



## Strategic Approaches to Trademark Management at Polish Universities

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**Abstract.** This study examines the role of registered trademarks in university branding, focusing on the Polish context. It explores the initial steps Polish universities take in trademark management, the regulations they adopt, and the challenges unique to this environment. The topic has not yet been the subject of a comprehensive evaluation within Polish academic doctrine. This research is based on a qualitative analysis of legal frameworks, institutional practices, and documented experiences of Polish universities in the area of trademark management. The potential of trademarks as tools for institutional branding, protection, and revenue generation is often underestimated or overlooked in the strategic planning of Polish higher education institutions. While Polish universities have developed resources to manage their trademarks effectively, including experienced administrative teams, access to legal expertise, and a growing awareness of intellectual property, this potential remains underutilized. Polish universities often rely on public funding or historical prestige, reducing the urgency to actively engage in trademark strategies. This reliance leads to minimal exploration of potential market opportunities, such as partnerships, licensing agreements, or branded merchandise. Without external pressures, Polish institutions seldom capitalize on the competitive advantages that effective trademark management could provide. To unlock the potential of trademark management, Polish universities must adapt to or create market needs by demonstrating their trademarks' value. Strategies include engaging external partners, strengthening alumni networks, and using branding to attract international stakeholders. Institutions like Jagiellonian University provide a model for standardized trademark management, aligning with global trends where universities are both academic and entrepreneurial hubs.

**Keywords:** trademark, university, bylaws, strategy.

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## **INTRODUCTORY ASSUMPTIONS**

Unlike institutions in highly competitive international markets, which face constant pressure to differentiate themselves and generate new income streams, Polish universities tend to view trademarks primarily as static protective measures. They often rely on their established historical prestige and secure public funding, which reduces the perceived urgency to innovate in trademark management. This outlook fails to recognize the dynamic potential of trademarks as tools for generating additional revenue, strengthening institutional branding, and expanding market reach.

Bridging this gap requires a fundamental shift in perspective. Trademarks should not only be regarded as mechanisms for protecting intellectual property but also as active assets that drive institutional growth and innovation. By embracing the potential of trademarks, Polish universities can align with global trends, leveraging their intellectual property to build stronger connections with stakeholders and ensure their competitiveness in the evolving landscape of higher education.

## **TRADEMARK – DEFINITION**

A trademark is a key component of university branding. Under the Polish law, a trademark is defined in article 120 of Act 30 June 2000 on Industrial Property Law (ustawa z dnia 30 czerwca 2000 r. - Prawo własności przemysłowej) as any sign that is capable of distinguishing the goods of one undertaking from those of another and can be demonstrated in the trademark register in a way that the scope of granted protection can be clearly and accurately determined. The catalogue of signs which could be protected is open. It may consist of any signs, in particular words (including personal names), drawings, letters, numerals, colors, three-dimensional shapes, including the shape of goods or their packaging, sounds.

Within this broad framework, universities have the opportunity to protect a diverse array of assets under trademark law. Specifically, universities can secure their full names, such as "University of Białystok," abbreviations like "UwB", names of faculties, schools, or research institutes, names of educational services, journals, magazines or platforms they offer, as well as phrases reflecting their mission or reputation and promotional slogans used in advertising campaigns. These trademarks can be registered in Polish or as translations into other languages. In addition to word marks, universities often use graphic symbols, which may include official emblems, heraldic designs, and unique visual icons featured in promotional materials or on branded products. Moreover, universities can protect less conventional trademarks, such as specific colors or color combinations strongly associated with their identity (e.g., school colors), as well as jingles and other forms of audio branding.

## **TRADEMARK FUNCTIONS - IN RELATION TO UNIVERSITY ACTIVITIES**

In business dealings, a trademark serves three fundamental functions. Firstly, it performs a distinctive function, indicating the commercial source of goods and distinguishing them from others of the same type on the market. This ensures that buyers can trust that all goods marked with the same trademark are either manufactured by the same entity or by entities operating under its control (Skubisz, 2017). As a result, consumers can make informed purchasing decisions based on their preferences or past experiences. Secondly, trademarks serve a guarantee function, symbolizing a consistent level of quality associated with the goods or services they represent. This function reflects the established reputation of the entity providing the goods, built on the consistent quality and favorable characteristics of its products or services. These perceptions are shaped by consumers' personal experiences and the opinions of others, both of which contribute to the trademark's overall value (Promińska, 2014). Thirdly, the trademark performs an advertising function, attracting the attention of potential buyers to the goods offered under the mark and encouraging their purchase. A well-designed trademark becomes a valuable marketing tool, enhancing brand recognition and recall. At the stage of placing goods on the market the trademark

