

INTELLECTUAL PROPERTY

CT
(LOCAL)

INTELLECTUAL PROPERTY	Ownership to all copyrights, trademarks, patents, and other intellectual property rights shall remain with the College District at all times.
STUDENTS	Unless herein stated otherwise, a student shall retain all rights to work created as part of instruction or using College District technology resources.
<u>DEFINITIONS</u>	<p><u>“Incidental Use” is defined as minor utilization of resources commonly encountered in the course of an employee’s daily job. This includes, but is not limited to an individual’s office, office computer, telephone, and library resources.</u></p> <p><u>“Scholarly Works” are defined as works that are created to further scholarly or artistic activity for which no compensation is granted by Collin College. These include but are not limited to manuscripts, scholarly articles, documentaries, website, monographs, works of art, and other research-based productions.</u></p> <p><u>“College District Time” is defined as time an employee spends conducting work that contributes to the course and scope of employment as defined in the assigned job description.</u></p>
EMPLOYEES COLLEGE DISTRICT OWNERSHIP	As an agent of the College District, an employee, including a student employee, shall not have rights to a work he or she creates on College District time or using College District technology resources or College District intellectual property <u>with the exception of Scholarly Works produced with incidental use of college resources.</u> The College District shall own any work or work product created by a College District employee in the course and scope of his or her employment, including the right to obtain copyrights and patents.
EMPLOYEE OWNERSHIP	A College District employee shall own any work or work product <u>not in outside</u> the College District employee’s course and scope of his or her employment, produced on his or her own time, away from his or her job, and with personal equipment and materials <u>and with incidental use of college resources</u> , including the right to obtain patents or copyrights.
PERMISSION	If not in the course and scope of his or her employment, a College District employee may apply to the College District President or designee to use College District materials and equipment in his or her creative projects, provided the employee agrees either to grant to the College District a non-exclusive, non-transferable, perpetual, royalty-free, College District-wide license to use the work, or permits the College District to be listed as co-author or co-inventor if the College District contribution to the work is substantial. Unless stated herein otherwise, College District materials do not include student work, all rights to which are retained by the student.

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<u>DISCLOSURE OF INTELLECTUAL PROPERTY</u>	<u>College personnel endeavoring to produce intellectual property of commercial value shall disclose planned projects by completing the Request for Determination of Intellectual Property Rights Form available through Human Resources.</u>
WORKS FOR HIRE	The College District may hire an independent contractor for specially commissioned work(s) under a written works-made-for-hire agreement that provides that the College District shall own the work product and intellectual property to the work product created under the agreement, as permitted by intellectual property law. Independent contractors shall comply with intellectual property law in all works commissioned.
RETURN OF INTELLECTUAL PROPERTY	Upon the termination of any person's association with the College District, all permission to possess, receive, or modify the College District's intellectual property shall also immediately terminate. All such persons shall return to the College District all intellectual property, including but not limited to any copies, no matter how kept or stored, and whether directly or indirectly possessed by such person.
COPYRIGHT	Unless the proposed use of a copyrighted work is an exception under the "fair use" guidelines maintained by the <u>College District</u> President or designee, the College District shall require an employee or student to obtain a license or permission from the copyright holder before copying, modifying, displaying, performing, distributing, or otherwise employing the copyright holder's work for instructional, curricular, or extracurricular purposes. This policy does not apply to any work sufficiently documented to be in the public domain.
TECHNOLOGY USE	All persons are prohibited from using College District technology in violation of any law including copyright law. Only appropriately licensed programs or software may be used with College District technology resources. No person shall use the College District's technology resources to post, publicize, or duplicate information in violation of copyright law. The Board shall direct the <u>College District</u> President or designee to employ all reasonable measures to prevent the use of College District technology resources in violation of the law. All persons using College District technology resources in violation of law shall lose user privileges in addition to other sanctions. [See BBI and CR]
ELECTRONIC MEDIA	Unless a license or permission is obtained, electronic media in the classroom, including motion pictures and other audiovisual works, must be used in the course of face-to-face teaching activities as defined by law.

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DESIGNATED AGENT	<p>The College District shall designate an agent to receive notification of alleged online copyright infringement and shall notify the U.S. Copyright Office of the designated agent's identity. The College District shall include on its Web site information on how to contact the College District's designated agent and a copy of the College District's copyright policy. Upon notification, the College District's designated agent shall take all actions necessary to remedy any violation. The College District shall provide the designated agent appropriate training and resources necessary to protect the College District.</p> <p>If a content owner reasonably believes that the College District's technology resources have been used to infringe upon a copyright, the owner may notify the designated agent.</p>
TRADEMARK	<p>The College District protects all College District and campus trademarks, including names, logos, mascots, and symbols, from unauthorized use.</p>
COLLEGE DISTRICT- RELATED USE	<p>The College District may grant permission to students, student organizations, parent organizations, and other College District-affiliated college-support organizations to use, without charge, College District and campus trademarks to promote a group of students, an activity or event, a campus, or the College District, if the use is in furtherance of College District-related business or activity. The <u>College District</u> President or designee, in their sole discretion, shall determine what constitutes use in furtherance of College District-related business or activity and is authorized to revoke permission if the use is improper or does not conform to administrative procedures/guidelines or international, federal, and state laws.</p>
PUBLIC USE	<p>Members of the general public, outside organizations, vendors, manufacturers, wholesalers, distributors, and retailers shall not use College District trademarks without the written permission of the <u>College District</u> President or designee. Any production of merchandise or other goods with College District trademarks for sale or distribution must be pursuant to a trademark licensing agreement and may be subject to the payment of royalties.</p> <p>Any individual, organization, or business that uses College District trademarks without appropriate authorization shall be subject to legal action.</p> <p><u>Classroom lectures and classroom materials, including but not limited to recordings, faculty-produced lecture notes, and supplemental materials, are covered by this Intellectual Property policy and are not available for distribution to the general public or for non-Collin College academic purposes.</u></p>