

### **RP-3.3.9 Endorsement of Commercial Goods and Services by the University and University Staff**

An endorsement refers to statements, appearances and other actions engaged in primarily for the purpose of publicly promoting (e.g. advertising) the commercial value of a commercial good, service or business entity to its potential customers. This policy shall apply to all forms of commercial endorsement whether explicit or implied, including but not limited to, personal appearances, print media, radio, television, and Internet.

It is the policy of the University to not be perceived as endorsing commercial goods, services or businesses in connection with personal endorsement activities of University employees. Accordingly, it is generally not appropriate for an employee to engage in personal commercial endorsement activity primarily by virtue of his or her status as an employee of the University.

When an employee engages in a permitted endorsement activity, it should be clear that the employee is acting as an individual and not on behalf of the University. Reasonable precautions must be taken to prevent use of the University's name or any of its units in ways that suggest that the University sponsors or endorses goods, services or a business involved in an employee's permitted commercial personal endorsement activity.

1. University Endorsements; Required Approval. The University shall not advertise, appear in commercials for the benefit of, or otherwise endorse the goods, services or businesses of any person or entity outside of the University without prior written approval from the President or the relevant Chancellor (or their authorized designees).
2. Individual Employee Endorsements; Required Approval; Exception. No employee of the University shall advertise, appear in commercials of, or otherwise endorse the commercial goods, services or business of any person or entity outside of the University to promote the commercial goods, services or business of a non-University entity or person without prior written approval from the President or the relevant Chancellor (or their authorized designees). The foregoing shall not apply to (a) commercial advertising or endorsement of scholarly books, publications or materials from publishing houses of standing authored or co-authored by the employee, or in connection with University-sponsored educational materials as authorized by Section 3.11 of the Bylaws of the Board of Regents, or (b) an employee publicly promoting or advertising the work, services or fund raising activities of a tax-exempt nonprofit charitable organization.
3. Interpretation of Policy. Nothing in this policy shall be interpreted to:
  - a. Hinder or interfere with the scholarly study, research and evaluation of goods, services or business operations; or the dissemination of findings and data related to the same.
  - b. Prohibit a University employee from responding to an inquiry or reference request from a specific potential customer regarding the University's experience with or evaluation of some good, service or vendor; provided that such response shall not be incorporated into a publicly disseminated advertising.
  - c. Adversely affect the University's ability to enter into agreements with respect to commercialization of its intellectual property, and to publicly promote and advertise the commercial value of its intellectual property.
  - d. Adversely affect the University's ability to enter into licensing agreements with respect to its logos, trademarks and other trade indicia.
  - e. Adversely affect the University's ability to accept sponsorships and other gifts and to publicly recognize the generosity of the donors of sponsorships and gifts.
  - f. Prohibit a University employee from publicly promoting or advertising the work, services or fund raising activities of a tax-exempt nonprofit charitable organization.

Reference: BRUN, Minutes, 19, p. 145 (December 17, 1949).  
BRUN, Minutes, 66, p. 100 (June 14, 2007).