

University College Cork

Trade Marks Policy

1. Background

UCC is the proprietor of a number of trade marks including the registered trade marks listed in the Appendices to this Policy as Restricted Marks, Sport Marks and UCC Marks (together the “Marks”).

UCC has exclusive rights in the Marks and such rights shall be infringed by the use of such Mark’s without the University’s authority (which authority may be in the form of a Licence, a Permission or a provision stated in this Policy).

The objectives of this Policy are to: (a) codify the uses of the Marks by staff and/or students which are permitted without a requirement for any additional approval; and (b) to clarify where additional approval (or a Licence or Permission) is required by an individual or party for a particular use of the Marks.

This Policy replaces and supersedes any prior policy relating to the Marks.

2. Definitions

In this Policy, the following definitions shall apply:

“ Brand Governance Group ”	means the group established by the University Management Team to co-ordinate the use of the Marks;
“ Crest & Motto ”	means the crest & motto Restricted Mark which is set out in Appendix Three;
“ External Party ”	means an individual, individuals or entity not forming part of the University or not being a current staff member or registered student;
“ Licence ”	means a licence to use some or all of the Marks which the University may grant to an External Party or a University Subsidiary;
“ Marks ”	means the UCC Marks, the Restricted Marks, the Sport Marks and Unit Marks;
“ Merchandise ”	means any clothing or goods made available incorporating the Marks or any of them (and whether made available for sale, profit, not for profit or otherwise);
“ Permission ”	means a written permission granted by the University to use some or all of the Marks in a manner not already authorised by this Policy, which the University may grant to a Unit, staff member or student(s);

“Restricted Marks”	means the trade marks identified in Appendix Three and such other trade marks as may from time to time be designated by the University as forming a “Restricted Mark”;
“Sport Clothing”	means the competition clothing/equipment of a UCC Club, leisurewear of a UCC Club and/or training clothing/equipment of a UCC Club;
“Sport Marks”	means the trade marks identified in Appendix Two and such other trade marks as may from time to time be designated by the University as forming a “Sport Mark”;
“Sport Visual Identity Guidelines”	means the addition to the Visual Identity Guidelines which is applicable to the Sport Marks, as updated from time to time;
“Students’ Union”	means the UCC Students’ Union;
“Students’ Union Clothing”	means any clothing/equipment of UCC Students’ Union officers incorporating a Mark;
“UCC Club”	means a club holding a current authorisation as a UCC club through the applicable approval process for recognition as a UCC club and “UCC Clubs” shall be taken as referring to all such authorised clubs from time to time;
“UCC Marks”	means the trade marks identified in Appendix One and such other trade marks as may from time to time be designated by the University as forming a “UCC Mark”;
“UCC Society”	means a society holding a current authorisation as a UCC society through the applicable approval process for recognition as a UCC society and “UCC Societies” shall be taken as referring to all such authorised societies from time to time;
“UCC Societies Clothing”	means the clothing/leisurewear of a UCC Society;
“Unit”	means a functional area, unit, College, School, Department, Office, research Centre, Institute of or within the University;
“Unit Marks”	means trade marks specific to a Unit;
“University Subsidiary”	means any wholly or majority owned or controlled subsidiary company of the University from time to time; and

“Visual Guidelines”	Identity means the University College Cork Visual Identity Guidelines as updated from time to time and published at https://www.ucc.ie/en/mandc/viguideelines/ .
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3. UCC Marks

3.1 Authorised Use

- 3.1.1** Subject to adherence to the Visual Identity Guidelines, Units and staff members thereof are hereby authorised to use the UCC Marks for authorised University activities of the respective Unit.
- 3.1.2** Subject to adherence to the Visual Identity Guidelines, the Students’ Union is hereby authorised to: (a) use the Mark “UCC” in its name for legitimate permitted activities of the Students’ Union; and (b) incorporate the UCC Marks and the Crest & Motto on Students’ Union Clothing for elected officers of the Students’ Union. The authority stated in this section 3.1.2 to incorporate UCC Marks on Students’ Union Clothing does not authorise the sale or distribution of Students’ Union Clothing to non-officers as Merchandise.

3.2 Unauthorised Use

- 3.2.1** Units and staff members are not permitted to use the Marks for non-University activities, unauthorised University activities or in a personal capacity.
- 3.2.2** No staff member, student, Unit, University Subsidiary or External Party has any right to sub-licence the Marks or any of them or to authorise any use of the Marks by a third party, without a Permission or Licence appropriately approved and granted under this Policy.
- 3.2.3** Any goodwill derived from the use of the Marks by any party shall accrue to the University and the University may seek a confirmatory assignment of any such goodwill from any individual or party.
- 3.2.4** Parties authorised to use the Marks pursuant to this Policy (or a Permission or a Licence), shall not do, or omit to do, or permit to be done, any act which will or may weaken, damage or be detrimental to the Marks, the reputation or goodwill associated with the Marks or the University or which may jeopardise or invalidate any registration of the Marks or any rights of the University in and to the Marks.
- 3.2.5** Staff members shall notify the Office of Corporate and Legal Affairs of any unauthorised use of the Marks of which they may become aware or of any claim made or threatened by any third party that use of a Mark infringes the rights of a third party.

3.3 Permissions

Any use of the UCC Marks in a manner not authorised in section 3.1 above or in this Policy, shall require a Permission (or in the case of an External Party, a Licence approved in accordance with section 8.3 below). Permissions for any of the Marks which may be granted by the University are subject to approval by the Corporate Secretary and the Director of Marketing & Communications, in consultation with the Brand Governance Group.

