

October 20, 2015

To: DoD MOU Participating Institutions

Subj: COLLEGES AND UNIVERSITIES USE OF MILITARY SERVICE MARKS

Encl: (1) Important Information and Guidelines About the Use of Department of Defense Seals, Logos, Insignia, and Service Medals dated October 16, 2015

The Department of Defense Branding and Trademark Licensing Program Office, in collaboration with the Military Service Trademark Licensing Offices and the DoD Voluntary Education program, developed and published a new guide related to the use of official seals and other protected logos, insignia and marks of the DoD and Military Services. The guide is available for download at <http://www.defense.gov/Media/Trademarks> by clicking on the "Important Information and Guidelines About the Use of Department of Defense Seals, Logos, Insignia, and Service Medals" link. Enclosed is a copy for your ease of reference.

The document is intended to serve as a guide to not only educate all non-Federal entities (NFEs) about Military Service intellectual property, but also to ensure that when use is authorized NFEs use the correct, accurate, high resolution identifiers for the Military Services. While this guide may not be all inclusive, it does address frequently asked questions regarding use of protected DoD marks.

You will notice that Part IV of the guide is specifically dedicated to assisting Colleges and Universities with the rules of engagement related to the appropriate use of Military Service marks protected by law and the DoD Trademark Licensing Program. Like other NFEs, colleges and universities must abide by the rules of engagement related to the appropriate use of Military Service marks protected by law and the DoD Trademark Licensing Program. Thank you in advance for your cooperation in complying with DoD Trademark Licensing Program.

If you have questions, feel free to contact the OSD Community and Public Outreach Division at osd.pentagon.pa.mbx.cpo-review@mail.mil or contact the Military Service Trademark Licensing staffs found in Part I of this document, to address your matters. Thank you.

Dawn A. Bilodeau
Chief, DoD Voluntary Education
Military Community and Family Policy

As of 16 October 2015



Important Information and Guidelines About the Use of Department of Defense Seals, Logos, Insignia, and Service Medals

The Department of Defense (DoD) Community and Public Outreach Division is responsible for educating all non-Federal entities (NFEs) and individuals about the use of official seals and other protected logos, insignia and marks of the DoD and Military Services. While intended to inform all NFEs about how these marks may and may not be used, this guide is focused particularly towards leaders and key staff of national veteran service organization (VSO), institutions of higher education, and military service organizations.

We understand that the use of Military Service seals, emblems, logos, and coats of arms by NFEs on products, programs, and through social media is usually intended in good faith to honor and show support of our Armed Forces. We also understand that there are many military appreciation events and other special circumstances with dedications to our Service members where event organizers may wish to use the Military Service marks.

However, many people are unaware that these official DoD and Military Service marks are protected by law from unauthorized use. The Lanham Act, also referred to as the Trademark Act, dates back to 1946. Other trademark licensing laws and regulations also exist that give the DoD, each Military Service, and other DoD Components authorization to protect and license their names, insignia, seals, symbols, phrases, and similar identifiers.

Consequently, when the DoD seal or Military Service insignia are used without permission, the Department(s) may take appropriate action upon notification.

This document is intended to serve as a guide to not only educate NFEs about Military Service intellectual property but also to ensure that when use is authorized NFEs use the correct, accurate, high resolution identifiers for the Military Services. This guide is not inclusive, but addresses our most frequently asked questions regarding use of our protected marks. It is also designed for requestors to recognize their specific circumstance and know whether their request will be favorably considered or denied. Please consider this information prior to contacting a Military Service Trademark Licensing Program Office.

If you have questions, feel free to contact the OSD Community and Public Outreach Division at osd.pentagon.pa.mbx.cpo-review@mail.mil or contact the Military Service Trademark Licensing staffs found in Part I of this document, to address your matters.

Part I: Official Military Service Seals And Other Trademarks

The following DoD and Military Seals may be used **only** by the Military Departments for official purposes and are protected by law from unauthorized use.



Military Services and other DoD Components have many other protected insignia that are both graphic and word marks. Some of those marks include, but are not limited to, the ones below. Each Military Service has a Trademark Licensing Program Office that manages not only the Military Service headquarters' trademarks but also unit insignia. These emblems, coats of arms, initials, symbols and other military identifiers (*hereafter referred to collectively as "Military Service marks"*) may not be used without prior permission.

United States Army



Note: There is no substitute for the Department of Defense Seal, and there is no optional graphic that represents the Department of Defense.