promotes it and facilitates its existence. During the circulation of the marked good on the market, the trademark establishes its position and helps in gaining a new clientele (Promińska, 2014). These three functions illustrate the multifaceted role of trademarks in fostering consumer trust, promoting competition, and building business value. Companies invest significantly in their trademarks to enhance their market presence, establish customer loyalty, and ultimately increase profitability. The same results are desired by today's higher education institutions.

A registered trademark provides universities with a distinct advantage in the competitive academic landscape by highlighting their unique attributes, such as heritage, innovation, or academic excellence. It serves as a differentiating factor, enabling universities to effectively communicate their core values and strengths, thereby attracting students, partners, and stakeholders who align with their mission. Trademarks are also symbols of quality and authenticity. They assure stakeholders that any product, service, or partnership associated with the university is legitimate and meets the institution's high standards. This trust fosters loyalty among students, faculty, alumni, and external collaborators, further solidifying the university's reputation (Pietrzyk-Tobiasz, 2014).

Moreover, protected trademarks facilitate partnerships with research institutions, territorial government, corporations, or sponsors. A registered trademark signals professionalism and legitimacy, encouraging mutually beneficial collaborations. Projects conducted under the university's trademark not only enhance its prestige and influence but also attract additional opportunities for innovation and development. The consistent use of trademarks across promotional materials, merchandise, and digital platforms creates a recognizable and memorable identity. This strengthens the university's presence in the minds of prospective learners, graduates, and the general public, fostering a sense of loyalty and pride while maintaining its institutional visibility (Pietrzyk-Tobiasz, 2014).

Trademark ownership enables universities to grant usage rights to other entities for commercial or professional purposes, typically formalized through license agreements. Many modern universities license their trademarks for use on branded merchandise, such as clothing, accessories, and stationery. These items foster a sense of belonging and pride among students, staff, and alumni while promoting the university's brand nationally or even internationally. Licensing branded merchandise also provides an additional income stream to support vital initiatives, including scholarships, infrastructure improvements, and research projects. It should be underlined that licensing university trademarks is both an accepted and recommended practice, as endorsed by the World Intellectual Property Organization (WIPO). WIPO highlights that licensing agreements can generate revenue for universities while enhancing their reputation within the socio-economic environment. Through such agreements, universities demonstrate a proactive approach to managing their intellectual property assets, ensuring the quality of products bearing their name or crest, and carefully evaluating entities seeking to use their designations (WIPO, 2010). Universities may achieve two main benefits by licensing their trademarks for others use. First trademarks licensing makes money, second the circulation of university's brand as widely as possible can enhance its reputation, foster community, and build attachment (Stradley, 2019).

Final, and most important reason, especially for Polish universities register trademarks is to safeguard their brand from unauthorized use and to facilitate the enforcement of their rights. Trademark registration provides a robust legal foundation to prevent third parties from falsely affiliating themselves with the university, using similar marks that could cause confusion, or damaging its reputation. By securing legal protection, universities gain a stronger position to address unauthorized use of their names, logos, or other distinctive symbols. This protection simplifies legal proceedings against infringers and offers broader safeguards than those provided by the Act of 16 April 1993 on combating unfair competition (*ustawa z dnia 13 kwietnia 1993 r. o zwalczaniu nieuczciwej konkurencji*). Registered trademarks ensure exclusive rights that are easier to enforce, acting as a powerful deterrent and reducing the likelihood of misuse or exploitation of the university's brand, ultimately ensuring that its identity remains protected and respected.

## TRADEMARK REGISTRATION PROCESS - SPECIFICS FOR UNIVERSITIES

Trademark protection is obtained through registration, which involves a formal procedure conducted by the patent office and culminates in the issuance of an administrative decision. Upon completion of this process, an exclusive right is granted to the holder, conferring a monopoly on the commercial use of the mark within a specific scope, as defined by the Nice Classification.