4. Restricted Marks

- 4.1** The Crest & Motto may be used on official degree parchments, official awards of the University, digital badges awarded by the University, continuing professional development certifications awarded by the University and microcredentials awarded by the University.
- 4.2** Use of the Restricted Marks other than as provided in section 3.1.2, section 4.1, section 5.1 and section 6.1 is not permitted under this Policy and any use of such Restricted Marks other than as expressly permitted in the aforementioned sections by any staff member, student, Unit, University Subsidiary or by any External Party shall require a Permission (or in the case of an External Party, a Licence approved in accordance with section 8.3 below).
- 4.3** Permissions for any of the Restricted Marks which may be granted by the University are subject to approval by the Corporate Secretary and the Director of Marketing & Communications, in consultation with the Brand Governance Group.

5. Sport Marks

- 5.1** UCC Clubs are hereby authorised to use the Sport Marks, the Crest & Motto and the UCC Marks for the legitimate permitted activities of the respective UCC Club (including incorporation of such Marks on Sport Clothing) subject to adherence to the Sport Visual Identity Guidelines and the Visual Identity Guidelines.
- 5.2** Prior to adoption of or ordering of any new Sport Clothing, a UCC Club shall submit a visual depiction of such Sport Clothing to the Director of Sport & Physical Activity and the UCC Clubs' Executive President for assessment of its adherence to the Sport Visual Identity Guidelines. The Director of Sport & Physical Activity and the UCC Clubs' Executive President may consult with the Brand Governance Group as needed.
- 5.3** The authority to incorporate Marks on Sport Clothing in section 5.1 above extends only to making such Sport Clothing for a given UCC Club available to members of such UCC Club and does not otherwise permit a UCC Club to sell or distribute such Sport Clothing to non-members as Merchandise.
- 5.4** The Department of Sport & Physical Activity shall have the rights applicable to UCC Marks specified in section 3 above in respect of the Sport Marks also.

6. UCC Societies

- 6.1** Subject to adherence to the Visual Identity Guidelines, UCC Societies are hereby authorised to: (a) use the Mark “UCC” in their UCC Society name for legitimate permitted activities of the respective UCC Society; and (b) incorporate the Crest & Motto on UCC Societies Clothing, which it shall source from a reseller of Merchandise authorised by the University. The authority stated in this section 6.1 does not authorise the sale or distribution of Merchandise by a UCC Society.
- 6.2** Prior to adoption of or ordering of any new UCC Societies Clothing, a UCC Society shall submit a visual depiction of such UCC Societies Clothing to the UCC Societies Officer and the UCC Societies President for assessment of its adherence to the Visual Identity Guidelines. The UCC Societies Officer and the UCC Societies President may consult with the Brand Governance Group as needed.
- 6.3** The authority to incorporate the Crest & Motto on UCC Societies Clothing in section 6.1 above extends only to making such UCC Societies Clothing for a given UCC Society (sourced from a reseller of Merchandise authorised by the University) available to members of such UCC Society and does not permit a UCC Society to sell or distribute such UCC Societies Clothing to non-members as Merchandise.

7. Unit Marks

- 7.1** Prior to any proposed adoption or usage of any Unit Mark by a Unit, the head of such Unit shall obtain the prior approval of the Director of Marketing & Communications.
- 7.2** Unit Marks must be consistent with the branding strategy of the University as a whole.
- 7.3** Any applications for registration of a Unit Mark as a registered trade mark shall be submitted through the Office of Corporate and Legal Affairs in the name of the University (unless otherwise directed by the University).

8. Third Party Usage

8.1 University Subsidiaries

- 8.1.1** Use of Marks by a University Subsidiary is limited to such use as may be authorised by a Licence which that University Subsidiary may be granted by the University.
- 8.1.2** Prior to any proposed adoption or usage of any new trade marks by a University Subsidiary, prior notification shall be sent to the Director of Marketing & Communications and the Corporate Secretary.

8.2 External Parties

8.2.1 Use of Marks by an External Party is limited to such use as may be authorised by a Licence which that External Party may be granted by the University.

8.2.2 Use of Marks by an External Party without a Licence or outside the terms of that External Party's Licence is prohibited.

8.3 Licences

Licences for any of the Marks which may be granted by the University to a University Subsidiary or an External Party are subject to approval by the Corporate Secretary, the Bursar/Chief Financial Officer and the Director of Marketing & Communications, in consultation with the Brand Governance Group.

Where the value of a Licence to an External Party exceeds €100,000, approval of the University Management Team shall be required also.

9. Merchandise

9.1 Marks may only be incorporated in Merchandise with the written consent of the University in the form of a Licence or a Permission granted pursuant to this Policy. The sale or distribution of Merchandise by any party without such Licence or Permission (or outside the parameters of such a Licence or Permission) is strictly prohibited.

9.2 The manner of incorporation of Marks into Merchandise and the design of such Merchandise shall be subject to oversight by a Product and Design Committee chaired by the Director of Marketing & Communications and including at a minimum a representative from each University and University Subsidiary retail outlet which the University may authorise to sell Merchandise, a representative from the Students' Union, a representative from the UCC Clubs and a representative from the UCC Societies. The Product and Design Committee shall provide its recommendations to the Brand Governance Group.

9.3 Merchandise, Sport Clothing and UCC Societies Clothing shall only be sourced through suppliers authorised by the University via the Procurement & Contracts Office.

Policy Version	1.1
Policy Approver	Approved by University Management Team Operations 14 th July 2020
Policy Owner (including authority to make editorial amendments as defined in the UCC Policy Framework 2017)	Corporate Secretary

Appendix One
“UCC Marks”

UCC

University College Cork



**Appendix Two
("Sport Marks")**



**Appendix Three
("Restricted Marks")**

Word Marks

Cork University

University of Cork

Crest & Motto Mark

