

TEXAS STATE TECHNICAL COLLEGE  
**STATEWIDE OPERATING STANDARD**

<b>No. GA 1.13</b>	<b>Page 1 of 9</b>	<b>Effective Date: 01/16/2020</b>
<b>DIVISION:</b>	<b>General Administration</b>	
<b>SUBJECT:</b>	<b>Ownership Use of Texas State Technical College Name, Marks, Logos, and Brand Management</b>	
<b>AUTHORITY:</b>	<b>Minute Order #71-15</b>	
<b>PROPOSED BY:</b>	<b>Nick Alvarado</b>	
<b>TITLE:</b>	<b>Vice President of Communication &amp; Creative Services</b>	<b>Date: 01/16/2020</b>
<b>RECOMMENDED BY:</b>	<b>Gail Lawrence</b>	
<b>TITLE:</b>	<b>Executive Vice Chancellor</b>	<b>Date: 01/16/2020</b>
<b>APPROVED BY:</b>	<b>Mike Reeser</b>	
<b>TITLE:</b>	<b>Chancellor</b>	<b>Date: 01/16/2020</b>

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**I. STATEWIDE STANDARD**

**POLICY:** It is the policy of Texas State Technical College (TSTC) that the College actively manage its brand, including its protected name, marks, symbols, and logos, in a manner that ensures that the value is maintained, protected, and enhanced.

**II. PERTINENT INFORMATION**

The TSTC brand is owned and managed by the organization, and its importance and

its value reside in the minds of the College's stakeholders. Consequently, TSTC must consistently and deliberately manage its brand to produce desired perceptions about the College.

The TSTC name, brand, and logo are trademarked items, and use of them must adhere to the guidelines set forth in the [TSTC Communication & Creative Services Visual Standards Guide](#). Any use of these items that falls outside of what is outlined in the TSTC Guide must be approved by the Department of Communication and Creative Services.

### III. GENERAL GUIDELINES

The various representations of TSTC are crucial components of the brand management process. The TSTC name, abbreviations, logos, wordmarks, symbols, style of images, taglines, domain names, websites, and other unique identifiers of TSTC (collectively referred to as "brand identifiers") are some of the components of the TSTC brand. The use of these brand identifiers shall be exercised in a prudent, equitable, and mutually beneficial manner.

Since every appearance of a brand identifier plays a role in shaping the desired image of TSTC, all situations in which brand identifiers appear shall be consistent over time and across the College. Additionally, brand identifiers shall comply with an intentional and focused framework that is designed to strengthen the brand and facilitate the TSTC mission. The [TSTC Communication & Creative Services Visual Standards Guide](#) shall serve as the overall guide to statewide brand management, marketing, and public relations efforts for the College. As all TSTC campuses benefit from the value of the TSTC brand, all campuses must participate in the brand management process.

The primary facilitators of brand management are the marketing and/or public information departments embodied within the Department of Communication and Creative Services, although comprehensive brand management means that many groups throughout the College must be familiar with the concepts of positive brand management.

While the primary focus of brand management is on the external market, internal communications pieces which carry brand identifiers as official TSTC communication pieces or whose intent is to promote College awareness, customer service, and/or workplace communication (and whose purpose is not for the instruction of students) shall also comply with branding efforts as described in the [TSTC Communication & Creative Services Visual Standards Guide](#).

### IV. DEFINITIONS

**Brand Management:** Active management of the brand asset to ensure that its

impact, effectiveness, and value are maintained, protected, and enhanced.

**Commercial Promotion:** A message created and displayed for the primary purpose of promoting a business, partnership, or organization and/or the products and services of that business, partnership, or organization with the intent to influence choice, opinion, or behavior.

**Infringement:** Unauthorized use of a trademark that belongs to another or use of a trademark so similar to that of another as to cause confusion in the minds of the public as to the source (affiliation or sponsorship) of the product or service.

**Licensing Agent:** One who acts on behalf of another on issues related to the manufacture, distribution, and sales of goods bearing protected name, marks, symbols, and logos.

**Licensor:** One who contracts to allow another (licensee) to use licensor's property (trademark) in exchange for payment, usually royalty as a percent of sales.

**Standard License:** An agreement between TSTC's licensing agent and a company desiring to produce licensed products for resale to the general public.

**Restricted License:** An agreement between TSTC's licensing agent and a company desiring to produce licensed products only for internal use at TSTC.

**Promotional License:** An agreement between TSTC and a company, organization, or individual in which permission is granted to use the TSTC name, marks, symbols, and logos in a commercial promotion for a certain period of time. All promotional material must be approved in advance by TSTC.

**Trademark:** A name, symbol, or combination of both which identifies the source of a product or service. In the case of licensed goods, a trademark indicates affiliation or status as a sponsor rather than producer. In practice, a trademark also enhances the desirability of a product and, when properly controlled, can increase the value of the product along with the good will inherent in the mark.

