

ANALYSIS

cont'd from front page

The York University Licensing Board (YULB), a committee of university vice president representatives, charges a 6.5 per cent fee to manufacturers of York products intended for commercial and promotional use.

CYSF is upset about this. We should be too. Here's the catch: the manufacturers are adding the Board's fee onto the price of the product. This means we will pay 6.5% more for our orientation T-shirts because they bear the name of the school we already pay so much to attend.

In principle, the licensing program is a good idea. It has three goals said Harriett Lewis, Legal Advisor to York. Known as the "3 P's," the purpose is to protect, promote, and profit, in that order. The licensing program prevents the York name from being printed in a negative way. A manufacturer must be licensed by the YULB and its logo approved in order to produce and sell York products.

The YULB encourages manufacturers to become licensed. The more products sold, the more often the York name is seen. The university is well promoted this way and may attract new students and potential licensees. According to Lewis, there are now approximately 20 licensees.

Lewis said there have been cases of companies who make money from using the York name without permission. The YULB wants to recoup this profit, which will go back into the university for scholarships and upgrading facilities.

protect, promote, and profit

CYSF is in the market for a manufacturer to produce the orientation T-shirts. CYSF has taken the job of ordering the T-shirts from the college councils. With more and more minors coming into residence, an orientation not centred around alcohol has become important; George Sanghera, CYSF Vice-President (Programmes) says he is doing the ordering so the college councils will have more time to concentrate on this goal. The YULB doesn't seem to trust this group of students with a responsible approach to orientation. "Give us some credibility," said CYSF President Jean Ghomeshi.

The University of Calgary had the same problem when their licensing policy, the first such one at Canadian universities, went into effect in 1986, said Faye Baker, Co-ordinator of Trademarks and Circulation (TC) at the University of Calgary. It now has 69 licensees.

Their purpose was the same as the YULB's — to protect, promote, and profit the university. They had

no intention of costing the students money. With the Olympics fast approaching in 1986, U of C had to protect itself from companies trying to profit from the U of C name. Also, they were able to generate revenues to upgrade university facilities. Their licensing fee was also 6.5% and, not surprisingly, their licensed companies were also adding the fee to the price of the products.

Lewis was aware of this problem. She believes the competition between licensed manufacturers will eliminate this tendency, because whoever has the cheapest price will get the contract. Therefore, the manufacturers will eventually be forced to drop the fee if they really want the university's business.



graphic by Brett Lamb

The TC in Calgary, however, saw that this was not happening in their case, so they began rebating the students.

According to Baker, it became an "accounting nightmare." She elaborated that the Physical Education department had been a good customer for university clothing. The TC sent refund cheques to the department, which then divided the money between about 30 teams. Then the money was split up again and sent to each student. Unfortunately, many of the students had since graduated or left for the summer. The same scenario occurred when the money was sent to the student council then to the clubs and finally to the students.

On May 30, 1990, the University of Calgary changed its licensing policy. Instead of charging a percentage on the manufacturers' sales, the TC now charges a licensed company a flat rate of

\$100 per year. Baker says the university hopes the companies will regard this fee as an administrative expense. It is not large enough to cut into their profits so the end user will not pay extra. Also, to divide the fee up between all of their clients would be an accounting mess for the manufacturers. So the \$100 fee is enough to protect, promote and profit the university as well as save the students the expense.

Obviously, the YULB did not research this project. If it had, it would have learned from U of C's experiences. It would have also learned from the TC about the ACLE, an American licensing organization that advises institutions licensing their names. It has been helpful to the TC, said Baker.

(Last year, CYSF spent \$6000-7000 on orientation T-shirts according to Sanghera. This works out to \$390-\$455.) Baker, at the University of Calgary, disagreed. She said, "it is a lot of money for a student government. These groups are non-profit. Besides the executive, they depend on volunteers and fundraising to exist."

Other college and university student governments in Toronto are not burdened with this expense. U of T, Ryerson, and Humber students don't pay for the use of their logos. At U of T, an "understanding exists between SAC (Student Administrative Council) and the administration that [SAC is] officially sanctioned to utilize the U of T logo in any way," said Richard Gray, SAC executive assistant.

The Ryerson Student Union is registered with the Institute. It doesn't pay to use the logo because the RSU is a non-profit organization run by and for the students, said Jim Butterly, Student Group Co-ordinator. Angie Kazmirski, ex-director of publications and promotions of the Humber Student Association Council, says the HSAC can use their logo, which is slightly different than the college's logo, with the understanding it will not be defaced. A trust exists between these student governments and their administration. Money is not an issue.

Humber vice president John Cecil said no licensing policy is in place at Humber because the college has not received many requests from companies interested in printing Humber merchandise. If a company is interested, as long as the proposed logo is not slanderous, permission is given to the company. The only way the college benefits is in promotion of its name. No profit.

Cecil agreed that the licensing policy is a good idea for protecting the university name. He also understood the administration's motive in light of the provincial government's lack of funding. However, he did openly wonder about the ethics of charging students to use the name of their own institution.

The licensing fee highlights the lack of communication among the administration and CYSF. CYSF did not know about the fee; Sanghera said he accidentally found out about it at Student Affairs. Lewis claimed that all faculties, college masters, departments, including CYSF received memos in April 1989. She said that she and Peter Donato discussed it. But, Sanghera said Donato didn't know anything about it. Donato was unavailable for comment. Further, as of May 30, Lewis said she had never met Sanghera personally; he had only called to ask her some questions.

Sanghera claimed that he and Lewis argued for an hour and a half. YULB members Murray and Janis Roy (Alumni Affairs) were unaware of concerns about the licensing program.

Murray said money collected from the fee will pay primarily for expenses in running the YULB; then for scholarships and upgrading facilities; and finally in developing a line of York clothing which could take up to five years to be successful.

The Olympics may be coming to Toronto in six years. (Consider the University of Calgary and the Olympics in 1986.)

Lewis claimed that the "York-Wear" line will be developed only after other expenses have first been paid off. YULB hopes the line will be successful enough to support a venture like a York boutique in Simpsons or a shop in the airport. Revenue from the clothing would then be put back into the university in the form of scholarships or other needs such as books for the library.

"Give us some credibility"

The fee doesn't stop with clothing; it applies to all commercial or promotional merchandise. According to Lewis, a pen with the York logo for internal day-to-day use (such as in an office) would not be subject to the fee because it is not for commercial or promotional use. CYSF gives out pens for free to students but because their constituents do not have offices, these pens will be subject to the fee.

Sanghera felt that this kind of inconsistency should make the administration realize that it is failing to do its job — looking out for the students.

Lewis sent a letter to the *Lexicon* claiming she was misquoted in the May 18 article "Irate students to fight York logo tax." Sanghera saw the letter and said in it Lewis claims the students will receive a refund. He confronted her with the letter and wanted her promise to be made legally-binding. During their discussion on May 31, Sanghera asked that the policy be changed so manufacturers chosen by student groups would not be charged. Lewis would not agree, but she did arrange a Board meeting to which CYSF would be invited to discuss alternatives. Sanghera feels Lewis will back the students' position.

In the meantime, Sanghera is taking action to protect the students in case an alternative cannot be worked with the YULB. He is sending memos to the licensees threatening their license if they refuse to drop the 6.5% fee from the price of the merchandise.

FACULTY AND STUDENTS

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Japanese university students participating in a month-long summer language program at York University's English Language Institute are placed with a homestay family for one weekend. Homestay begins Friday August 17 and continues through to Sunday August 19. If you would like to open your home to one or two of these students please call the English Language Institute at 736-5353.

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