

LICENSING AND USE OF DISTRICT MARKS

1. Purpose
The purpose of this policy is to establish procedures and guidelines for preserving and protecting the trademarks and service marks (“marks”) of the Gallipolis City School District (“the District”).
2. Scope
This policy shall apply to all District marks, including but not limited to the District’s name, logos and mascots. This policy shall apply to all District marks regardless of whether the District elects to register such marks with the appropriate state or federal agencies.
3. Reservation of Rights
The Board of Education (the “Board”) reserves all rights in any and all District marks. Except as provided below, the District expressly prohibits the unauthorized use of any District mark by any individual or organization (“third party”) other than the Gallipolis City School District.
4. Licensing and Use of District Marks by Third Parties
In order to obtain permission to use a District mark, third parties should contact the Superintendent for information on the approval process. Prior to using any District mark, a third party must execute a written licensing agreement (“agreement”) with the Board in a form prescribed by the Board and administered by the Superintendent or designee. Such agreement may only grant to the third party a non-exclusive right to use the District mark for a definite duration and for such specific purposes as may be identified in the agreement. Whereas the Board may require royalty payments or other monetary remuneration in exchange for granting permission to use a District mark, the Board may accept such other forms of consideration as it deems appropriate.
5. Licensing Standards
The Board may refuse permission for a third party to use any District mark for any legitimate non-discriminatory reason, including but not limited to the Board’s determination that a proposed use would be inconsistent with the educational mission of the District or would diminish its good name. Among the uses of District marks that will not be permitted include the following:
 - a. Uses associated with the promotion of activity that is illegal or that otherwise violates the code of student conduct.
 - b. Uses associated with the promotion of tobacco, alcohol, or illicit drugs.
 - c. Uses that concern sexual or reproductive issues, whether or not the use has any explicit sexual content (including, for example, uses relating to birth control or abortion, regardless of whether from a pro-choice or a pro-life perspective).
 - d. Uses that imply official District endorsement of or involvement with the promotion or opposition of any political figure, candidate, or issue, including ballot issues of any kind.
 - e. Uses that are indecent, obscene, or vulgar.
 - f. Uses that would violate any local, state, or federal law, rule or regulation.

In its sole discretion, the Board may further establish standards for any merchandise, copy, product or promotional material bearing or used in connection with a District mark and may require the submission of same for approval by the Board or its designee in advance of any production or dissemination.

6. Except where a valid written licensing agreement is in effect between the Board and a third party, the use of any District mark by any third party shall be considered unauthorized and unlawful. The District may take such legal action as may be necessary to preserve and protect its marks, and to prevent such unauthorized use.

[Adoption date: April 21, 2004]