# FACULTY HANDBOOK REVISIONS

April 2025

# Explanatory Memo

# Chapter Nine: IP Policy

# Dear Colleagues,

# In 2017, the Faculty Handbook Committee formed a subcommittee to look at revising and updating the Intellectual Property (IP) Policy, which was first adopted in 2001. With Elizabeth Townsend Gard serving as chair, the subcommittee has included various members over the years, including Frederick Buttell, Eric Herhuth, Ramgopal Mettu, William Wimley, Patricia Kissinger, Hugh Long, Andrew Corrigan, John Christie, Rick Matasar and Ana Lopez. We worked with Office of the General Counsel and sought input from the Provost on key issues.

# The Faculty Handbook Committee now presents a new IP Policy for your review and adoption. This policy will replace the 2001 policy currently in the Faculty Handbook (Chapter 9, Section 5). The new IP Policy reflects the balance of needs of faculty, students, staff and the University. It is future-forward thinking, and it allows everyone to flourish.

The committee would like to emphasize a few key points:

* The new IP policy takes into consideration new technologies and circumstances. (For example, the 2001 policy does not consider digital and/or online classes.)
* The IP Policy addresses the relationship of ownership of intellectual property between the University, faculty, staff and students. **It retains the tradition of the “teacher exception” to the academic and creative works**, such as scholarly articles and books, and extends the tradition to Course Materials, meaning faculty retain ownership of their Course Materials. The University is granted a non-exclusive license to the Course Materials for limited non-commercial purposes. In the case of a Digital Course, , the faculty retains ownership of Contributed Materials, but the University owns the Digital Course itself.
* The IP policy also addresses the trademark rights, patent rights, and distribution of Net Income derived from IP rights.
* The University may contract with faculty, students or staff to alter the relationship of ownership of IP rights.
* The new IP Policy will not be applied retroactively. The policy includes guidance on how to apply the policy in situations not previously contemplated.

The Handbook committee strongly recommends that the Senate adopt this IP policy and that the IP Policy becomes a standalone chapter in the Faculty Handbook. This will replace the current Chapter 9, Section 5.

In addition to the new IP Policy, the IP Subcommittee also developed a list of FAQs for the University community. These FAQs can be provided on a website updated with new commonly encountered examples as they arise.