

## POLICY LIT.1.07 INTELLECTUAL PROPERTY

**SCOPE:** Faculty, Staff, and Students

1. The intent of this policy is to safeguard the interests and mission of Lamar Institute of Technology (LIT) while encouraging creative thinking and activity by employees and students.
2. For purposes of this policy, the term “intellectual property” refers to inventions, discoveries, patents, patent applications, scientific or technological developments, and copyrightable instructional materials, regardless of the mode of publication, such as books, articles, study-guides, artistic works, movies, and television programs.
3. Most published scholarly works written by members of the faculty or staff are the property of the author.
  - 3.1. In instances where LIT pays the full or a substantial part of the costs of production and/or publication, such as work produced as part of the employee's designated workload, arrangements concerning the ownership of the copyright and the division of any royalties must be submitted to the college president or the Provost/Vice President for Instruction.
    - 3.1.1. A reasonably complete and detailed disclosure of intellectual property for assigning ownership rights to the college and/or requesting a fair and equitable arrangement for joint ownership for the mutual benefit of the faculty and the college, sharing of royalties or reimbursement to the college of its costs and support must be submitted prior to beginning the work creating intellectual property.
    - 3.1.2. Disclosure of reimbursement figures will be made to all affected employees.
4. Intellectual property unrelated to an individual's employment, appointment or association with LIT that is conceived, created or developed on an individual's own time and without the college's support, funds provided by or through the college, use of college resources, facilities (excluding libraries), equipment, and/or materials shall be deemed the exclusive property of the creator(s)/inventor(s), and LIT shall have no interest in or claim to such property.
5. Intellectual property not considered instructional material that is conceived, created, or developed or that results from research supported by a grant or contract with an external agency or by private gift to Lamar Institute of Technology shall be deemed the property of LIT unless applicable laws or governmental regulations specifically provide otherwise.
6. Faculty, staff and students are free to publish and invent and, subject to the terms stated in this policy, to benefit from publishing and invention.
  - 6.1. Faculty and staff, however, are not to allow their writing or inventing to interfere with their regular assigned duties unless prior arrangements have been made.
  - 6.2. In addition, faculty and staff are required to make a disclosure of intent to publish or

invent prior to beginning the work.

7. The Texas State University System Rules and Regulations contain additional information on the intellectual property rights of faculty, staff and students. In the event of conflict between the provision(s) of this policy and The Texas State University System Rules and Regulations or other System policies, the System rules, regulations, and policies shall govern.

**Related Procedures:**

**Relevant Forms/Documents:**

**Relevant TSUS Policies/Forms/Documents:** TSUS Rules and Regulations, Chapter III System – Component Operations, Section 11. Copyright Policy; TSUS Rules and Regulations, Chapter III System – Component Operations, Section 12. Patent Policy

**Relevant Statutes:**

**Relevant SACSCOC Standards:** 10.4

**Document History:**

*Adopted: June 2010*

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