

 The University of British Columbia Board of Governors	Policy No.: UP6
Long Title: Third Party Use of University Trade-Marks	
Short Title: Trade-Mark Policy	

1. General

- 1.1 A trade-mark is a word, logo, symbol, design, or a combination thereof, displayed on wares or associated with services, to identify the wares or services to purchasers. A trademark may be licensed if the trademark owner controls the character or quality of the wares or services with which the licensee uses the trademark. However, if the trademark owner does not actually control the licensee's use of the trademark, the trademark's distinctiveness may be prejudiced, invalidating the mark.
- 1.2 The University owns a number of trade-marks. In addition, the University owns a number of official marks. A [complete list of the University Marks](#) is maintained at the web site of the Office of the University Counsel. Examples of some of the more prominent marks are:

THE UNIVERSITY OF BRITISH COLUMBIA UBC



UBC Logo



UBC Coat of Arms



*Thunderbirds
Logo*

- 1.3 For the purposes of this Policy, University Marks are those trade-marks and official marks used by the University to identify itself or wares or services that it offers. This Policy does not apply to trade-marks that are registered and assigned or licensed by the University through its University - Industry Liaison Office as part of a technology transfer arrangement. The University has the exclusive authority to regulate the use of University Marks. All third parties wishing to use one or more of the University Marks must secure a written licence properly executed on

behalf of the University by its authorized signing officers. Only licensees are legally allowed to use University Marks. Users who are not licensed do so illegally and are subject to prosecution. This applies only to use by third parties. Use of University Marks by academic and administrative units of the University does not require a licence agreement but must be done in accordance with the Brand Identity Policy. For greater certainty, faculty may not use University Marks except in the course of their University duties and may not, for example, use University logos and letterhead when they are undertaking their own consulting or other activities.

- 1.4 In considering whether to grant a licence of a University Mark, the University's primary considerations are preserving the good name of the University, limiting the legal liabilities arising from association of the University with questionable goods and practices, and enhancing the reputation and image of the University. To protect the quality and variety of product selection in the market place, only non-exclusive licences will normally be granted for University Marks.
- 1.5 Various retailers and distributors have found that University endorsement of a product can substantially add to its value and marketability and may seek such endorsement from department heads or individual faculty members. Faculty and staff should understand that their personal endorsement of any product does not constitute University endorsement and should not be given in such a manner as might lead a member of the public to believe that it does.
- 1.6 The Office of the University Counsel has the responsibility for securing and maintaining registrations for University Marks and for taking legal action in response to abuses of University Marks. Anyone perceiving abuse of University Marks should advise the Office of the University Counsel so that appropriate action may be taken. The Office of the University Counsel should also be advised of all proposed new logos or other marks so that trade-mark protection may be arranged.



EXPLANATORY NOTES REGARDING THE TRADE-MARK POLICY AND ASSOCIATED PROCEDURES

Issued September 2020 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Trade-Mark Policy. These Explanatory Notes do not replace or supersede the content of the Trade-Mark Policy and its Procedures.

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Policy Number: UP6

Responsible Executive: University Counsel

Responsible Board Committee: People, Community & International Committee

Related Policies: GA7 - Brand Identity Policy

History:

- The Trade-Mark Policy was first approved by the Board of Governors in February 1989;
- The Trade-Mark Policy was revised in May 2003;
- The Trade-Mark Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Trade-Mark Policy, its long title is Third Party Use of University Trade-Marks, and its number is UP6. The previous identification number for this policy was #110;
- The Trade-Mark Policy was updated in September 2020 to correct a reference error.

Related Legislation: N/A