Importantly, the legislation does not establish any separate procedures specifically for universities, meaning they must follow the same registration process as any other entity. The official application form must be completed and include the following key sections:

- applicant's details - the name and address of the university;
- an indication of the type of trademark, such as for example a word mark, figurative mark, or combined mark;
- a representation of the mark e.g., logo, name, or other identifying symbol in the exact form in which it is to be protected and used in commerce.

Additionally, the university must provide a list of goods and services categorized under the Nice Classification, which defines the scope of legal protection. The Nice Classification is an internationally recognized system that organizes goods and services into 45 classes: classes 1–34 for goods and classes 35–45 for services. This standardization facilitates global trademark searches and registrations. Given the diverse range of activities undertaken by universities, the following categorization should be considered in particular, for educational and research activities:

- **Class 41:** Educational services, including teaching, training. This class also covers organizing and conducting conferences, seminars, symposia, workshops, cultural and sporting activities, contests (for educational or entertainment purposes), cultural or educational exhibitions, publication of educational texts, online electronic publishing of books and periodicals;
- **Class 42:** Scientific and technological services, such as research and development and the design and development of computer hardware and software. This class encompasses research projects, technological advancements, and IT-related services offered by the university, including analysis, testing, expert opinions, measurements, and development work;  
in connection with merchandise and promotional materials:
  - **Class 16:** printed educational, teaching, training materials; stationery;
  - **Class 25:** parts of clothing, footwear and headgear;
  - **Class 28:** toys, games, and playthings, such as educational games.
- for digital and communication services:
  - **Class 9:** electronic publications, software, educational technology products like applications, and scientific apparatus and instruments.
  - **Class 38:** telecommunication services, including digital platforms and communication tools provided by the university.
- and for and additional services:
  - **Class 35:** advertising and promotional services, including marketing educational programs and business management consultancy (e.g., consulting services offered by the university or its affiliates).
  - **Class 43:** catering services, such as university canteens or cafes.
  - **Class 44:** medical services, including health services provided by a university medical center (Nice Classification, 2024).

Trademark protection is initially granted for a period of 10 years and can be renewed indefinitely in 10-year increments at the request of the rights holder. The rights granted by the Polish Patent Office (UPRP) are effective

within Poland. However, it is possible to extend protection beyond Poland through European registration via the European Union Intellectual Property Office (EUIPO) or international registration via World Intellectual Property Organization (WIPO). Polish universities are increasingly utilizing these options. For instance, as of the end of October 2024, a search of the TMView database using the criterion of “applicant entity” reveals 287 trademarks registered in the name of polytechnics (275 with UPRP, 11 with EUIPO, and 1 with WIPO) and 348 trademarks registered in the name of universities (288 with UPRP, 60 with EUIPO, and none with WIPO). To date, Polish higher education institutions have only registered word, figurative, and combined marks (TMView database, 2024). These numbers provide valuable insights into the territorial scope of trademark protection pursued by Polish higher education institutions. The majority of trademarks are filed with the Polish Patent Office, indicating that these institutions prioritize protecting their brands within the national market. This focus reflects their predominantly domestic operations and influence, catering primarily to Polish students and stakeholders.

## **INTELLECTUAL PROPERTY REGULATIONS AT POLISH UNIVERSITIES**

The Act of 20 July 2018 The Law on Higher Education and Science (ustawa z dnia 20 lipca 2018 r. - Prawo o szkolnictwie wyższym i nauce) does not require regulations concerning the use of trademarks to be explicitly included among internal regulations. However, most universities reference trademark management within their intellectual property policies, which are adopted as resolutions by the Senate under Article 152 of the Law on Higher Education and Science. This provision outlines the range of matters to be addressed in regulations governing the management of copyright, related rights, and industrial property rights, as well as the principles of commercialization. While the legislator does not explicitly mention trademarks in the open catalog of issues to be regulated, most of these bylaws include references indicating that the use of a university's trademarks will be governed by internal regulations, typically established through orders issued by the rector or separate agreements. These provisions remain highly general, further highlighting that trademarks are still not widely recognized as a strategic asset by universities

The Białystok University of Technology's bylaw states that "rules for the use of the University's emblem and trademarks are made in accordance with the University's internal regulations. In cases not regulated, consent to their use by an external entity shall be given by the Rector or the Vice-Rector authorized by him" (§ 19 Resolution No. 93/XI/XVI/2021). The Gdansk University of Technology's bylaw specifies that "the personal property of the University, in particular its image, good name, and reputation, shall remain under the protection of the Civil Code. The use of the name University, the emblem-logo, and trademarks of the University for commercial purposes not directly related to the activities of the University may take place only in accordance with the rules adopted by the University Senate and the Rector's orders on this subject. The Rector of the University, at the request of the head of an organizational unit, shall decide on applications for legal protection of trademarks aimed at identifying a given unit and/or projects implemented by it" (§12 Resolution No. 117/2021/XXV).

