

Ownership of Intellectual Property

Coastal Pines Technical College encourages the development, writing, invention, or production of intellectual property designed to improve the productivity of the college or to enhance the teaching/learning environment. In order that the college may fully utilize all works produced for and provided for its use, an employee or student producing work for the college or its use represents and warrants that such works:

- Do not violate any law;
- Do not violate or infringe any intellectual property right of any person or firm (including right of publicity); and
- Do not libel, defame, or invade the privacy of any person or firm.

Intellectual property refers to creations of the mind: inventions, literary and artistic works, and symbols, names, images, and designs used in commerce. Intellectual property includes, but is not limited to, materials which may be copyrighted, patented, and/or trademarked.

Ownership

Unless otherwise provided in a separate agreement, the college owns all rights to a copyrightable or patentable work created by the employee or student with the support of college resources. Ownership refers to a legally binding agreement specifying the names, party, or parties to whom the intellectual property belongs and who will be attributed as the owners of the intellectual property in the general public. College resources include, but are not limited to, offices, computers, standard office equipment and supplies, libraries, labs, funds, and personnel.

Ownership resides with the employee or student if all of the following criteria are met:

- The work is the result of individual initiative, not requested or required by the college;
- The work is not the product of a specific contract or assignment made as a result of employment or enrollment with the college;
- The work is not prepared within the scope of the employee's job duties or course/program requirements;
- The work is not completed using equipment or resources provided by the college.

Ownership resides with the college if any of the above criteria are not met and/or if any of the following criteria applies:

- The work is prepared within the scope of the employee's job duties or course/program requirements;
- The work is the product of a specific contract or assignment made in the course of the employee's employment or student's enrollment with the college;
- The development of the work involved facilities, time, and/or other resources of the college including, but not limited to, release time, grant funds, college personnel, salary supplement, leave with pay, equipment, or other materials or financial assistance.

Any employee or student of Coastal Pines Technical College must obtain the express written approval of the president prior to the development of intellectual property if there is any question pertaining to ownership.

Copyrighted Material

Literary works, textbooks, works of art, maps, computer software, musical and dramatic works, motion pictures and sound recordings, and other original works of authorship may be copyrighted. In order to be covered by copyright laws, the work must be in some tangible form, and it must be the product of original creative authorship. Ownership of copyrightable works must be consistent with the United States Copyright Law. The burden of obtaining the copyright, patent, license, and/or trade secret rights, including cost, is that of the owner.

Revenue

Revenues derived from the development and creation of college-owned intellectual property are distributed to college revenue funds as determined by the president. In the event that intellectual property is licensed to the originator, the full rights for the copyright, patent, or trademark, and any resulting royalties or profits, shall remain with the originator.

All cases, in which questions arise as to the equities, rights division of revenues, or any other intellectual property-related matter, shall be referred to the College Council for consideration, interpretation of procedure, and decision. Appeal of the decision shall be to the Vice President for Administrative Services, then to the President, and finally to the Technical College System of Georgia (TCSG). Appeals within the college must be made in writing within 30 days of written notice of a final decision. Appeals to the TCSG shall be made in accordance with State Board policy.