



Trademark & Licensing Program

Purpose

In 1999, the Office of the Vice President for Business and Finance took steps in registering the following names and wordmarks. The name, mascot, seal, and other logos and graphics associated with Jackson State University® are protected trademarks. The spirit shared by Jackson State University® students, faculty, staff, and alumni, friends and Tiger fans produces a high demand for products that display the name, logo, and trademarks associated with “*Jackson State University®*, *Home of the Tigers*”.

The use of JSU's trademarks extends through all facets of the University, which requires a university- wide perspective and approach. Therefore, the Trademark & Licensing program is overseen by the Department of Contractual Services who maintains a university-wide perspective. The University has contracted with Strategic Marketing Affiliates (SMA), one of the nation's leading collegiate licensing and marketing representative, to enhance the University's efforts in consistent usage of the University's name, logos, mascots as well as national recognition. SMA clients consist of more than 200 universities, conferences and associations. The Indianapolis-based SMA team combines extensive licensing and marketing experience with a forward-thinking attitude in keeping its approach fresh, energetic, and, above all else, effective.

Colleges and universities are not alone in the promotion, protection, and licensing of its trademarks. One of the world's most successful licensors is Walt Disney®. The United States professional sports teams have been among world leaders in organizing, managing and protecting their property rights and licensing revenues. McDonald's® golden arches and Pepsi's® circular red, white, and blue wave also have exclusive rights to their name and logo and both are recognized across the world. Visual identity is very important for a successful licensing program and for building reputation.

Mission

Trademarks and Licensing Mission is to support JSU community by implementing three objectives:

- **Protection:** The trademark licensing program serves to protect the reputation of the University by ensuring that only approved representations of the University marks appear before the public, and that goods bearing these marks are of approved quality.
- **Promotion:** Trademark licensed products bearing logos and graphics that suggest quality and excellence play a major role in recruiting students and faculty, garnering alumni support, and establishing a distinction among schools.
- **Profit:** Royalties generated help offset costs of the licensing program and provide an added source of revenue to support other programs, such as scholarships and other under-funded areas on campus.

What is a Trademark?

A trademark is a unique indicator used to identify that a product or service originates from a specific source.

What is Trademark Licensing?

A trademark license is an agreement between a trademark owner (the “licensor”) and another person (the “licensee”) in which the licensor permits the licensee to use its trademark in commerce. A registered trademark license is expressed in a written contract specifying the scope of the license.

What are some examples of trademarks?

This can be displayed in an array of trademark types as shown below with an example of a Jackson State trademark example in that specific category. Please note that these are not the only University trademarks.

- **Word (Tigers™)**
- **Phrase (J State™)**
- **Symbol (J™ Logo)**
- **Design (Leaping Tiger)**
- **Sound (Fight Song)**
- **Color (Blue and White)**
- **Group of letters or numbers (JSU™)**

The University’s registered trademarks include “JACKSON STATE UNIVERSITY®”, “JACKSON STATE®”, “JACKSON STATE® TIGERS”, “the UNIVERSITY SEAL”, “THE SONIC BOOM OF THE SOUTH®”, “Wavee Dave®”, and the Athletic Block JSU logo. All other names, including, symbols, initials, colors, images, graphic designs or other indicia that refer to the University are protected by United State federal and state law which is under the auspices of the Department of Contractual Services.

How are these trademarks protected?

The University names, initials, logos, symbols, indicia, insignia, trade names, service marks, and trademarks (collectively “Trademarks”), are trademarks protected by federal law either by federal trademark registrations or through common law use.

A design that could create confusion due to similarity to University’s Trademarks may be an infringement on the University’s trademark rights. The University Trademark & Licensing program, which is in the Department of Contractual Services, oversees the responsibility for maintaining, managing, licensing and protecting the University Trademarks.

Do trademarks, copyrights and patents protect the same things?

No. Trademarks, copyrights and patents are all different.

- A copyright protects an original artistic or literary work
- A patent protects an invention. (For further information, please see the University's Intellectual Property Policy).
- A trademark may also, in some instances, be protected by copyright and trademark law.

Merchandise Guidelines

Use of Jackson State trademarks must be consistent with university graphic identity standards. Consistent use is important for the legal protection of the marks and to promote a consistent brand message.