Other bylaws set more specific rules for the use of trademarks and indicate the requirement for a licensing agreement. The regulation of the Warsaw University of Technology states that „trademarks, signs, proper names, abbreviations of proper names, logotypes, and color combinations identifying the University or its units are considered trademarks of the University. They may be used only in verbal, verbal-graphic, or graphic forms specified in the regulations. The use of trademarks of the University by an external entity may take place on a chargeable basis under an agreement or free of charge with written consent from the University. The agreement may be terminated (revoked) by the University with immediate effect in the event of non-compliance with the established terms and conditions, particularly in a situation that threatens the prestige of the University or raises reasonable doubts as to the legality of the activity and non-infringement of third-party rights by the entity to which the consent was granted. Detailed rules and procedures related to the use of the University's trademark shall be

specified in the regulations on the principles of using the trademark and emblem of the Warsaw University of Technology" (§ 12 Resolution No. 196/L/2022).

Similarly, the bylaw of the Silesian University of Technology provides that, 'when concluding an agreement defining the rules for the commercialization of an intellectual good, as well as when deciding on the establishment of a spin-off company, the University may grant the other party to the agreement or the spin-off company the right to use the trademark (logo) of the University, the University's coat of arms, or the trademark (logo) of the CITT within the framework of activities related to the use and commercialization of the intellectual good. The condition for the use of the aforementioned designations must be information on the relationship of the intellectual property with the University. The University may allow the other party to the agreement referred to in paragraph 1, or the spin-off company, to use the term 'created as a result of scientific and research work at the Silesian University of Technology' or an equivalent term in relation to products associated with the intellectual property" (§ 25 Resolution No. 6/2020).

The use of the name and trademarks of the Rzeszow University of Technology for commercial purposes may only occur on the basis of an agreement concluded with the University. The agreement covering the commercialization of the result of intellectual work may include permission to use trademarks of the University (§ 11 Resolution No. 51/2020).

Analogously, the Częstochowa University of Technology accepts that "when concluding an agreement defining the principles of co-commercialization of an intellectual good, as well as when deciding on the establishment of a commercialization company, the University may grant the other party or the company the right to use the trademark of the University or the trademark of the technology transfer center within the framework of activities related to the use and commercialization of the intellectual good. The condition for the use of the aforementioned signs must be information about the relationship of the intellectual good with the University. The University may permit the other party to the agreement or the commercializing company to use the term 'created as a result of scientific and research work at Częstochowa University of Technology' or an equivalent term with respect to products related to the intellectual property. Detailed rules for the use of trademarks vested in the University shall be regulated by the rector in an ordinance" (§ 23 Resolution No. 145/2017/2018).

The University of Science and Technology in Kraków (AGH) regulation allows that "if an agreement covering the commercialization of an Intangible Asset is concluded, the provisions of the agreement or a separate agreement concluded with the Investor may provide for the Investor's entitlement to use the name Stanisław Staszic AGH University of Science and Technology in Kraków and the AGH trademark (logo) in the context of the Investor's dissemination of information about the use of the Intangible Asset created within AGH. The agreement may provide for the possibility of prohibiting the Investor from using the name AGH and the trademark AGH at any time without stating the reason" (74.1 Resolution No. 22/2018).

In some regulations, there is only an indication of the obligation to use the university's trademarks in certain agreements. For example, according to bylaw of the Akademia Morska w Szczecinie "when entering into a contract for the commercialization of intellectual property, the university may require the contracting parties to use its logo and identify the university as the place where the intellectual property was created" (§ 22 Resolution No. 22/2018).

