

# Asheville-Buncombe Technical Community College (A-B Tech) Policy Manual

## Policy 418: Intellectual Property

It is the policy of the Board of Trustees of A-B Tech Community College ("College") to support and stimulate the development, production and dissemination of intellectual property by its faculty, staff and students. This policy is to protect the College’s interest as well as the interest of any employee, student or contractor in Intellectual Property created using College resources. This protection allows the College and creators of the Intellectual Property to appropriately transfer inventions and other works to the marketplace for the benefit and use of society. The College supports the sharing of Intellectual Property rights with the originator as outlined in the Intellectual Property Procedures. This Policy applies to all works created on behalf of the College by all classifications of the College's faculty, staff and students and to non-employees (i.e., consultants and independent contractors) unless a written agreement to the contrary exists.

## Scope

Unless otherwise provided in a rights agreement, the College owns all rights to Intellectual Property created by an employee inside the normal scope of the work and/or with significant College financial, physical space, time-allowances or other support. A College employee owns all rights to Intellectual Property created outside the normal scope of work and without College resources. Unless otherwise provided in a rights agreement, students retain Intellectual Property rights to original works created within the normal course of academic studies.

## Definitions

Intellectual Property: An intellectual or creative work that merits protection by a copyright, trademark or patent. Examples include literary, dramatic and artistic works, service marks, computer software and inventions.

Normal Scope of Work: An area addressed in the statement of work that describes roughly the work to be done in detail and specifies the hardware and software involved. A statement of work is a formal document that defines the work activities, deliverables, timelines, detailed requirements and standard regulatory and government terms and conditions.

Normal Course of Academic Study: The student’s coursework in a class for which the student has paid tuition and fees ordinarily belongs to the student. This includes papers and other original creative works made by students in the instructional process. In situations when student works are made during the course of employment at the College, or significant use of College resources were used, the ownership of such work must be assigned to the College.

## References

Portions of this policy are taken, with permission, from the same or similar provisions in the policies of Bridgewater College and Washington and Lee University.

Reviewed by Academic Affairs Committee, January 10, 2012

Reviewed by the Executive Leadership Team, January 11, 2012

Reviewed by the College Attorney, January 18, 2012

Reviewed by the Board of Trustees Executive Committee, January 19, 2012

## Policy Owners

Vice President of Operations/CIO, Ext. 7900

Vice President for Instructional Services, Ext. 7900

See Intellectual Property Procedure

Approved by the Board of Trustees on February 6, 2012.