

NEW Bismarck Public School District Logo Licensing Guidelines: Updated Oct. 2016

Why does BPS have a licensing program?

- All school and district logos, names and initials are the property of the Bismarck Public School District. BPS paid for the design of each school and district logo. Logos, school names, and initials which have been trademarked with the North Dakota Secretary of State's office help protect the district and its schools from people who may use them in an inappropriate or inconsistent manner.
- Other parties, therefore, may not use BPS logos, school names, and initials solely for their own profit. School-related groups must have all logo projects approved before contacting a vendor. At the elementary level, contact the principal. At middle/high school, contact the building AD (activities director). For district logo use, contact the Community Relations Dept. at Hughes, 701-323-4091.
- Vendors are required to apply with the school district for a nominal cost, then submit quarterly reports and royalty fees for all approved uses, regardless of who it is sold to unless it is exempt. Random compliance checks will be made. Revenue from licensing comes back to the district.
- BPS does not permit any school group or outside entity to use unlicensed vendors to produce merchandise using the marks of Bismarck Public Schools. The fine for doing so is \$100. Vendors who produce merchandise without a valid agreement with the district will be prohibited from participation with the licensing program. Unlicensed vendors will be required to remit unreported royalties to the district. The district may pursue legal action against vendors who do not follow these guidelines.

Who is licensed?

- BPS licenses only LOCAL vendors with business locations in the Bismarck-Mandan area. There are few exceptions. Examples: (1) big box stores in our community such as Kmart, which orders and sells mass quantities of logo apparel and other items and contracts with an out-of-state vendor; (2) a MN company specifically requested by our principals and approved by our Supt. for their competitive pricing, which saves taxpayer dollars; (3) a company that uses BPS logos on items which will be given to schools for FREE (ie. the school does not purchase the items).

What must be licensed?

- Anything with a BPS school or district logo, name or initials (*eg. BHS demons logo, BHS academic logo, and the names Bismarck High School, Bismarck High, BHS*) that is sold or given to another party, such as team gifts, apparel (t-shirts, caps, etc.) water bottles, bleacher chairs, blankets, etc.
- NOTE: if a school, PTO, booster, etc. group orders shirts to give away at a run-walk, for example, and there's a fee to participate in that event, those shirts would be subject to royalty fees.

What is exempt?

- Anything sold to the district or a school for its OWN USE such as authorized physical education, music, or athletic team warm up gear/uniforms worn during game/event time, official cheerleader jackets/uniforms, official coaching apparel worn at games/events; employee work shirts, district or school logos on websites or social media, school letterhead/brochures, signs, office supplies, student planners, awards, plaques or trophies, etc.
- Other exempt items include: consumables such as graduation cakes, plates, napkins, balloons or graduation announcements, and parent-to-vendor purchases of class rings, letterman jackets, etc.

How do I get an item approved?

- Each school has at least one approved logo. Artwork or graphic design for an item must have one of the approved logos or name of the school or its initials on it. Artwork or design work is then approved or denied by the responsible party listed in the second bullet in this document.
- Newly approved and existing artwork becomes the property of BPS. It may or may not be trademarked, depending on duration of use. If new artwork is trademarked, permission must be given by the designer of the new mark if the design has not been paid for by the district/school.

BPS Staff Responsibilities:

1. It's the responsibility of the principal/administrator to inform all staff, student groups, and PTOs/PACs about the logo licensing policy at the beginning of each school year.
2. It is the responsibility of the district Activities Director and the building ADs to inform all coaches and booster groups that operate inside or outside of the district.
3. Anyone who violates the policy may be fined \$100, and royalties must still be paid to the district. This includes staff, boosters or PTO members who order merchandise without using an approved vendor or artwork.

Contact People:

- If you need a school or district logo and/or the approved vendor list: BPS Community Relations secretary, 701-323-4092.
- Questions about logo use, licensing, application process, and/or exemptions: BPS Community Relations Director, renae_walker@bismarckschools.org, 701-323-4091.
- Permission to print/sell a product using BPS logos, names, and/or initials: elementary principals, building ADs at the middle/senior high level, or Community Relations for district logo use.

- Quarterly reports & 5% royalty fees paid to: (to be determined; in the meantime call 701-323-4091).