

Northwest Missouri State University Athletics LICENSING PROGRAM

Any individual or company seeking to market and/or manufacture products bearing the name, seal and other identifying marks of Northwest Missouri State University Athletics must obtain a license from the University Athletic Department to use such marks. These logos and word marks are protected as trademarks of the University Athletic Department. Through this licensing program, Northwest Missouri State University seeks to protect its good name and generate funds for worthwhile projects. For participating firms, the University Athletic Licensing Program provides assistance and support in the manufacturing and distribution of quality Northwest Missouri State University Athletics imprinted merchandise.

LICENSING FACTS AND GUIDELINES

Trademark Production

The name, seal, mascot, logo and all other marks associated with Northwest Missouri State University Athletics are the exclusive property of the Northwest Missouri State University Athletic Department. The Athletic Department reserves ownership of all such trademarks. Any commercial use of these marks is restricted to official licensees only.

Non-Exclusive Right

A Northwest Missouri State University Athletic Licensing Agreement grants the licensee a non-exclusive right to use the University's Athletic marks on articles approved by the University Athletic Department.

Obtaining the License

The initial step involves completion of the University Athletic Department Licensing Application, payment of a \$25.00 fee to cover administrative costs and sample(s) of the types of products to be manufactured. These samples are not returned. Upon receipt of these items, the University will then send two copies of a formal licensing agreement. Both copies must be signed and returned along with a \$100 advance royalty payment.

Following receipt by the Athletic Department of the signed contracts, advance royalty payment and approval of merchandise, the manufacturer will receive formal notice of acceptance as an approved licensee. Manufacturer will then receive a copy of the signed contract for their records and logo sheets. The sale of merchandise will then be permitted.

Advance Royalty Fee

The University Athletic Department requires a \$100.00 deposit on future royalty payments. This figure will be deducted from initial quarterly report payments. At the end of the first year as a University Athletic Department licensee, the University Athletic Department requires a \$100.00 deposit on future royalty payments regardless of whether the licensee has a balance left on the deposit. This \$100.00 will then be due every year regardless of a remaining balance on the deposit.

Royalty Payments

A percentage of net sales (gross sales less discounts, or returns) are paid quarterly to Northwest Missouri State University Athletic Department. A report form must be submitted each quarter whether or not sales have occurred. Reports and any payments are required within 30 days following the completion of each quarter.

Quarters Payment Due

January - March.....April 30

April - June.....July 30

July - September.....October 30

October – December.....January 30

Quality and Design Approval

The licensee is required to submit samples of all Northwest Missouri State University Athletic merchandise for approval prior to sale. One sample of each item is required, which will not be returned. In the case of multiple products, a representative sample or catalog may be substituted. Any product design changes must also be forwarded for prior approval.

Product Liability Insurance

The licensee agrees to indemnify, defend and hold harmless the University and the University Athletic Department from any claims, suits, costs, damage or expense arising out of production, manufacture or sale. Further, the University reserves the right to require the licensee to obtain product liability insurance coverage.

Exemptions

There are no exemptions for any retail outlets except a few limited exemptions for Northwest's bookstore.

Limited Exemptions

There are a few instances in which royalties are not required. Among these are:

1. Goods purchased for classroom use (not resale) including notebooks and basic learning tools.
2. Athletic Department purchases that will not be resold.

Other exemptions may be made for the University and special projects.

Requests should be made with the Licensing Director.

Audits

The University Athletic Department reserves the right to audit any licensee. As a part of said audit, the licensee must agree to make its books and records available to the University Athletic Department upon request.

Enforcement

The University actively enforces ownership of its marks, names and symbols. This is done not only to protect its property but also to protect its licensees and their products.

Retailer and Marketing Assistance

Periodically, the University Athletic Licensing office will prepare and distribute current lists of licensees and participating retail outlets. All retailers are required to use "officially licensed" seals/tags on appropriate merchandise. The University Athletic Licensing Office is available to provide further assistance as needed.