## **TRADEMARK REGULATIONS AT POLISH UNIVERSITIES**

The Jagiellonian University was the first Polish university to adopt separate internal regulations for trademark management. On September 2, 2013, Ordinance No. 92 of the Rector of the Jagiellonian University introduced the Regulation on the Use of JU Trademarks by External Entities. This regulation was implemented in preparation for the 650th anniversary of the University's founding, with the aim of formalizing the rules for granting external entities access to the University's trademarks. Before 2013, producers of items such as clothing, mugs, and pens

could use the University's symbols without formal agreements or remuneration (Skalnicka, 2013). This practice was widespread, and even when the quality of goods bearing the University's insignia - such as its coat of arms or name - was subpar, these items were eagerly purchased by people seeking souvenirs from Kraków or wishing to emphasize their connection to the University. The new regulations introduced a requirement to obtain permission for the commercial use of the University's branding and to pay a fee. The change was particularly significant because the Jagiellonian University's coat of arms and name were, (and still are), among the most recognizable Polish academic brands in the world (Rutkowska-Sowa, 2018). As the Chancellor of the Jagiellonian University, Ewa Pędracka-Kwaskowska, explained: "The Jagiellonian University brand is well-known in Poland and around the world. Generations have contributed to its reputation: students, graduates, and academics. Trademark protection stems from respect for the University, its age, achievements, and its importance to Poles. We do not want to harm this reputation. The idea is that the symbols of the Jagiellonian University should appear on high-quality products worth keeping and associated with the University." She further emphasized that while financial considerations were acknowledged, they did not drive the introduction of the new regulations. The implementation of these trademark regulations was carried out gradually. Initially, press releases informed the public that the legal use of the University's trademarks would only be possible with explicit permission. This was followed by announcements regarding criminal sanctions for unauthorized use. Existing producers of memorabilia were given a deadline to clear their stock. As highlighted in numerous press statements, the primary goal was to regulate the market so that the University - rather than external entities - would benefit, including financially, from its symbols.

The regulation currently governing the use of trademarks of the Jagiellonian University (JU) by external entities and the registration of new JU trademarks by its organizational units was adopted in 2016, based on Article 66(2) of the Act of July 27, 2005 – Law on Higher Education, and § 27(4) of the Statute of the Jagiellonian University, in connection with Article 163 of the Act of June 30, 2000 – Industrial Property Law (further as: The JU's regulation). This regulation replaced Ordinance No. 92 of the Rector of the Jagiellonian University, dated September 2, 2013.

For the purposes of the regulation, a broad definition of a trademark has been adopted. It encompasses any sign distinguishing goods and services offered by the University, particularly those for which the University has obtained exclusive protection, filed an appropriate application, or undertaken necessary actions to secure exclusive protection at the Polish Patent Office or any other competent authority responsible for trademark protection outside Poland, in compliance with applicable laws and requirements. The list of JU trademarks under exclusive protection is provided as an annex to the regulation and features a total of 18 designations.

The JU's regulation stipulates that the registration of a new JU trademark with the Polish Patent Office or any other competent authority for trademark protection outside Poland by a JU organizational unit requires prior consent from the JU Chancellor. Once approved, the matter is referred to the CITTRU Technology Transfer Centre for implementation. An external entity interested in obtaining permission to use a JU trademark must submit an application for authorization to use the specific trademark. A template for this application is provided as an annex to the regulation. The application must indicate:

- a) the manner and purpose of using the trademark, such as:
  - labeling goods,
  - appearing on documents related to the commercialization of goods or services, or
  - advertising, promotion, or online activities;
- b) specifications for use in events jointly organized with JU, such as: artistic, sports, social, scientific, or informational endeavors;
- c) a graphic visualization of the intended use in electronic format (e.g., PDF or JPG files) or printed form, showing the placement of the trademark on goods, services, websites, posters, invitations, books, etc.

The application is reviewed within 30 days of receipt by the JU Organizational Department. The University notify the applicant of its decision in the same format as the application was submitted. A template licensing agreement is annexed to the regulation.

The JU's regulation specifies also that the use of JU trademarks involves, in particular:

- a) placing the trademark on goods covered by protection or their packaging, offering and introducing such goods into commerce, their import or export, and storage for the purpose of offering or introducing them into commerce, as well as offering or providing services under the trademark;
- b) including the trademark on documents related to the commercialization of goods or provision of services;
- c) using the trademark for advertising and promotional purposes;
- d) using the trademark online for the purposes specified in points a-c.

On the understanding that external entities may only use JU trademarks in a manner that:

1. complies with the scope outlined in the licensing agreement;
2. adheres to legal norms, public order, good morals, social coexistence principles, and does not tarnish JU's reputation or image;
3. does not mislead as to the nature, purpose, origin, quality, or characteristics of goods or services bearing the trademark;
4. does not infringe upon the personal or property rights of third parties.
5. The Jagiellonian University keeps a record of trademark usage.