General Guidelines

The Department of Contractual Services administers the trademark licensing program for the university. The Trademark & Licensing program is designed to provide manufacturers with the ability to create products featuring university logos and graphic marks while also ensuring that the institution's reputation, image, and brand identity are presented appropriately. Revenues generated through the sales of licensed merchandise help fund Jackson State University licensing program and provide an added source of revenue to support other programs, such as scholarships and other under-funded areas on campus.

Campus organizations and recognized student groups are required to use authorized licensed vendors when designing consumer products, including promotional items (giveaway items) whether such items just bear the university name or include university logos. For more information, contact the Department of Contractual Services at (601) 979-1065 or visit our website at <http://www.jsums.edu/contractual/>.

Items for sale using the University Trademarks must be licensed.



JSU partnered with Strategic Marketing Affiliates in 2007 to assist with administering the Licensing Program and to ensure the institution recognition on a national level. SMA, founded in 1997, Strategic Marketing Affiliates has quickly grown to become a leader in the arena of collegiate licensing. The Indianapolis-based team combines extensive licensing and marketing experience with a forward-thinking attitude in keeping its approach fresh, energetic, and, above all else, effective.

Licensing Process

Any persons, business or organization interested in reproducing the University registered trademarks for merchandise commerce are encourage to become licensed with the University. JSU has arranged for licenses to be issued by Strategic Marketing Affiliates (SMA) on the component institutions behalf. The interested party will be directed to Strategic Marketing Affiliates (SMA) website (www.smaworks.com) to complete the entire process of becoming an authorized vendor. If you have any questions throughout the process, please don't hesitate to contact their office at 317-669-0808.

1. **Licensing Application** - The licensing application marks the beginning of the licensing process. Please visit this link for the Licensing Application page to get started. This page will provide information about the two types of licenses - Standard and Restricted - and has applications available for download. When your application is received, SMA will process it and send a request to the selected institutions for pre-approval.
2. **Insurance** - Product liability insurance is required for Standard Licenses. Once SMA receives pre-approval from your requested institutions, SMA will contact you about the product liability insurance requirements for licensing. Strategic Marketing Affiliates, Inc. (SMA) is committed to assisting insurance agents/providers in their efforts to provide the required insurance coverage to their licensee clients. Insurance is required to help protect the licensee, the institutions, and SMA in the case of any claims of damages or defects related to the collegiate licensed merchandise, as well as other liability claims. Please visit www.smaworks.com for Insurance inquiries.
3. **License Agreement** - After you've met the insurance requirements and SMA have received all documentation, SMA will issue a license agreement. Once you've signed and returned original copies of the agreement, SMA will set up your license and contact you about artwork submission and product labels.
4. **Approvals on Demand/Logos on Demand** - SMA requires all licensees to set up an account with Approvals on Demand (a free service to all licensees), an online tool for digital artwork submission. AOD allows SMA licensees to submit all product designs digitally for institutional review. If you require digital artwork for the schools for which you are licensed, it is available via the subscription based Logos on Demand website.
5. **Labeling** - All licensed products produced featuring the marks of SMA clients must contain a hangtag or sticker with the OLCF label and also information identifying the manufacturer and their contact information.



6. **Sign Up for Approvals on Demand/Logos on Demand** - SMA requires all licensees to set up an account with Approvals on Demand (a free service to all licensees), an online tool for digital artwork submission. This account must be renewed annually with your SMA License Renewal. If you require digital artwork for the schools for which you are licensed, it is available via the subscription based Logos on Demand website.
7. **Submit Designs on AOD** - SMA requires licensees to submit all new artwork designs through Approvals on Demand. Once submitted, the design will be reviewed by the respective institution along with SMA. Average "start to finish" review time for all SMA member institutions is approximately 48-72 hours. Once the member institution has reviewed the design, the licensee will receive email notification that the design has been reviewed and it can be accessed along with any comments provided via the licensee's account on AOD.
8. **Reporting Royalties** - Standard Licensees are required to report royalties on a quarterly basis - for periods ending in March, June, September and December. Royalties must be reported for each SMA client school or conference for which your company is licensed. Royalty reporting forms can be downloaded from the SMA web site and must be mailed to our office with payment for your due royalties.
9. **Insurance** - Product liability insurance is required for Standard Licenses. Licensees must maintain insurance coverage throughout the term of their license. SMA asks that your insurance company send updated certificates to our office on an annual basis for our records. Strategic Marketing Affiliates, Inc. (SMA) is committed to assisting insurance agents/providers in their efforts to provide the required insurance coverage to their licensee clients. Insurance is required to help protect the licensee, the institutions, and SMA in the case of any claims of damages or defects related to the collegiate licensed merchandise, as well as other liability claims.
10. **Labeling** - All licensed products produced featuring the marks of SMA clients must contain a hangtag or sticker with the SMA OLP label and also information identifying the manufacturer and their contact information.
11. **Adding Schools/Products to your License** - Licensees can apply to add organizations or products to their license. Please send these requests to newschool@smaworks.com.