United States Marines Corps



United States Navy



United States Air Force



United States Coast Guard



Part I: Official Military Service Seals And Other Trademarks

Military Service marks commonly found on the internet are not legally authorized for use by NFEs without first obtaining permission from the appropriate Military Service Trademark Licensing Program Office.

NOTE: The creation of non-Federal logos which incorporate any of the Military Service marks is prohibited.

Military Service marks must not be used in ways that may imply endorsement.

No NFE shall falsely advertise, or otherwise represent falsely through the use of any Military Service mark whatsoever, that any project, service, or business in which it is engaged, or product which it manufactures, deals in, or sells, has been in any way endorsed, authorized, or approved by a Military Service or the DoD.

After obtaining permission from the appropriate Military Service Trademark Licensing Program Office, authorized uses of Military Service marks may include Military Service memorial monuments, military appreciation events, or other special occasions. Please note there is no substitute for the DoD Seal, and there is NO optional graphic that represents the DoD.

Unless as otherwise authorized by law, the use of Military Service marks, including reproduction on merchandise, is expressly prohibited without written permission from a Military Service Trademark Licensing Program Office. Use will be governed by the terms of the permission granted. In all instances, unless otherwise authorized in *Part III of this guide under Patriotic Holidays and Programs and Special Events*, please consult the appropriate Military Service Trademark Licensing Program Office below to attain a written determination regarding your request to use any Military Service marks.

Also note: Approved images should not be recreated or altered in any way that distorts the integrity of any Military Service mark.

Department of the Army

Director, Army Trademark Licensing Program

OASA (M&RA) Hoffman II (9S31)

200 Stovall Street

Alexandria, VA 22332

Email: usarmy.pentagon.hqda-asa-mra.mbx.army-trademark-licensi@mail.mil

Fax: 703-325-5894

United States Marine Corps

U.S. Marine Corps Trademark & Licensing Program

Headquarters United States Marine Corps

Public Affairs, Room 4B548

3000 Marine Corps Pentagon

Washington, DC 20350

Office: 703-614-7678 | Fax: 703-614-1463

Email: trademark_licensing@usmc.mil

www.marines.mil/trademark

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Department of the Navy

Office of Naval Research
Office of Counsel, Code 00CC
ATTN: Trademark Licensing Office
875 N. Randolph Street
Arlington, VA 22203
Office: 703-696-4002/703-696-4063 | Fax: 703-696-6909
Email: onr_tmlicense@navy.mil
www.navy.mil/trademarks

Department of the Air Force

Air Force Public Affairs Agency
ATTN: Air Force Branding and Trademark Licensing
555 E Street East
Suite 3, Room 113
JBSA - Randolph, TX 78150
2261 Hughes Ave, Ste. 157
Lackland AFB, TX 78236
Office: 210-395-1787
E-mail: licensing@us.af.mil or AFPAA.HQ.TL@us.af.mil
www.trademark.af.mil
Companies holding an official U.S. Air Force license:
<http://www.trademark.af.mil/licenseholders/index.asp>

United States Coast Guard

Attn: Terrance Mann
Community Relations Branch
U.S. Coast Guard Headquarters
2100 Second Street, SW
Washington, DC 20593-0001
Office: 202-372-4646
Email: terrance.f.mann@uscg.mil
<http://www.uscg.mil/trademark/>

National Guard Bureau

ARNG Strength Maintenance Division
Advertising Branch
111 S. George Mason Drive
Arlington, VA 22204
Office: 703-607-3916 | Fax: 703-607-7182
Email: ng.ncr.arng.mbx.ngb-trademark-licensing@mail.mil
www.nationalguard.com

For general information on other limitations for public use, visit
<http://www.dimoc.mil/resources/limitations.html>

Part II: General Guidance

Non-Federal Entity (NFE)

Generally, Military Service marks are not permissible as part of an NFE's identity. Additionally, permission to use Military Service marks does not extend to those organizations with special statutory authorizations for particular support as listed in DoD Instruction 1000.15.

Exceptions may include, but are not limited to, military relief societies listed in 10 U.S. Code 1033(b) and 1589(b) and Military Department regulations.

NFEs may display flags bearing Military Service marks in a patriotic manner that shows respect and honor for members of the Armed Forces. Flags containing Military Service marks may not also display an NFE name or logo.

An event sponsored by an NFE is not an official event, so the NFE may not use official seals or emblems in connection with the event, even if DoD personnel are speaking.