What is an important distinction of the regulation in question, the JU's regulation clearly informs that the university charges licensing fees for trademark use as follows:

- a) one-time fee – applicable for use up to 12 months, ranging from twice to ten times the base licensing fee specified in the annex to the regulation for the given trademark, plus VAT.
- b) annual fee – applicable for use exceeding 12 months, ranging from three to ten times the base licensing fee for each year commenced, plus VAT.

For agreements exceeding 12 months but involving additional months beyond full annual cycles, the final year's fee is calculated proportionally.

In cases of joint ventures with JU, no licensing fee is charged if the venture is non-commercial or if the JU Chancellor decides to grant a license free of charge.

The Chancellor of JU is authorized to make decisions regarding trademark use, including licensing fees, and to sign licensing agreements. Decisions concerning trademarks exclusively associated with specific JU organizational units require prior consultation with these units.

The Jagiellonian University reserves the right to monitor compliance with proper trademark use and adherence to regulation requirements. Unauthorized use of JU trademarks may result in legal action under applicable industrial property laws.

Finally, it should be noted that the JU regulation does not apply in eight areas:

1. the use of trademarks by JU organizational units in scientific events (e.g., conferences, symposia);
2. the use of trademarks by JU employees in their official capacities;
3. the use of trademarks by JU collaborators under agreements that justify such use;
4. intellectual property commercialization agreements, where trademark use serves to indicate the connection of the intellectual property with JU;
5. agreements granting JU spin-off companies the right to use JU trademarks in compliance with transitional provisions under Senate Resolution No. 102/VI/2015;
6. joint projects involving JU, whether research, educational, or developmental, where trademark use aligns with project requirements or agreements;
7. use by other higher education institutions in joint educational programs;
8. patronage of the JU Rector or participation in Honorary Committees.



It can be assessed that this regulation exemplifies comprehensive and balanced approach to trademark management, serving as a robust framework for protecting the intellectual property of the Jagiellonian University while fostering innovation and collaboration. By clearly defining the scope and permissible use of trademarks, the regulation ensures that the University's intellectual assets are safeguarded against misuse or misrepresentation. At the same time, the structured procedures for obtaining authorization and registering new trademarks provide a streamlined yet thorough mechanism for facilitating lawful and beneficial use by external entities. It should be applauded that the regulation reflects the University's commitment to maintaining high standards of professionalism, transparency and ethical practices. Its provisions not only protect the University's reputation and brand integrity, but also foster opportunities for academic and commercial partnerships that are consistent with its mission and values. Considering non-commercial ventures and collaborations, the regulation demonstrates flexibility and a forward-looking approach, encouraging initiatives that contribute to scientific, educational and cultural progress.

A confirmation of the positive assessment of this regulation is the fact that it is still regarded as a model document for Polish universities. Similar bylaws have been adopted by other institutions, such as the Poznań University of Life Sciences („Regulations for Making Trademarks of the Poznań University of Life Sciences Available to External Entities”, Order No. 98/2017 of the Rector of the Poznań University of Life Sciences dated September 20, 2017), Poznan University of Economics (“Principles for the Use of Trademarks of Poznań University of Economics and Business”, Annex to Order No. 106/2021 of the Rector of Poznań University of Economics and Business dated December 17, 2021), Wrocław University of Economics („Regulations for making trademarks of the Wrocław University of Economics available for use”, Annex to Order No. 93/2022 of June 29, 2022).

Recently, JU has gone further in its strategy, adopting a regulation for a particular organizational unit, i.e., Order No. 33 of the Vice-Chancellor for the Medical College, dated November 13, 2024, on the introduction of the Regulations for making the trademarks of the Jagiellonian University - Collegium Medicum available to external entities and the filing of new trademarks of the Jagiellonian University - Collegium Medicum by the organizational unit of JU CM.

All the examples mentioned above should still be regarded as exceptional in the Polish context. In most cases, universities make limited efforts to leverage the potential of effective trademark management. This involves forming strategic partnerships with private enterprises, negotiating licensing agreements aligned with the university's brand identity, and developing branded merchandise to engage alumni and the broader community. By neglecting to incorporate trademarks into their strategic planning, Polish universities risk missing significant opportunities to diversify their revenue streams and enhance their competitive position in an increasingly globalized education market.