All SMA standard licensees are required to obtain a minimum of \$1 million in general insurance, including product liability and other coverage. Insurance is required to help protect the licensee, the institutions, and SMA in the case of any claims of damages or defects related to the collegiate licensed merchandise, as well as other liability claims. All standard licensees, regardless of products or potential risk, are required to obtain this insurance. Some licensees with higher risk products will be required to obtain additional coverage beyond the \$1 million level.

Grant of License

The JSU Licensing Program and SMA run a limited licensing program and do not accept all applicants. JSU will only license finished products that are ready for sale. The non-exclusive license is granted on a one-year basis, with options to renew. JSU and SMA generally execute three types of agreements;

- **Standard License:** A Standard License is available to companies that wish to manufacture collegiate product. This application should be used by companies that desire to produce licensed products for resale to the general public. We encourage you to complete all of the requested information to the best of your ability and please feel free to contact our office with any questions you might have. Please note that any information not provided will be taken into consideration when reviewing this application and that SMA may contact you to clarify any responses.
- **Restricted License:** A restricted license is available to companies that desire to obtain a license with an institution located in their immediate in-state marketplace for a one-time use. This application should be used by companies that desire to only produce licensed products for internal use at the selected institution. No products produced under this license agreement may be sold to the general public. We encourage you to complete all of the requested information to the best of your ability and please feel free to contact our office with any questions you might have. Please note that any information not provided will be taken into consideration when reviewing this application and that SMA may contact you to clarify any responses.
- **Crafter's License:** A Crafter's License is reserved for individuals that wish to produce handmade products for a single institution. This license allows the Licensee to sell less than 500 licensed products or less than \$2,500 in licensed products in one year. Any sales above and beyond these limits will require the Licensee to obtain one of the above-mentioned licenses from the SMA.

Under no circumstance, will licenses be granted for the following:

- **Alcohol Beverages** - *Distilled alcohol liquors, beers, wines and malt liquors*
- **Dangerous Products** – Such as firearms, explosives and fuels
- **Obscene or Disparaging Products** – Including, but not limited to, nude photographs, caricature poster art or designs that would tend to lower the reputation or degrade the goodwill of the University as represented by the trademark.
- **Sexually Suggestive Products** – including, but not limited to, inappropriate slogans imprinted on clothing and the configuration of certain novelty items.
- **Health Related Products** – includes all types.

- **Staple Foods, Meats and Natural Agricultural Products** – includes all types.
- **Services** – with the exception in accordance with the special requirements of the Office of General Counsel.

REPORT A VIOLATION

It is the responsibility of the campus community to report any suspicious or known unauthorized activity. To report any violations, please contact the Department of Contractual Services at 601-979-1065.

Trademark & Licensing FAQs

*Jackson State University
Licensing Program*

TRADEMARKS-FREQUENTLY ASKED QUESTIONS

1. What is the difference between a TM and a ®?

Anyone who claims rights to a mark may use the TM (trademark) designation, with the mark to alert the public to their claim of ownership. It is not necessary to have a registration, or even a pending application, to use this designation. The Registration symbol, ®, may only be used when the mark is registered with the United States Patent & Trademark Office (USPTO). One may not use this symbol before it is registered with USPTO.

2. Is the name Jackson State University® registered?

Yes...The University name, mascot, seal, and other logos and graphics associated with Jackson State University® are registered marks with the United States Patent and Trademark Office. Please note that any officially adopted words, images or graphics and/or a combination of words and images representing the University are trademarked.

Examples of registered marks:

Jackson State University®

University Seal®

Jackson State University® “1877”

Jackson State®

Jackson State® Tigers

Block JSU®

3. May departments use the University seal?

The seal may only be used by the Office of the President and on official University documents, such as diplomas, and transcripts. It may never be used as a substitute for the Jackson State University logo.

4. Who can participate in the Trademark Licensing Program?

All retailers and manufacturers of products bearing the trademarks of JSU™ must enter into a nonexclusive Trademark License Agreement through the licensing agent that assists with the University Trademark & Licensing program. How do I know my collegiate apparel is licensed by the University?