For the purposes of this document, "trademark" is used to indicate any or all of the following: trademark, trade name, service mark, logo, insignia, emblem, symbol, identifying mark or brand identifier, mascot, and name.

## V. DELEGATION OF AUTHORITY

The Chancellor, or his/her designee, has the authority and responsibility to establish procedures to meet the requirements of this Statewide Operating Standard (SOS).

## VI. PERFORMANCE STANDARDS

1. Approved licensees utilize the approval process and TSTC's designated licensing officer(s) reviews and approves, disapproves, or indicates resubmission of artwork submitted by licensees within three business days of artwork submission.
2. Unauthorized use of TSTC's name, marks, symbols, and logos are reported to the licensing agent.
3. Brand management activities are equitably beneficial to all components of TSTC.
4. Marketing and recruitment materials, domain names, websites, and all other types of communication media follow the [TSTC Communication & Creative Services Visual Standards Guide](#). Any exceptions are pre-approved by the executive head, or his/her designee, of the Department of Communication and Creative Services before production or publication.
5. Completed copies of published items are retained by the Department of Communication and Creative Services.
6. The [TSTC Communication & Creative Services Visual Standards Guide](#) is available on the employee portal for download and reference. Printed copies may be ordered from the print shop.
7. The Department of Communication and Creative Services communicates the content and procedures of the [TSTC Communication & Creative Services Visual Standards Guide](#) to appropriate College officials including, but not limited to, statewide directors, division directors, department directors, and department chairs for the purpose of educating them about proper brand management.

## APPENDIX

### VII. RELATED STATEWIDE STANDARDS, LEGAL CITATIONS, OR SUPPORTING DOCUMENTS

[TSTC Communication & Creative Services Visual Standards Guide](#)

### VIII. OPERATING REQUIREMENTS

1. In order to manage the TSTC brand and meet the public demand for goods bearing the TSTC name, marks, symbols, and logos, TSTC shall allow manufacturers of these goods to acquire a license to produce, market, and sell such goods. However, TSTC must be represented in these licensing matters through an independent licensing agent. The administrative responsibility for the licensing program shall rest with the Vice Chancellor who oversees the Department of Communication and Creative Services, or his/her designee.
2. Any individual, organization, or company wishing to use TSTC's trademarks for any purpose shall obtain written permission to do so from TSTC through the licensing agent (or obtain a license through the designated licensing officer for promotional licenses). All commercial use of TSTC's trademarks shall be licensed and shall be regulated by the respective TSTC designated licensing officer.
3. The Vice Chancellor who oversees the Department of Communication and Creative Services, or his/her designee, shall provide overall guidance and coordination of statewide brand management and marketing efforts. Each TSTC entity shall ensure the integrity of the brand and determine that the content, design, purpose, and publishing format of the College's marketing and recruitment materials, publications, advertising, domain names, websites, and all other communication media serve the goals and objectives of the brand management and are complementary to the mission of TSTC. The [TSTC Communication & Creative Services Visual Standards Guide](#) serves as the basis for such decisions.
4. The [TSTC Communication & Creative Services Visual Standards Guide](#) shall provide guidance for use and brand management, including but not limited to:
  - a. Graphic Identity. TSTC's visual brand identity shall be centered on an accurate use of the TSTC logo, seal, name, and colors, as well as consistency with TSTC's current theme. The main elements that give TSTC its theme and family look shall be typography, color, division of space, tagline, and style of images.

- b. Writing Standards. Accuracy and proper use of voice, grammar, and applications of the TSTC name shall be essential in managing the brand. Marketing and recruiting publications and communication pieces shall include an equal opportunity and affirmative action statement, accrediting statement, copyright, and publishing date, as appropriate.
  - c. Standards & Formatting. Business cards, letterhead, and envelopes shall follow a standard, approved format to reinforce the TSTC brand.
5. In addition to being consistent with current branding themes, all marketing and recruiting pieces, such as catalogs, view books, and websites, shall carry information on all the TSTC campuses.
6. Use of TSTC's name, marks, symbols, and logos without license or permission shall be strictly prohibited. TSTC shall take necessary and appropriate measures to protect its trademarks from infringement.
7. Any manufacturer or producer wishing to use TSTC's name, marks, symbols, and logos on its products must be properly licensed to do so. The manufacturer or producer may obtain authorization by applying with TSTC's licensing agent. TSTC may exempt vendors for promotional purposes. Except for promotional licenses, TSTC shall not issue licenses directly. All other licensing, whether standard or restricted, shall be granted through the licensing agent.
8. TSTC bookstores, other retailers, distributors, or brokers of licensed goods shall not be required to be licensed, nor shall licenses be issued for the sale of licensed goods.
9. The use of the TSTC name, marks, symbols, and logos to promote a commercial entity shall be prohibited. Any use of the name, marks, symbols, and logos which states an endorsement or approval of a product, service, or company shall be prohibited.
10. The use of the TSTC name, marks, symbols, and logos in conjunction with a commercial promotion (either for TSTC, a partnership, or an organization/service group) may be permissible if the following criteria are met:
  - a. The promotion must be beneficial to TSTC. This benefit may be tangible or intangible.
  - b. The use must be consistent with TSTC's institutional mission, values, and standards.
  - c. The use must be consistent with all other provisions of this logo and trademark licensing policy.