Internet Presence

Military Service marks are not permissible as part of an NFE's online presence. Military Service marks and identifiers may not be used to bolster online presence, imply DoD endorsement, or for promotional or fundraising purposes, including, but not limited to, use on associated websites and social media pages.

When NFEs are developing or updating websites or any other location where they maintain a presence, they should be cognizant of the Government Website Public Use Notice of Limitations at <http://www.dimoc.mil/resources/limitations.html> regarding the use of visual information containing military persons,* places, and things for advertisement, marketing, promotion, or solicitation purposes.

*Images of military persons in uniform contain protected Military Service marks and identifiers.

Definition of Veteran Service Organization (VSO)

For the purpose of this guidance, VSOs are defined as those NFEs recognized by the Secretary of Veterans Affairs for the purpose of preparation, presentation, and prosecution of claims under laws administered by the Department of Veterans Affairs, as provided in Section 5902 (formerly Section 3402) of Title 38, U.S.C. and Sub Section 14.628(a) and (c) of 38 Code of Federal Regulations.

VSOs may display Military Service marks on etched glass entrance ways, partitions, banners or plaques within the confines of their physical headquarters, lodges, chapters, posts, etc. Refer to Part III of this document for more information.

Permissible: Factual statements or “re-purposing” of information from official Military Services or DoD websites and social media pages may be permitted only if compliance with this guidance is satisfied and no appearance of endorsement, affiliation, or sponsorship is created.

Note: All reproductions of Military Service marks must be produced by a Military Service approved vendor. Vendor lists are available from the Military Service Trademark Licensing Program Offices.

Part II: General Guidance

Permissible: Still and motion imagery captured at a public event where military participation occurred may be displayed on an NFE page provided the imagery is relevant to the organization, and a caption is provided to put the imagery in context. Use of the imagery may not be used to imply DoD endorsement, affiliation, or sponsorship. Guidance found at <http://www.dimoc.mil/resources/limitations.html> applies.

Service Medals and Ribbons

Generally, the reproduction or display of decorations that are awarded to our Service members that recognize their valor, heroism, contributions, and achievements is not permitted on social media websites, for commerce or other purposes without prior written authorization from the relevant Military Service or The Institute of Heraldry.

An image of the Medal of Honor or Purple Heart is permitted only in rare cases such as for U.S. Post Office stamps, States Department of Motor Vehicle License Plates (where an applicant must show his or her DD214 as proof of award), the Congressional Medal of Honor Society, and the Military Order of the Purple Heart.

These decorations may be authorized for manufacture solely for the purpose of award to our Service members for their sacrifices and accomplishments.

Bridge and Highway Signage Dedications

Generally, the use of Military Service marks is permitted. However, prior written approval must be obtained from the appropriate Military Service Trademark Licensing Program Office.

Non-Scripted Television

Use of official DoD or Military Service seals is not permitted. Military Service marks may be used with prior written permission stipulated in a Production Assistance Agreement issued by the relevant Military Service Motion Picture Liaison Office and coordinated with the Military Service Trademark Licensing Program Office. This applies, but is not limited, to all banners, signage, displays, or other décor.

Part III: NFEs' Use of Military Service Marks

We understand and appreciate the desire of NFEs to display Military Service marks to honor and show support for members of the Armed Forces. We also understand that there may be special dedications or appreciations to honor our Service members. Generally, the Military Service Trademark Licensing Program Offices should provide a written decision regarding proposed use of any Military Service mark. This section is intended to not only provide limited exceptions and authorizations to use Military Service marks but also to enforce the protection of the Military Services' intellectual property rights.

Patriotic Holidays and Programs

The Military Service Trademark Licensing Program managers and attorneys agree that approving each and every patriotic program that displays a Military Service mark is not realistic. Therefore, they have agreed to permit NFEs to display the Military Service marks, shown in Part I, on programs, banners, and flags for Memorial Day, Armed Forces Day, Independence Day, and Veterans Day, without first obtaining further written authorization provided. However, there must be no use of any Military Service mark with any NFE name, logo, or language that implies endorsement by, or connection with, the DoD or the Military Services. Please include disclaimer language on programs, web sites, and other published or accessible material.

Suggested disclaimer language:

[NFE name] is not affiliated with the Department of Defense or any Military Service.

[VSO name] is not an official component of the Department of Defense or any Military Service.

