In 1990, Eastern Kentucky University established a licensing program to protect the use of its logos and insignias. This program, administrated by EKU’s Office of Public Relations, has been successful for the University, its licensees and retail partners. To expand the program and ensure its growth, the University has partnered with The Collegiate Licensing Company (CLC) (www.clc.com) to serve as its exclusive trademark licensing representative.

What is a trademark?
A trademark is any word, phrase, symbol, design, sound, smell, color, product configuration, group of letters or numbers, or combination of these that is adopted and used by an organization to identify its products or services, and to distinguish them from products and services made, sold, or provided by others. For an organization, a trademark is one of its most important assets. It is vital therefore, that trademarks be used carefully. Eastern Kentucky University desires to associate its trademarks with quality, reliable products that are competitively priced.

The University owns and controls its name(s) and other marks, logos, insignias, seals, color schemes, designs and symbols which include the use of, but are not limited to: “Eastern Kentucky TM”, “Eastern Kentucky University ®”, “Eastern Kentucky University Colonels ®”, “Colonels TM”, “EKU underlined ®”, “EKU Colonels TM”, the straight-lined EKU marks TM, any Colonel mark TM, the EKU Academic logo (Kicker K logo) TM, and The University's Seal TM. These marks are used for sale, promotional, and advertising purposes and are well known and recognized by the general public and associated with the University in the public mind.

The primary purpose in the protection of marks is to prevent consumers from becoming confused about the source or origin of a product or service. Marks help consumers answer the questions: “Who makes this product?” and “Who provides this service?” As consumers become familiar with particular marks and the goods or services they represent, marks can acquire a secondary meaning as indicators of quality. Obviously, the University does not make most of the manufactured product that carry the University's marks. Under the University's licensing program, manufacturers are authorized through the University's licensing agent the Collegiate Licensing Company (CLC), to utilize the marks of the University on a variety of goods and services, which are then made available to consumers.

The proper usage of marks helps to protect and promote the reputation of the University, and it is all of our responsibility to ensure that legitimate marks do not become distorted through improper usage. By purchasing only officially licensed products and by understanding and following EKU's trademark use guidelines, you are protecting the University against the possibility of dilution and enhancing the image of excellence that is Eastern Kentucky University.

Why regulate the use of EKU’s marks?
The licensing program strives to regulate, promote and protect the commercial use of the University's name and identifying marks, both on and off campus.

EKU benefits from public recognition of its images, and if properly managed, these images provide the critical unifying look that establishes a visual presence. The look then becomes identified with the quality of EKU's programs, products and services and distinguishes its program from other universities.

Royalties collected from licensed merchandise are returned to the University to help support University programs and services.

Who needs a license?
Licenses must be obtained for the use of any EKU trademark, image, or photograph in a commercial product.

Although items consumed internally by the University, its departments, campus organizations, and University related clubs are NOT required to pay royalties on items produced for them and not for resale, they must be produced by an official Eastern Kentucky University Licensee, and designs must be approved by the University's licensing office. This policy ensures that all items bearing the University's identity represent the University in an acceptable manner and on a quality product.

What is the Trademark Program's function?
The Eastern Kentucky University Trademark Licensing Program was established in order to protect and control all uses of the University's various trademarks throughout the world. The program is operated out of the University's Office of Public Relations as a vast majority of those seeking to use the marks are asking to use them to relate their product to the University as a whole. Through carefully established procedures established in conjunction with the Collegiate Licensing Program, the Trademark Licensing Program grants licenses to certain manufacturers to produce
a variety of EKU goods. In return, the licensees pay the University royalties for the right to use the University’s trademarks on their products. The Trademark Licensing Program also helps the University's departments and officially recognized student groups if they decide to have goods produced bearing the University's indicia. In addition, the program which is administered by the Collegiate Licensing Company oversees the worldwide registration of the University's trademarks, manages the University's worldwide trademark portfolio and, in conjunction with the University Office of Legal Counsel, monitors and guards against the unauthorized third party use of the University's trademarks around the world.

