Governance and Administration: Intellectual property rights

The institution’s policies are clear concerning ownership of materials, compensation, copyright issues, and the use of revenue derived from the creation and production of all intellectual property. These policies apply to students, faculty, and staff.

Judgment

- Compliant
- Non-Compliant
- Not Applicable

Narrative

Note: Text for all linked documents below can be increased/decreased for ease of reading by pressing your keyboard’s Ctrl key while rotating the mouse wheel.

Angelo State University has clear policies concerning ownership of materials, compensation, copyright issues, and the use of revenue derived from the creation and production of all intellectual property. These policies apply to faculty, staff, and students.

The policies of ASU concerning ownership of materials, compensation, copyright issues, and the use of revenue derived from the creation and production of all intellectual property are defined in Chapter 10 of The Rules and Regulations of the Board of Regents of the Texas Tech University System (Chapter 10, Regents’ Rules). These policies apply to students, faculty, and staff at all component institutions of the Texas Tech University System, of which ASU is a member. ASU OP 56.10, Intellectual Property Rights reflects and further explains the system-wide policies.

The institution’s definition of intellectual property encompasses “all forms of intellectual property including but not limited to inventions, innovations, discoveries, improvements, biological materials, proprietary materials, plants, copyrightable works, trademarks, and tangible research property.” This definition is provided in Section 10.2, Regents’ Rules, along with definitions for some of the specific types of intellectual property identified in the general definition. The definition of intellectual property is disseminated to all ASU faculty, staff, and students via the Intellectual Property and Technology Transfer page on the ASU website, which includes links to Chapter 10 of the Regents’ Rules and to ASU OP 56.10.

Ownership of intellectual property in the TTU System is defined in Section 10.3, Regents’ Rules, which states that “intellectual property made with the use of TTUS facilities or during the course of regularly assigned duties of the faculty and staff shall become the property of TTUS. Those who are subject to this policy shall, upon request, assign all applicable intellectual property to TTUS, except intellectual property which might be owned by third parties pursuant to sponsored research agreements and intellectual property resulting from independent work or approved consulting activities not utilizing TTUS facilities.” The policy goes on to define types of intellectual property that are included in and excluded from the institution’s claim to ownership. For example, “In keeping with academic tradition, and except to the extent required by the terms of any funding agreement, TTUS does not claim ownership to pedagogical, scholarly or artistic works, regardless of their form of expression. Such works include but are not limited
to faculty prepared works such as textbooks, course materials and refereed literature. Such works include those of students created in the course of their education, such as dissertations, papers and journal articles” (Section 10.3.b.1, Regents’ Rules).

The TTU System Office of Research, Commercialization, and Federal Relations is responsible for administering and implementing the intellectual property policies and for assisting and advising faculty, staff, and students in the area of intellectual property rights. Emerging issues and disputes regarding decisions made by the office are handled in accordance with the complaint procedure defined in Section 10.21, Regents’ Rules.

Issues related to potential conflicts of interest related to intellectual property are addressed in Chapter 3, Regents’ Rules (see Section 03.03, Conflict of interest and the board; Section 03.04, Conflict of interest and executive administration; and Section 03.08, Service on outside boards).