## **CHALLENGES OF TRADEMARK MANAGEMENT AT POLISH UNIVERSITIES**

Unfortunately, Polish universities face significant challenges in managing their trademarks, which extend far beyond simply drafting and adopting trademark regulations. Effective trademark management requires a strategic approach to address several critical issues, including stakeholder awareness, resource allocation, and balancing institutional openness with the protection of intellectual property. These challenges are crucial to ensuring that universities safeguard their brand integrity while fostering collaboration and maintaining their academic ethos.

One of the primary hurdles is ensuring that all stakeholders - students, faculty, administrative staff, and external partners - understand the purpose and importance of trademark regulations. Many within the academic community may perceive these policies as bureaucratic or restrictive, particularly if the rationale and benefits are not clearly communicated. Universities must invest in educational initiatives to promote awareness about how

trademarks contribute to institutional reputation, enable funding opportunities, and ensure consistency in how the university is represented to the public.

Trademark strategies must evolve with the institution's goals, ensuring they remain relevant in a changing legal and market environment. Universities must navigate the complexities of evolving intellectual property laws while ensuring their trademarks remain competitive in a crowded market of educational and corporate brands, where they are actively used in a trademark function. Additionally, they must address cases of unauthorized use or infringement, which can often involve costly and time-consuming legal actions. Implementing and enforcing trademark policies requires dedicated resources, including: legal expertise, administrative oversight, and technological tools for monitoring trademark usage. For many universities, especially those with limited budgets, allocating these resources can be challenging. There is often tension between prioritizing traditional academic activities and investing in infrastructure to support trademark management. To address this, universities should adopt cost-effective strategies, such as: partnering with legal firms for intellectual property support, utilizing digital tools for intellectual property tracking, and streamlining administrative processes to reduce costs.

Most importantly, trademark commercialization still invites scrutiny from the academic community and the general public. Universities may face criticism for appearing overly commercialized, potentially undermining their credibility as nonprofit, education-focused institutions. To address this, universities must communicate transparently how revenues from trademark licensing are reinvested - for example, funding scholarships, supporting research initiatives, or improving campus facilities. Such transparency builds trust and alleviates concerns about commercialization conflicting with the institution's core values. While it is common in today's market for universities to license their names or emblems for use on items such as stationery, clothing, and crockery, they must ensure that their trademarks are not associated with products that contradict their core values. Maintaining credibility and aligning branding with their main nonprofit mission requires avoiding any association of their trademarks with products like tobacco, alcohol, or other stimulants.

## CONCLUSIONS

The potential of trademarks as tools for institutional branding, protection, and revenue generation remains underestimated or overlooked in the strategic planning of Polish higher education institutions. Polish universities should focus on strengthening their capacity to consciously and effectively manage trademarks by developing experienced administrative teams, improving access to legal expertise, and fostering greater awareness of intellectual property's importance within the institutional framework. Additionally, many universities already possess well-developed marketing and communications departments, which can play a pivotal role in creating a strategic approach to trademark management. However, a significant challenge lies in the lack of sufficient incentives and a clear market demand to prioritize trademarks as valuable assets. This issue is further exacerbated by the absence of direct financial or reputational pressures to drive innovation in this area. For example, unlike universities in highly competitive international markets, Polish institutions often depend on stable public funding or their historical prestige, which reduces the perceived urgency to actively pursue trademark strategies. As a result, there is limited effort to explore or capitalize on the broader opportunities that effective trademark management could unlock, such as forming partnerships, negotiating licensing agreements, or developing branded merchandise.

To address this gap, Polish universities must either recognize and adapt to emerging market needs or actively create these needs by demonstrating the value of their trademarks to stakeholders. This could involve expanding their engagement with external partners, building stronger connections with alumni networks, or leveraging their branding to attract international students and researchers. The strategy adopted by institutions such as Jagiellonian University can serve as a model for other universities, promoting a uniform standard of trademark management across the country.

In the era of the third-generation university model, there is no doubt that trademark management not only safeguards a university's identity and intellectual property but also fosters a culture of innovation, collaboration, and integration. This approach positions universities as academic and entrepreneurial leaders, enhancing their reputation both domestically and internationally. It aligns with global trends in which universities function not only as academic institutions but also as hubs of innovation and economic activity (Pietrzyk-Tobiasz, 2014).

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