



# University of Toronto

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OFFICE OF THE VICE-PRESIDENT AND CHIEF ADVANCEMENT OFFICER

TO: Members of the University Affairs Board

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DATE: May 26 for June 1, 2004

AGENDA ITEM: **Additional**

## **ITEM IDENTIFICATION:**

Annual Report on the *Code of Conduct for Trademark Licensees*

## **JURISDICTIONAL INFORMATION:**

The University Affairs Board's areas of responsibility include use of the University of Toronto name. The Board is responsible for policy of a non-academic nature for matters within its areas of responsibility. The *University of Toronto Trademark Licensing Policy* (attached) charges the Board with receiving annual reports on the operation of and issues connected with the trademark-licensing program.

## **PREVIOUS ACTION TAKEN:**

The third Annual Report on Trademark Licensing 2002-03, was received by the Board at its June 3, 2003.

## **FINANCIAL AND/OR PLANNING IMPLICATIONS:**

No direct implications.

## **RECOMMENDATION:**

For information.



Division of University Advancement  
University of Toronto

## **2003/2004 Annual Trademark Licensing Report**

**presented to  
The University Affairs Board of the Governing Council**

**by  
Dr. Jon S. Dellandrea, Vice President and Chief Advancement Officer**

Each year many products are produced that bear the name or marks of the University of Toronto or its constituent parts. These products include: clothing sold at the University of Toronto Bookstore; staff uniforms; promotional items ordered by campus student groups; recognition gifts; sport team uniforms; and branded furniture that decorates public spaces.

It is the responsibility of the university to ensure that products, which bear its name or marks, are produced in conditions consistent with the university's mission and values. The University of Toronto has committed to this by passing the Trademark Licensing Policy in May of 2000, and developing the Code of Conduct that supports the Policy. This is the fourth annual report on the operation of and issues associated with the University of Toronto licensing program.

The report is presented in two parts.

- The first part is a summary of the administration of the Trademark Licensing Policy and Code of Conduct and the communication undertaken to strengthen the university's accountability.
- The second part addresses the larger global issues of ethical production of products and, in particular, the issues of verification methodologies, verification organizations and the living wage provision. In this section potential alliances which would advance our understanding of issues regarding the ethical production of products bearing the universities marks or name are also discussed.

### **Administration and Implementation of the Trademark Licensing Policy and Code of Conduct**

The administration of the Trademark Licensing Policy and the Code of Conduct has been seamless over the past year. Trademark licensees utilize online artwork approval forms in order to trigger the purchase of products. Upon delivery the licensee submits sourcing information and factory disclosure data.

An important distinction in the administration of this program is the difference between retail and non-retail licensees. Retail licensees are those who supply product to the University of Toronto Bookstore. Non-retail licensees provide customized products to the divisions of the university. The university has 26 retail licensees and 46 non-retail licensees. The majority of the retail licensees produce apparel, and utilize the same manufacturers. It is with these suppliers that the university has focused its attention in administering this program.

Licensed retail apparel and factory disclosure information is listed on the university trademark website. The detailed information can be found at [http://www.trademarks.utoronto.ca/products/retail\\_list.html](http://www.trademarks.utoronto.ca/products/retail_list.html)

Factory disclosure information for non-retail suppliers is kept on file in the office of marketing and licensing. While this information is a valuable accountability step on the part of the university and the non-retail licensee it is nearly impossible to confirm factory information or compliance with our code of conduct. Each licensed supplier of non-retail products may represent over 200 lines of products, each product having a different manufacturing history. Because the university purchases relatively small numbers of products from hundreds of suppliers it is impossible to confirm whether each supplier has taken steps to ensure code compliance. This issue is being discussed widely at universities across North America. In fact the two leading monitoring agencies in the United States (the Fair Labor Association and the Worker's Rights Consortium) have struggled to administer any compliance verification system for non-apparel manufacturers.

The complexity of the university's trademark accountability and the breadth of registered, official and recognized marks triggered the creation of a digital library of university marks. The purpose of this project was to administer the management of all marks, the accountability of their use, the accuracy of their reproduction as well as their legal history and documentation. This was accomplished through a robust data base. We are now in the final stages of interface development in order to allow student groups, divisions, licensees, trademark lawyers and the general public to have various levels of access and resources.

The university community has been responsive to the services provided by the office of marketing and licensing programs. The office of marketing and licensing programs continues to be proactive in educating the university community of the need to use licensed suppliers, and to ensure that licensed suppliers are provided with streamlined processes which allow them to effectively service the university community. In doing so we create a service-based continuum that supports the objectives of the Code of Conduct.

### **Global concerns and issues**

The issues of code enforcement and verification systems are ongoing, complex and, at this point, in their infancy. Solutions to these issues are developing through the collaborative efforts of leading universities across North America as they work closely with international monitoring organizations, social change agencies, NGOs and grass roots student movements. Additionally, opportunities for education through dialogue with manufacturers are a critical part of the learning process.

In 2001/2002 the Association of Collegiate Licensing Administrators and the National Collegiate Licensing Association merged to form the International Collegiate Licensing Association (ICLA). This organization brings together trademark administrators from the majority of North American Universities. Through membership and active participation in the ICLA the University of Toronto has committed itself to gaining the best possible understanding of trademark administration, code enforcement and verification systems in order to make well-informed decisions. Kyle Winters, Director of Marketing Programs was elected to the Board of Directors of the ICLA in May of 2003. The university recognizes the importance of sharing information and resources with other Canadian institutions, and where possible creating alliances that advance the issues of code enforcement and verification. To this end the University of Toronto has created a working group with Trent, McMaster, Waterloo, Queens' University and the University of Victoria to evaluate potential collaboration and benefits that could be offered to the larger Canadian university community through collaborative administrative processes. In May 2004 Kyle Winters was invited to be a guest speaker on code development and administration at an Ethical Manufacturing Conference at Simon Fraser University in Vancouver. The University of Toronto has initiated

dialogue on the concept of collaborative code compliance administration between universities with the CCAE (Canadian Council for the Advancement of Education), and CAUBO (Canadian Association of University Business Officers) as well as the National Association of Collegiate Bookstores.

In February the university met with both the FLA and the WRC to discuss the idea of a collaboratively administered monitoring program available to all Canadian universities. This idea was well received by both organizations and is presently being reviewed from an administrative perspective prior to being presented to Canadian universities. It is anticipated that this will roll out over the next year.

As we move forward the University of Toronto will continue to capitalize on progressive alliances that better our understanding of labour issues worldwide. These alliances include our relationship with the International Collegiate Licensing Association, Maquila Solidarity Network, the Clarkson Centre for Business Ethics, the United Students Against Sweatshops, the National Association of Collegiate Bookstores, and all monitoring organizations but specifically the Fair Labour Association and the Worker's Rights Consortium.