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May 13, 2011

DA 0864

- EXECUTIVE VICE CHANCELLOR & PROVOST
- VICE CHANCELLOR - ADMINISTRATION & FINANCE
- VICE CHANCELLOR - EQUITY & INCLUSION
- VICE CHANCELLOR - FACILITIES SERVICES
- VICE CHANCELLOR for RESEARCH
- VICE CHANCELLOR - STUDENT AFFAIRS
- ✓ VICE CHANCELLOR - UNIVERSITY RELATIONS

RE: Delegation of Authority 0864 - Policy to Permit Use of the University's Name

In accordance with President Gardner's May 3, 1985 delegation of authority to Chancellors, I hereby re-delegate to you the authority for the use of the campus' name with respect to your areas of jurisdiction. Such use shall be in conformance with the Policy on the Use of the University's Name, Seals and Trademarks, dated January 22, 1998. This re-delegated authority replaces the re-delegation of March 9, 1998.

I have delegated the authority for use of the campus' name, Berkeley seal and Berkeley trademarks in business and commercial areas to the Vice Chancellor - Administration & Finance, who has re-delegated this authority to the campus' Office of Marketing & Business Outreach (OMBO). OMBO shall refer non-routine matters, matters with campuswide significance and matters which are possibly politically or socially controversial to the Chancellor and the appropriate Vice Chancellor for review and authorization.

Please contact Campus Delegations Coordinator Cindy Major in the Chancellor's Communications and Resource Center at 642-3115 or via email to cmajor@berkeley.edu with any concerns you may have regarding this delegation of authority.

Yours sincerely,



Robert J. Birgeneau

Attachments: President Gardner's May 3, 1985 letter
Policy on use of University's Name, Seal & Trademarks, January 22, 1998

cc: Chief Campus Counsel C. Patti (w/o atts)
Interim Associate Vice Chancellor – Finance & Controller D. Regalia (w/o atts)
Associate Chancellor B. FitzPatrick (w/o atts)
Director Maria Rubinshteyn – OMBO (w/o atts)
Campus Delegations Coordinator C. Major (w/o atts)



OFFICE OF THE CHANCELLOR
1985

OFFICE OF THE PRESIDENT
BERKELEY, CALIFORNIA 94720

May 3, 1985

CHANCELLORS ✓
LABORATORY DIRECTORS
SENIOR VICE PRESIDENT--ADMINISTRATION

Delegation of Authority--Policy to Permit Use of the University's Name

Effective immediately, authority to permit the use of the University's name is delegated as follows:

1. Each Chancellor is delegated, within his area of jurisdiction, authority to permit use of campus names (e.g., University of California, Davis), and/or abbreviations (e.g., UCLA), or any other name of which said designations or abbreviations are a part.
2. The Senior Vice President--Administration is delegated authority to permit use of the name "University of California", the abbreviation "UC", any other name or abbreviation that has Universitywide application or is of concern to more than one campus, or any other name of which said designation or abbreviation is a part.
3. The Directors of the DOE Laboratories are delegated authority to permit use of the University's name in connection with activities, products, or services at each of the installations under their jurisdiction.
4. Concurrence of the General Counsel is required before permission is granted either for commercial use of the name of the University or for non-commercial use by organizations and groups. This concurrence can be fulfilled by use of the attached form. If the form is to be modified, the proposed alterations must be referred to the General Counsel for specific approval. Moreover, if University officials to whom delegations are made by this regulation believe that unusual University liability or exposure may develop from granting the sought permission, that request should also be referred to the General Counsel for specific concurrence.

May 3, 1985

In reaching a decision to grant or withhold permission for use of the University's name or an abbreviation, Officers are to be guided by the following policy considerations:

A. COMMERCIAL USE

1. Approval shall not be given for advertising listing the University as a user of any product or service or as the source of research information on which a commercial program or publication is based, except that approval may be granted for institutional or goodwill advertising clearly regarded as being in the best interests of the University. If any doubt exists as to whether the use of the University's name will contribute to the best interests of the University, the permission shall be withheld.
2. Manufacture and distribution of all commercial products (e.g., lighters, clothing, pennants, drinking glasses, mugs) bearing the name or decorative seal of a campus shall be permitted only upon a franchise granted by the Chancellor or his designated representative. All such manufactured products shall be produced only after prior express permission of the Chancellor and must be distributed exclusively through the campus bookstore or authorized distributors operating under a franchise granted by the Chancellor. Other authorized distributors must receive their merchandise through a designated campus bookstore.
3. Requests for manufacture and distribution of all commercial products bearing the name and/or unofficial corporate seal of the University of California, as distinguished from that of a single campus, shall be referred to the Senior Vice President--Administration. In approving such request, the Senior Vice President--Administration shall authorize distribution solely through one or more of the bookstores of the campuses or shall authorize other distributors who will receive their merchandise through a designated campus bookstore and shall notify the Chancellor on each of the campuses.

B. NON-COMMERCIAL USE BY ORGANIZATIONS AND GROUPS

1. Use of the University's name to designate such groups as professional associations, employee organizations, athletic, cultural, and other interest groups may be granted when deemed to be in the best interests of the University. (For use of the University's name by registered campus organizations, see latest edition of University of California Policies Applying to Campus Activities, Organizations, and Students). If any doubt

best interests of the University, permission shall be withheld.

2. Permission when granted shall include the understanding that the permission does not involve, either expressly or by implication, the following:
 - (a) Any endorsement or sponsorship by the University; in appropriate circumstances permission may be made conditional upon a requirement of an express statement that the University does not endorse or sponsor the particular activity.
 - (b) Any obligation to provide budgetary support or office space.
3. Chancellors on other campuses shall be consulted (perhaps at a meeting of the Council of Chancellors), when a decision to permit use of the University's name on one campus would make it difficult to deny a similar request on another (e.g., a request from another chapter or affiliate of the same organization or group).
4. Permission shall be granted with the understanding that it may be withdrawn at any time the authorizing official determines that further usage will not be in the best interests of the University or that there has been a failure to adhere to the basis on which the request to use the name or abbreviation was originally submitted and approved.

C. USE OF INDIVIDUAL EMPLOYEES

1. An individual employee of the University not acting within the scope of employment may make a true and accurate statement of the individual's relationship or connection with or employment by the University of California in the course of stating the employee's experience or qualifications for any academic, governmental, business, or professional credit or enrollment, or in connection with any academic, governmental, professional or other employment.
2. In all other situations, such an employee may accurately state the employee's relationship to the University except in those circumstances in which such identification might reasonably be construed as implying the support, endorsement, advancement, or opposition of any political, religious, sociological, or economic movement, activity, or program by the University. In such circumstances it is the responsibility of the employee to issue an appropriate

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disclaimer concurrent with the use of the University name declaring in substance that the University is not involved in the particular activity or program.

This delegation of authority supersedes that issued on this subject on April 8, 1983. Any redelegation of this authority shall be in writing with a copy to the Director--Coordination and Review.



David Pierpont Gardner

Attachment

cc: Members, President's Cabinet
Director--Coordination and Review
Principal Officers of The Regents

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May 3, 1985

REVOCABLE LICENSE TO USE THE NAME OF
THE UNIVERSITY OF CALIFORNIA

WHEREAS, Education Code of the State of California Section 92000 prohibits the use of the name of the University of California, or any abbreviation of this name or any name of which the name "University of California" is a part, for certain purposes; and

WHEREAS, _____, (hereinafter referred to as Licensee) is desirous of using the name of the University of California, or an abbreviation thereof, in the following style and for the following purpose:

: NOW THEREFORE, The Regents of the University of California agrees to and does hereby grant a revocable license to Licensee to use the name of the University of California only and expressly in the style and for the purpose to which reference hereinabove has been made.

In consideration of the granting of this revocable license, Licensee agrees to indemnify and hold harmless The Regents of the University of California, officers, employees, servants, or agents thereof, from any and all liability arising from the use of the name pursuant to this license.

Licensee also agrees that in the exercise of this license, it will not state or imply either directly or indirectly that the licensee or the licensee's activities are supported, endorsed, or sponsored by the licensor and, upon the direction of the licensor, shall issue express disclaimers to that effect.

It is understood that this license may be revoked at will.

Dated: _____.

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA

By _____

LICENSEE

By