BFB3	R:0 G:191 B:170	C:76% M:0% Y:38% K:0%

The College has also standardized typography for its registered word marks. These include:

- ITC Novarese Std/medium
- **ITC Novarese Std/medium Bold**
- ITC Novarese Std Book
- *ITC Novarese Std/medium Italic*

Substitute Fonts include:

- Garamond/Regular

VII. PRODUCT STANDARDS

The following standards will be used when approving product:

- A. All products must be of high quality;
- B. No products considered dangerous or offensive will be approved, including but not limited to products causing potential health risks, promoting firearms, drugs, alcohol, gambling, gaming, or tobacco; and
- C. No products with an unusually high product liability risk will be approved.

VIII. LABELS AND MARKINGS

Whenever possible, the College's Marks must include a trademark notice, the TM symbol, or when the Mark is federally registered in the product class on which it appears the ® symbol. Florida SouthWestern State College is a member of the Collegiate Licensed Properties Association (CLPA), a labeling group, which uses the CLPA label. The label is used to identify licensed collegiate merchandise in the marketplace. The label provides a public awareness program as well as facilitates the monitoring of merchandise in the marketplace. All products for resale bearing the College's Marks must display the official CLPA label.

IX. FEES AND COSTS

All royalty rates, use fees, and other fees are determined by Auxiliary Services.

X. CONTACT

Office of Auxiliary Services
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