

# PROCEDURE:

## 3.2.1p. Intellectual Property

*Revised: November 20, 2013; November 18, 2014; November 15, 2017; November 20, 2019*

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*Adopted: May 15, 2013*

### I. **PURPOSE**

Ogeechee Technical College is dedicated to fostering an environment that permits the development of intellectual property that improves the productivity of the College and enhances the teaching/learning environment. In order for the College to utilize to the best and fullest extent all works produced for it, and all works provided for its use, anyone producing work for the College and anyone providing work for the College's use, represents and warrants that such works:

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

### II. **RELATED AUTHORITY**

State Board Policy 3.2.1. Intellectual Property

TCSG Procedure 3.2.2p. Development of Patentable Devices/Materials or Copyrightable Materials/Media by TCSG/College Personnel or Students

### III. **APPLICABILITY**

This procedure applies to Ogeechee Technical College.

### IV. **DEFINITIONS**

**Intellectual Property (IP)**: Refers to creations of the mind: inventions, literary and artistic works, and symbols, names, images, and designs used in commerce. Intellectual Property is divided into two categories: Industrial property, which includes inventions (patents), trademarks, industrial designs, and geographic indications of source; and Copyright, which includes literary and artistic works such as novels, poems and plays, films, musical works, artistic works such as drawings, paintings, photographs and sculptures, and architectural designs.

### V. **ATTACHMENTS**

Intellectual Property Disclosure Form

### VI. **PROCEDURE**

#### **Ownership**

When produced as a result of an employee's job (such as online courses) or a student's course/program requirement (such as computer software), with substantial use of

College resources, facilities, or funds, or when release time is provided by the College specifically for the purpose of development, ownership shall reside with Ogeechee Technical College. Destruction or damaging of intellectual property created for the College is considered to be theft or vandalism and will be dealt with as such.

College resources may include, but are not limited to, offices, computers, standard office equipment and supplies, libraries, labs, funds, and personnel.

### **Revenue**

Revenue derived from the development of college-owned intellectual property is distributed to college revenue funds as determined by the Vice President for Administration.

Procedures at Ogeechee Technical College for any employee or student creating intellectual property:

Employees or students whose work at the College gives rise to question of ownership or results that could potentially be patentable subject matter and that could benefit the public through commercial development should submit a Disclosure Form notifying the College of those results.

Each such disclosure will be reviewed by the Vice President for Administration and the Executive Vice President for Academic and Student Affairs who shall together review the Disclosure and make recommendations to the President regarding whether to apply for patent or other legal protection for the disclosed intellectual property. The President will then decide whether to accept, reject, or modify the recommendations.

## **VII. RECORD RETENTION**

All documentation will be maintained in the Office of Institutional Effectiveness.