

# Don't mess with Texas<sup>®</sup>

## **DON'T MESS WITH TEXAS<sup>®</sup> LICENSE PROPOSAL INFORMATION**

Thank you for your interest in obtaining a license for the use of the Don't mess with Texas registered mark. The Texas Department of Transportation ("TxDOT") receives many requests for permission to use the Don't mess with Texas mark. **Any and all uses of the mark must be approved by TxDOT.** Please review the following information before submitting a request.

### **Who approves requests to license the DMWT mark?**

TxDOT staff members who coordinate the Don't mess with Texas program process and administer all requests for approving or denying such requests. TxDOT has the legal right and obligation to protect the mark and ensure its proper use, and in doing so has sole discretion to approve or deny any license request.

### **What are the guidelines for developing a proposal?**

- Proposed products should be in good taste and include some clear connection to the litter prevention message, either through communication provided to the consumer or the purpose of the product itself. Example photos, sketches and product samples will be required.
- The proposed product should not contribute to the litter problem through excess or unnecessary packaging.
- The proposed product should not conflict with other messages promoted by TxDOT, including safe driving. For example, product proposals related to alcoholic beverages are not likely to be approved.
- The proposed use of the mark will adhere to all Don't mess with Texas brand parameters as provided by TxDOT. All products bearing the Don't mess with Texas mark must be licensed and approved by TxDOT.

### **What costs are associated with obtaining a license?**

- If TxDOT chooses to enter into a license agreement, costs, including license fees and royalties will be determined upon execution of a license agreement.
- A proposed requestor must fill out and submit the License Request online below. If a requestor cannot submit electronically, the requestor must print this form and mail to:

Texas Department of Transportation  
Travel Information Division  
Attn: Brenda Flores-Dollar  
150 E. Riverside Drive  
Austin, TX 78704  
Phone: 512-486-5904

Fax: 512-486-5909

E-mail: [brenda.floresdollar@txdot.gov](mailto:brenda.floresdollar@txdot.gov)

**DON'T MESS WITH TEXAS® LICENSE REQUEST**

Date: \_\_\_\_\_

Name of requestor, organization or business entity: \_\_\_\_\_

Contact person's name: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Phone number: \_\_\_\_\_ Fax number: \_\_\_\_\_

E-mail: \_\_\_\_\_

Web site address (if applicable): \_\_\_\_\_

Proposed use and purpose of Don't mess with Texas registered mark:

(print, engraving, embroidering, screen print, etc.)

Product description(s): \_\_\_\_\_

Type of packaging for product: \_\_\_\_\_

Proposed plan of distribution and marketing, if applicable: \_\_\_\_\_

Requested term of the license: \_\_\_ 1 year \_\_\_ 2 years \_\_\_ 3 years \_\_\_ years

NOTE: The department may waive or reduce the amount of fees, royalties, or other monetary or nonmonetary value to be assessed if it is determined by TxDOT that the waiver will further the goals and missions of the department and result in a net benefit to the state.

Additional information: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTICE READ BEFORE SUBMITTING**

This is a request to enter into a license agreement with TxDOT for the use of the Don't mess with Texas registered mark. If TxDOT denies the request, a written statement describing the reason for denial will be provided to the requestor. A requestor may appeal a denial of a license request to the executive director or designee by submitting a written request for appeal. The decision of the executive director or his or her designee will be final. Please submit all appeals to:

Don't mess with Texas  
Travel Information Division  
Texas Department of Transportation  
150 E. Riverside Dr.  
Austin, Texas 78704

If the department approves a license request, the requestor will be contacted by the department and the requestor must execute a written license agreement with TxDOT prior to any use of the Don't mess with Texas mark. Approval of this request is preliminary and is not an approval of a license or any terms of the submitted request. All license agreements will contain terms and conditions the department deems necessary to protect the department, including, but not limited to: (1) license term and geographical area; (2) rights granted, including patent-rights; (3) description of products utilizing the trademark; (4) fees or royalties; (5) inspection of licensee's books and records; (6) policing of trademark or copyright infringement; (7) prohibited uses; (8) indemnification of the department; and (9) a non-exclusivity clause.

**PUBLIC INFORMATION**

Requests for the licensure of department intellectual property that is determined to be public information under Texas Government Code, Chapter 552 will be processed in accordance with all applicable laws.