What are the Eastern Kentucky University trademarks?
The University's trademark registrations include "Eastern Kentucky TM" “Eastern Kentucky University ®”, "Eastern Kentucky University Colonels ®", "Colonels TM", "EKU underlined ®", "EKU Colonels TM", the straight-lined EKU marks TM, any Colonel mark TM, the EKU Academic logo (Kicker K logo) TM, and The University’s Seal TM. An “®” indication must appear on all products bearing the University's registered marks and a “TM” on products containing any of the University's marks that are not yet registered. The University also has ownership of its famous color scheme which is an EKU trademark.

Who can or should become licensed?
All manufacturers who produce goods bearing any of the University's trademarks must be licensed to produce such products with a formal license agreement. Manufacturers producing goods with the University’s marks for sale to a University department or an officially recognized student group are not required to pay royalties on the goods sold to the University's departments and groups, but are required to be licensed. Authorization to waive royalties must be received from the Trademark Licensing Office. If the department or student group resells these insignia goods, royalties are due.

What products can be licensed?
Typical products licensed by the Trademark Licensing Program are t-shirts, sweatshirts, jackets, sweaters, shorts, caps, ties, and other articles of clothing. Other licensed goods include key chains, watches, clocks, jewelry, mugs, glassware, stationery products, leather goods, rugs, phones and lamps. Among the products that the University does not license are alcoholic beverages, weapons, lighters, ashtrays, tobacco products, or any items perceived by the Trademark Licensing Program to promote these items or other objectionable items. Eastern Kentucky University does not approve the use of its marks on products perceived by the licensing committee to promote, support, or endorse political parties, political candidate, or any partisan political activity.

Is anyone exempt from royalties?
Sales of items bearing the University's marks to University departments and authorized student groups are exempt from royalty charges, as long as, none of the items will be resold or sold at retail. In other words, if a campus department, group, or organization purchases an item that will be resold, the licensee from which the product was purchased must pay a royalty. In order for a department or student group to obtain royalty exemption, special written permission must be requested from the Trademark Licensing Program and presented to the manufacturer prior to their production of the goods. The names, addresses, and phone numbers of companies licensed to produce goods bearing the University's marks can also be obtained free-of-charge by contacting the Trademark Licensing Program or clicking on the link at the top of this page.

What are the terms of a U.S. Trademark License with Eastern Kentucky University and the Collegiate Licensing Company?
The terms of a U.S. trademark license agreement with The University typically includes an application fee ($100-500 range), an annual administration fee of $0-100, advance royalty fees of $0-100, cost of obtaining $1,000,000 in Product Liability Insurance ($100’s-1,000’s depending on product to be licensed), marketing costs, product development, sample production and approval costs, and an 8.0% royalty rate on the wholesale price of the goods. Furthermore, licensees are required to submit product samples and designs for approval prior to production of the goods.

Does the University License Internationally?
The University currently has trademark licensing programs in place in various countries outside of the U.S. The University typically works with licensing agents in each of these territories to help find licensees, shop the market for infringement and counterfeit product, and to serve as the local coordinators for the various programs. Other than the role played by the licensing agent, international trademark licensing is very similar to its domestic counterpart. Licensees are required to pay advance fees, annual minimum royalties, and a royalty on all sales of University products. International licensees are also required to submit all designs, products, and advertising for approval by the Trademark Licensing Program.
How is the Trademark Program enforced?
On the domestic front, the University's Licensing Director and representatives from the University's Licensing Agent (CLC) make regular visits to local retailers to ensure that only officially licensed merchandise is being sold. Furthermore, trademark licensees, retailers, as well as Kentucky students and alumni, are excellent resources for identifying counterfeit merchandise and/or the unauthorized third party use of the University's name and symbols around the country. Finally, all licensees are required to identify their products as being officially licensed by affixing the “Officially Licensed Collegiate Product” hang tag to all licensed merchandise.

How is the royalty income used?
Net income generated by the Trademark Licensing Program is used to support the University's general fund.

Where can I get more information?
Contact Marc C. Whitt of Eastern Kentucky University Trademark Licensing Program (859) 622-8615 or marc.whitt@eku.edu.

Or Contact Cole Price at The Collegiate Licensing Company at (770) 956-0520 or www.clc.com.