

Policy 8.5

Responsible Executive:
Lesley Slavitt,
Vice President,
Government Relations

Intellectual Property

Web Address

<http://www.roosevelt.edu/Policies.aspx>

Related Documents

IP Policy and Technology Transfer Handbook and related forms can be found here:

www.roosevelt.edu/techtransfer

Implementation

COVERED INDIVIDUALS

This Intellectual Property Policy (•PolicyŽ) applies to all Creators (•AuthorsŽ and •InventorsŽ), defined as faculty (including adjunct and visiting faculty), staff (including student employees), students, post-doctoral fellows, and individuals using Roosevelt facilities and resources.

INTELLECTUAL PROPERTY OWNERSHIP

The result of the creative efforts at the University, in some instances, is the property of

and other scholarly publications, or to such popular novels, poems, musical compositions, or other works of artistic imagination.

(B) Roosevelt Supported Work

A Roosevelt Supported Work is a creative work developed in whole or in part with the customary use of University support, defined as all tangible resources provided by Roosevelt to Authors or Inventors, which may include salary; funding; office, lab, studio space; equipment; and support personnel.

However, Authors own the copyright and other rights associated with Traditional Works of Scholarship. "Traditional Works of Scholarship" are defined as works reflecting research or creativity which, within the University, are considered as evidence of professional advancement or accomplishment. Such works result from scholarly endeavors, and may include instructional materials, journal articles, books, plays, poems, musical scores and artistic works, and do not involve substantial use of University resources. Accordingly, except for (1) Roosevelt Supported Works involving use of substantial University resources, and (2) inventions described in the Ownership of Invented Works section of this Policy, the Author will own the copyright and have the right to register and receive royalties or other external income from a Roosevelt Supported Work. For clarity, the following specific rules apply to these types of Roosevelt Supported Works:

- (1) Research Materials such as lab notebooks and research files are the property of the University but the University will provide full access to the individual responsible for directing the project, except when agreements governing Contractual Works require otherwise. However, should such an individual leave the University or otherwise terminate responsibility for directing the project, he or she where appropriate, will be provided with copies of the research materials.
- (2) Instructional Materials, unless they are Roosevelt Directed works, are owned by the Author and are primarily used for the instruction of Roosevelt students. Such materials may include textbooks, syllabi, lectures, lecture notes, musical exercises, and study guides. No additional consideration will be given to Authors when Instructional Materials are used for the University. Absent a pre-existing conflict, Authors who leave the University will provide Roosevelt with copies of the Instructional Materials (not including lecture notes) and grant a nonexclusive, royalty free license thereto, if it is determined by the University that such Instructional Materials are necessary to

(3) significant use of voice recordings or images of students or staff in a product (other than the Author), or substantial creative contribution by staff or students to the preparation of a work or product; or

On the other hand, copyright ownership of theses or dissertations generated by research that is performed in whole or in part by a student with the support of a sponsor or grant will be determined in accordance with the terms of the sponsored research or grant agreement. In the absence of such terms, the copyright of such theses or dissertations shall be owned by the University.

Software, Patentable Subject Matter and Non-Copyright Intellectual Property: Software, patentable subject matter, and other Intellectual Property (other than copyright for Students as described in this Policy) contained or disclosed in theses, dissertations and other student works will be subject to and governed by the policies that apply to Creators.

Student Writings Other Than Theses or Dissertations: Students will own the copyrights to all student writings not commonly referred to as theses or dissertations and to other creative expressions required in the course of class assignments. The University will retain the right to keep original examination scripts and to possess a copy or record of other student works for purposes such as assigning grades, maintaining archival materials, and record keeping.

In cases where a dissertation, thesis, or other student work contains potentially patentable or otherwise protectable subject matter belonging to the University, the students and faculty involved with the project have a duty to timely disclose the existence of the thesis, dissertation, or other student work to the University office responsible for patent matters.

Ownership Of Invented Works:

Invented Works (defined as patentable and non-patentable inventions or discoveries, computer software, trade secrets and all other intellectual property not addressed as Authored Works in this Policy, •Invented WorksŽ) resulting from faculty or staff use of University resources, or from performance in the course of their University responsibilities, except where such use is minimal, will be solely owned by the University. Whether or not any use of University Resources is •minimalŽ under this Policy is based on the following considerations: (conditions)

- a) Whether the invention was conceived of or reduced to practice pursuant to an Inventor •s job duties;
- b) Whether any funding for the work leading to the conception or reduction to practice of the invention was provided by or facilitated through the University;
- c) Whether any University facilities were utilized in the conception or reduction to practice of the invention, and if so, the extent of such use; and
- d) Whether any University students, faculty or staff were utilized in or contributed to the conception or reduction to practice of the invention.


Questions concerning whether a use of University resources is minimal shall be resolved in accordance with the process set forth in the Dispute Resolution section of this Policy. Each invention shall be promptly disclosed

current U.S. First-To-File rules. Any disclosure of an invention shall contain information in such detail as is deemed necessary by the TPO to allow for a review of its patentability and commercial potential, and shall detail the specific utility or application of the invention. The Advisory Committee on Intellectual Property (the Committee) [who?] will be available to assist in the review of disclosures of inventions, and provide advice and peer group review on issues relating

Recommended by:

Lisly D. Seaman

3/27/13

Vice President, 
Government Relations and University Outreach

Approved by: 