It's simple. Look for these labels on all products prior to purchase.



5. What kind of merchandise requires a trademark agreement?

All products that are imprinted with a Jackson State University® trademark require licensing. These trademarks include the name of the University, the University seal, the athletic logo and any wordmarks associated with Jackson State University®.

6. Are licensed vendors allowed to sell licensed merchandise on Jackson State University® campus?

No, licensed vendors are not allowed to sell licensed merchandise on Jackson State University® main campus or on any JSU™ off-campus sites.

7. Are licensed vendors allowed to sell licensed merchandise at any Jackson State University® controlled event?

Licensed vendors are allowed to sell at MS Veterans Memorial Stadium at scheduled football games in designated locations. The vendors must sign a Game day Licensing Agreement administered through the Department of Contractual Services.

8. Can licensed vendors sell in the City of Jackson and the area(s) surrounding the University?

Yes, licensed vendors can sell licensed product(s) in the City of Jackson. However, vendors must contact the City of Jackson, City Clerk's Office to obtain a vendors permit.

9. What is an infringement?

Infringement is simple. It is the unauthorized use of any registered marks.

10. Are there penalties for infringement?

Yes, there are penalties that are set forth by the University and are usually administered through the Office of the General Counsel. Visit www.smaworks.com

Official University Name

The official University Name is Jackson State University®. When referring to Jackson State University® in text, use “Jackson State University®” for your first mention. All subsequent mentions may be stated as “Jackson State®” or the acronym “JSU™”. The use of the acronym that is not recognized by some audiences outside the University community could have other claims for example: *Jacksonville State University* (JSU™).

Jackson State University® is a registered wordmark. The official University name should be written and displayed as followed:

Jackson State University®

Jackson State®

JSU™

Official University Seal

The official Seal of Jackson State University® from 1877 should be reserved for use by the Office of the President and for official documents, including diplomas and transcripts.

The official University Seal should not be altered, misrepresented or distorted. This symbol displays an image of “Excellence” in its prestigious boundaries. The University Seal should be printed in black or blue ink only, with the exception in instances when printing the seal on t-shirts, pens, portfolios, invitations and business cards, the colors gold or silver may be used with approval. **DO NOT FILL THE FLAME ON THE TORCH WITH RED.** The red flame was used in celebration of the “*Centennial Year in 1977*” and should not be used in any representation of the University Seal.

The official University Seal is a registered trademark of Jackson State University®.



Official University Colors, Alma Mater & Band Name

The official Jackson State University® colors are Pantone Matching System (PMS) 282 and Opaque White. Red is not an official color and should not be used in any representation of the University. All wordmarks or logos should bear the official colors.

All official University uniforms, paraphernalia, mascot, motor vehicles (cars, trucks, vans, motor coaches, shuttle buses) and various wordmarks should consistently use the official colors of the University.

Jackson State University Official Motto

“Commitment to Excellence”

Official Name of Jackson State® Band

“The Sonic Boom of the South®”

The Sonic Boom of the South Marching Band Theme Song

“Get Ready”

Official University Fight Song

“Cheer Boys”

University Alma Mater

“Jackson Fair”

Official University Logo



The JSU signature

The logo consists of four elements:

- 1) The JSU initials and 1877
- 2) The blue divider line
- 3) The logotype
- 4) JSU blue and gray

These four elements are to be used together as one unit. The JSU signature should always be spaced and aligned as shown here. It must be reproduced from high-resolution digital files.

Pantone® 282 and white. There is also a lighter “highlight” blue for limited use in both print and web applications. The highlight blue is Pantone® 2925.

The CMYK and RGB conversions for the Pantone® colors are shown in the tables listed to the right as well as the color formula for web applications.

Black and White Reproduction

The black and white signature should only be used in newspaper advertising, faxing and black and white copying. When appearing on a dark or black background, the entire signature should reverse out to white.

Official University Mascot

The official University Mascot is a ferocious leaping “*Blue Bengal*” Tiger. The tiger is white with blue (PMS 282) stripes. The University mascot has gradually gained the Vanson 151C color (burnt orange); however, the original leaping “*Blue Bengal*” tiger is the official mascot.



Official Athletic Logo

The official University Athletic Logo is the *Block JSU*. The University Athletic Logo is restricted for use by the athletic department only.