Special Events: Parades, School Assemblies, and Funerals

Generally, Military Service flags may be carried as part of a color guard during parades, funerals, and school assemblies.

Parades that commemorate Memorial Day, Armed Forces Day, Independence Day, and Veterans Day are subject to the following:

- Banners used in parades may **not** include the official DoD or Military Service seals.
- Banners may contain Military Service marks only, or
- Banners may have supportive language such as:
 - “[NFE name] supports members of our Armed Forces”
 - “Serving members of the Army, Marines Corps, Navy, Air Force, Coast Guard, National Guard, and Reserves.”
- Generally, banners containing the NFE's name or logo may not also display any Military Service mark.

School Assemblies/Funerals may include a color guard comprised of military veterans. Military veterans may wear the patches of units in which they served, including paraphernalia and medals they earned, subject to legal restrictions and applicable Military Service uniform regulations.

Licensing of Goods and Products

The manufacture or distribution of products that contain Military Service marks requires written license permission from the appropriate Military Service Trademark Licensing Program Office. For the purpose of this guidance, distribution methods include, but are not limited to, online,

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mail orders, and/or direct sales. If you are a retailer, please ensure you only sell merchandise that has been licensed by the relevant Military Service Trademark Licensing Program Office(s).

Advertising, Fundraising, and Membership Drives

The use of Military Service marks is prohibited for all advertising, fundraising and membership drive activities, regardless of the notification platform (e.g., direct mailer, social media, or NFE website). Military Service marks are not permissible as part of an NFE's online presence.

Permissible: The posting of an image that depicts an actual event, with an accompanying cutline that places the image in context, may be permissible. However, special scrutiny should be given to ensure compliance with additional DoD guidance found at <http://www.dimoc.mil/resources/limitations.html>. See also '*Internet Presence*' under Part II of this document.

Part IV: Colleges and Universities Use of Military Service Marks

Like other NFEs, colleges and universities (whether singular or plural “C&U”) must abide by the rules of engagement related to the appropriate use of Military Service marks protected by law and the DoD Trademark Licensing Program.

The following guidance addresses the most frequently asked questions and helps requestors recognize their circumstance and be guided (whether permissible or non-permissible) in their request. Please consult the appropriate Military Service Trademark Licensing Program Office (see Part I) for a written decision regarding your specific request.

Military Service Academies (USMA, USNA, USAFA, USCGA, USMMA)

The Military Service academies are under the jurisdiction of their respective Military Service and are thereby authorized to use the Military Service seals for official purposes only. Military Service marks may be used on any cadet products or paraphernalia and must be purchased from vendors authorized by a Military Service Trademark Licensing Program Office to sell those products.

DoD Voluntary Education Partnership Memorandum of Understanding Signatory Schools

The DoD Voluntary Education Program provides off-duty civilian high school, vocational-technical, undergraduate and graduate educational opportunities to U.S. military personnel worldwide. These services are provided through the respective Military Services and their local education centers.

C&U that hold a valid Memorandum of Understanding (MOU) or other agreement with the DoD Voluntary Education Program are not exempt from the guidelines applicable to all other C&U. Signatories may not use Military Service marks to promote their educational services. This includes, but is not limited to, information displayed on websites, publications, marketing and promotional materials, and social media pages.

*The following guidance applies to **all** colleges and universities, except Military Service Academies.*

Public Plaques, Displays, Booths and Memorials

Use of official DoD or Military Service seals is **not permitted**. *See Part I for further guidance.* Military Service marks may be used with prior written permission from the specific Military Trademark Licensing Program Office. This applies to all public memorials, including public-facing walls, banners, displays, or other décor. Exceptions (with prior written permission) may exist for:

- Displays, including banners and other décor located in veteran designated spaces only
- Student veteran memorial walls that include names of Service members only
- Reserve Officers’ Training Corps (ROTC) programs on C&U campuses

C&U orientation events, including student veteran booth displays should rely on traditional marketing and branding efforts, rather than on Military Service marks use, to attract veterans.

Part IV: Colleges and Universities Use of Military Service Marks

Patriotic Special Events

The use of Military Service marks may be authorized on flags and written programs for special events recognizing patriotic holidays -- Memorial Day, Armed Forces Day, Independence Day, or Veterans Day -- **only if** C&U branding is not also incorporated. Please consult the appropriate Military Service Trademark Licensing Program Office(s).

