

INTELLECTUAL PROPERTY POLICY

The University of Southern Indiana encourages and supports scholarship and research, technical and creative efforts, artistic or literary works, and other academic and service activities and products of its faculty, staff, and students. As part of the mission of the University, employees and students produce new written materials, and many other expressions of research, creativity, and scholarly activity. These works often involve the rights and rewards of ownership, as well as responsibilities and a need for protection during development; these concerns affect the individuals involved as well as the university as a legal entity. Given the many changes on any campus (faculty and students, technology, funding, etc.), ongoing revision is needed to keep this policy current.

The following are the guiding principles of this policy:

- a. The University encourages the discovery and development of original works and dissemination of knowledge as part of its academic mission.
- b. The University recognizes that the development of original works and the rights to, benefits from, and responsibilities for these works may arise from a variety of efforts.
- c. The University recognizes that ownership and benefit from intellectual property may be multi-faceted and strives to ensure appropriate benefits to all contributors.

A. Applicability

This policy applies to all University of Southern Indiana faculty members (including adjunct faculty and visiting scholars), staff (including ancillary staff), students, and non-employees of the University engaged on a contracted basis.

B. Ownership of Intellectual Property

To guide University employees in their understanding of ownership of intellectual property and to assist in establishing rights and interests in ownership, the following four categories have been established: a. original

c. Externally sponsored works by faculty members or students

Rights to intellectual property developed as a result of work supported by an external agency under a grant or contract shall be determined in accordance with the terms of the contract or agreement, or, in the absence of such terms, shall, (a) in the case of substantial use of University resources, become the joint property of the creator(s) and the University; or (b) in the absence of substantial use of University resources, become the property of the creator(s).

d. Works made for hire

Intellectual property defined as a work made for hire is owned by the University. (See statutory definition in section F). If the University so chooses, it may release a work made for hire back to the creator. For reasons of academic freedom original works by faculty are not considered works made for hire, unless a written contract exists. Works created by staff on their own time are not works made for hire, unless a written contract exists. Works created by staff on their own time are not works made for hire, unless a written contract exists.

