



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO

Operating Policy and Procedure

HSCEP OP: 54.03, **Use of "Texas Tech University Health Sciences Center at El Paso" Name for Private Business Purposes and Licensing: Use of Indicia, Logographics and Symbols**

PURPOSE: The purpose of this Texas Tech University Health Sciences Center at El Paso (TTUHSCEP) Operating Policy and Procedure (HSCEP OP) is to state the prohibition against the use of the "Texas Tech University Health Sciences Center at El Paso" name or schools thereof, for private purposes and to establish procedures for licensing, use of TTUHSCEP indicia, logographics and symbols and for use of any revenues received there from.

REVIEW: This HSCEP OP will be reviewed on June 1 of every fourth year (E4Y) by the Managing Director of Contracting or designee and the Associate General Counsel, with recommendations for revisions submitted to the Chief Operating Officer or designee by June 15.

POLICY:

1. **Authorization for Usage.** Words, seals, logos, and symbols used to identify Texas Tech University Health Sciences Center at El Paso or associated with Texas Tech University Health Sciences Center at El Paso shall not be used in any manner for private or individual purposes without specific written authorization from the Chief Financial Officer.
 - a. Authorization to use the words "Texas Tech University Health Sciences Center at El Paso," TTUHSCEP seals, TTUHSCEP logos, or TTUHSCEP symbols shall be considered only for activities in which TTUHSCEP has legitimate teaching, research or public service interest.
 - b. The specific purpose/use shall be reviewed by the Office of General Counsel to ensure compliance with Section 1. a.
 - c. When authorization to use the name, logo, seal or symbol is granted, TTUHSCEP may grant a license for such use. Licensee shall be required to pay applicable consideration/fees for the execution of such license.
 - d. Royalties received from licensing shall be used only to support the TTUHSCEP Student Endowed Scholarship Fund.
 - e. Licenses will not be granted for use of distinct marks on food products, drinks of any type or products which are not compatible with the image of TTUHSCEP as a major institution for education, research, and public service.
 - f. The following is a partial list of the prohibited uses for private purposes of TTUHSCEP:
 - (1) Name
 - (2) Symbols
 - (3) Logos
 - (4) Seals
 - (5) Stationery
 - (6) Advertising
 - (7) Brochures

(8) Mailing addresses

2. **Registration and Licensing.**

- a. Registration will be maintained primarily in Texas, but shall be maintained outside the state as determined or if significant markets develop.
- b. Licensing will be handled by the Contracting Office.
- c. TTUHSCEP will enforce restrictions on the use of registered marks by individuals or organizations that have not been licensed to do so and will require anyone who sells goods which carry unlicensed registered marks to either obtain a license and pay a royalty on the unlicensed goods held for sale or, at TTUHSCEP's option, withdraw the goods from sale.
- d. The LICENSE TO USE CERTAIN INDICIA OF TTUHSCEP form (Attachment A) will be utilized for the granting of licenses.

PROCEDURE:

1. **Responsibilities in Licensing Program.**

- a. The Contracting Office is responsible for licensing matters. Any administrator or employee receiving phone calls, correspondence or applications for such licenses shall refer them to that office. Any active files of correspondence concerning this subject or related material held by other offices should be forwarded to the Contracting Office for action.
- b. The TTUHSCEP General Counsel is responsible for the review and approval of the specific purpose and/or use of the proposed use of institutional words, seals, logos, and symbols. The proposed use must be compatible with institutional purpose and mission.
- c. The license shall be for a period of time not to exceed two years, and is for a non- exclusive use without geographical restrictions.

2. **Advance Payments and Royalty Fees.**

- a. An advance non-refundable payment of \$100 is required when a prospective licensee applies for a license. It is deductible from any royalty fees to be paid and will be used to cover the administrative cost of operating the licensing program. Checks or money orders will be made payable to "Texas Tech University Health Sciences Center at El Paso." The advance payment of \$100 may be reduced or waived if it is considered in the best interest of TTUHSCEP to do so.
- b. The royalty fee is 7% of the net selling price of the product and shall be paid as and when due for the duration of the license. Other rates may be negotiated for different types of licenses, or the fee may be waived in its entirety if it is in the best interest of TTUHSCEP to do so.