Sports Teams and Athletics

Limited written permission to use protected Military Service marks may be considered on a case-by-case basis for team uniforms during military appreciation events or games. Each respective Military Service Trademark Licensing Program Office must be contacted at least 60 days in advance of the event or game to obtain this limited consideration. *See Part I for contact information.*

Student-Run Veteran Organizations on campus

Student-run veteran organizations on campus have permission to use Military Service marks (excluding official Military Service seals) and may print a limited supply (i.e., enough for the current membership of the organization) of products from the appropriate Military Service Trademark Licensing Program Office's authorized vendors, to represent their C&U and veteran status. For example, student-run veteran organizations may print or embroider t-shirts or polo shirts with their C&U logo and military identifiers such as the Eagle, Globe and Anchor, or Air and Space Power "wings" or military phrases. This is permissible provided there is sufficient spacing between the C&U name or logo and Military Service marks. Student-run veteran organizations are not authorized to sell unlicensed merchandise.



Student Veterans Lounges

Spaces, which may be referred to as a veterans' lounge, that are designated as a meeting place exclusively for student veterans and used primarily by those veterans are welcome to display the Military Service marks in honor of the student veterans' service. The following restrictions apply:

- A limited-use agreement provided in writing by the appropriate Military Service Trademark Licensing Office is required for the display of Military Service marks in a designated student veterans' area.
- Military Service marks are not permitted in a general space such as a student lounge, activity center, or any open area used by the general public or C&U community, as to do so might suggest a DoD endorsement, sponsorship or connection that does not exist.

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- Generally, display of a Military Service mark on etched glass entrance way, partition, flag, banner or plaque outside of the confines of a designated veterans space is not permissible (e.g., outside of a building or school admissions office). *Refer to the above Patriotic Special Events and Sports Teams and Athletics sections for possible exceptions.*
- General statements within written texts such as “We offer several educational programs to veterans” or “We support our military student veterans” are permissible.

Permissible: Military Service marks, authorized in writing by the Trademark Licensing Program Office(s), are permissible for display only inside a *dedicated* veterans’ space, including the display of an emblem on etched glass, partition, banner or plaque within the confines of said space. Display of Military Service flags is also permissible in this instance.

Military Service Seals are prohibited. Military Service marks would be permissible inside the lounge only.



Neither military Service Seals nor marks are permissible. However, if the dedicated veterans’ space is enclosed within a larger student space, use might be permissible

ROTC Units

Active ROTC units are allowed to use official Military Service seals in accordance with applicable DoD policies and procedures.

Admissions, Veterans Affairs, and Alumni Offices, Service Centers, and Similar Offices

Military Service marks are prohibited for display in areas used for student recruitment or counseling at colleges and universities, such as veteran affairs and alumni relations offices, service centers, and other similar type offices. Additionally, the Military Service marks may not be used on marketing or promotional materials such as, veterans’ packets, college pamphlets, handouts, mailers, new student orientation materials, admission requirements, student support programs and services material, and school websites.

Permissible: General statements within written text such as “We offer several educational programs to veterans” may be allowed. Support for the Military Services may be expressed with words in lieu of Military Service marks, such as “[C&U name] proudly supports the [Military Service name].”



NOT OK: Neither Military Service seals or Military Service marks are permitted.

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Veterans Coins and Pins

Due to the appearance of endorsement, the manufacturing or distribution of Military Service and C&U co-branded coins and lapel pins is not authorized.”

Permissible: Student veterans may purchase from a Military Service authorized vendor licensed coins or pins that contain *only* Military Service marks.

- These coins and pins manufactured under a valid Military Service licensing agreement may be distributed among student veterans who are associated with a particular C&U.
- These permitted coins and pins must only be purchased from licensed manufacturers. A listing of companies authorized to manufacture and sell these coins and pins may be available by contacting the appropriate Military Service Trademark Licensing Program Office. *Refer to Part I for contact information.*

Graduation Gowns, Stoles, and Caps with Military Service Marks

At this time, C&U are not permitted to offer or contract with a third party vendor to manufacture and sell graduation gowns, stoles, or caps with Military Service marks or identifiers to student veterans.

At this time, C&U are not permitted to offer for sale or rental graduation gowns, stoles, or caps, which display any Military Service marked, whether provided directly by the C&U or through a third party vendor.

Permissible: Graduating Service members may independently purchase a single gown, stole or cap that contains a Military Service mark. Service members should contact the appropriate Military Service for further guidance. *Refer to Part I for contact information.*