- d. Requests for such use shall be reviewed by the College's designated licensing officer to assure that these criteria are met. Each request for approval should allow three days for response and must be specifically approved in writing if the criteria are met.
11. When TSTC is an invited participant in an event where the event sponsor's name and/or logos are to be used to promote the event, TSTC may allow the use of its marks in conjunction with the sponsor/event names and logos. Each such use must be specifically approved by the College's designated licensing officer.
  12. TSTC shall approve each use of its marks on a per product, per design basis. Licensees must submit each product or design to the licensing agent for approval by TSTC. Standard, restricted, and promotional licensees must use the online approval system.
  13. TSTC shall not approve the use of its name, marks, symbols, or logos on the following products:
    - a. Alcohol;
    - b. Tobacco;
    - c. Controlled substances;
    - d. Sexually-oriented products or designs;
    - e. Religious products or designs; or
    - f. Appliqués, patches, or heat transfers for retail sales.

In addition, TSTC shall not approve the use of its name, marks, symbols, or logos in text or graphics which are judged to denigrate any groups, including another college or university, or infringe on the rights of other trademark owners. TSTC shall not approve products which do not meet minimum standards of quality and/or good taste, or which are judged to be dangerous and/or carry high product liability risks.

14. TSTC shall approve products or designs incorporating only current brand identifiers. Names, marks, symbols, or logos which are obsolete or replaced by updated versions shall continue to be protected by TSTC but shall not be approved for use in new products or designs.
15. All licensed goods manufactured for sale to the public shall be subject to a royalty. The royalty rate shall be designated by TSTC and shall be subject to change by TSTC. The royalty shall be paid on wholesale sales by the manufacturer of the goods. The royalty policy shall be administered by TSTC's licensing agent.

16. TSTC may grant exceptions from royalty payments on the following items:
- a. Goods purchased by TSTC for its use;
  - b. Goods purchased by TSTC student organizations for bonafide fundraising purposes approved by the executive head of the Office of Student Development;
  - c. Goods purchased by the TSTC Alumni Network for internal use;
  - d. Goods purchased by the TSTC Foundation for internal use;
  - e. Goods purchased by faculty and staff for campus use;
  - f. Goods purchased for promotional use for prospective students, employees, or campus events; or
  - g. Goods purchased for residence life or student activities for current students or campus activities/events.

In these cases, manufacturers shall be required to have a letter from TSTC exempting the sale from royalties. These letters shall be sent from TSTC's designated licensing officer at the request of the exempt group or activity.

All goods bearing TSTC's name, marks, symbols, and logos shall be approved through the normal approval process whether exempted from royalties or not.

17. Royalties generated by the licensing program may be disbursed at the discretion of the executive head of the Department of Communication and Creative Services for expenses related to the College's brand management efforts.
18. Only approved and current marks may be used. Current name, marks, symbols, logos, and colors shall be identified in the [TSTC Communication & Creative Services Visual Standards Guide](#) and available to licensees through the licensing agent.
19. Although the College encourages creative uses of its name, marks, symbols, and logos in promoting school spirit, it also recognizes that some concepts or designs developed by licensees may not clearly fall within the guidelines of this SOS. When this occurs, the respective campus and/or College designated licensing officer shall be the sole judge of acceptability.
20. A licensing notice shall be issued to merchants doing business with the College on TSTC bid requests and purchase orders to include verbiage similar to that below:
- a. Verbiage on the Bid. "Vendors using the marks, logos, and verbiage of TSTC must be an approved licensee of TSTC prior to the bid award. See <<licensing agent's website or phone number>> for license application if needed."

- b. Verbiage on the Purchase Order. “By accepting this award, vendor acknowledges to be an approved licensee of TSTC through <<licensing agent>> and will submit all artwork through <<proof method/website as appropriate >>. Product received without a <<licensing agent>> artwork approval number may be refused by TSTC and returned at vendor’s expense.”
21. Each campus shall follow guidelines established within this SOS and the [TSTC Communication & Creative Services Visual Standards Guide](#), including, but not limited to, student clubs, organizations, faculty and staff associations, student activities, bookstores, purchasing, physical plant, and the like.