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The Training Post

An Educational
Computer Based Training Program

Intellectual Property



**The University of Texas at Dallas
General Compliance Training**

U.T. Compliance Program

The UTD Institutional Compliance Program is intended to demonstrate the absolute commitment of UTD to the highest standards of ethics and compliance with all applicable laws, policies, rules, and regulations. UT System and UTD are obligated to provide all employees with current and adequate information about required standards of conduct. Ethical conduct and compliance are personal responsibilities, and each employee will be held accountable for his or her conduct.

Intellectual Property

- What is intellectual property?
- Copyright: Using another's work
- Who owns intellectual property?
- Where to find out more



What is Intellectual Property?


There are four areas of intellectual property law:

- Copyright: applies to original works of authorship in any tangible medium of expression
- Patent: the right to exclude others from using, making, selling, offering to sell or importing an invention
- Trademark: allows buyers to reliably distinguish a source of goods or services
- Trade secret: information that has economic value because it is not known or readily ascertainable

Intellectual Property

To whom does the policy apply?

 All UTD employees

 Anyone using UTD facilities under the supervision of UTD personnel

 Undergraduate and graduate students

 Postdoctoral fellows



Copyright: Using Another's Work

The UT System has a comprehensive copyright policy that focuses strongly on how we use others' works because we use them constantly. There are Rules of Thumb for the following:

- Reserves
- Coursepacks
- Multimedia Works
- Research Copies
- Distance Learning
- Music
- Image Archives

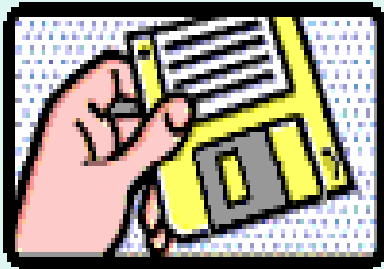


Copyright Rules of Thumb



In this program, we will concentrate on:

- Computer software,
- Classroom copying of books and periodicals, and
- Educational uses of music.



Detailed information on works
NOT included in this program can
be found at The Office of General
Counsel's web-site at
www.utsystem.edu/ogc

Copyright

Rules of Thumb



Computer Software

- Unauthorized duplication of copyrighted software is a violation of federal copyright law.
- All users must abide by all software license agreements.
- Licensed software may be copied only as permitted by the license.
- When in doubt, read the agreement with the software vendor.



Copyright

Rules of Thumb



Classroom Copying of Books & Periodicals

Copies should be limited to:

- Single chapters of books or articles from periodicals
- Several charts, graphs, or illustrations
- Other small parts of a work



Copyright

Rules of Thumb



Educational Uses of Music

Can I copy:

- Entire works of sheet music? Only for performances *and* only in emergencies.
- Sections (units) of sheet music? Only if out of print.
- Student performances? Only for teacher, evaluation, or a student's portfolio.
- Sound recordings? Only one copy for classroom or reserve room.



Copyright

Where can I find out more?



- The examples in the previous slides are by no means a list of all copyright issues facing UTD employees.
- A detailed discussion of the fair use of copyrighted materials and U.T. System's policies can be obtained via the Internet at: <http://www.utsystem.edu/OGC/IntellectualProperty/copypol2.htm>



Copyright

Where can I find out more?



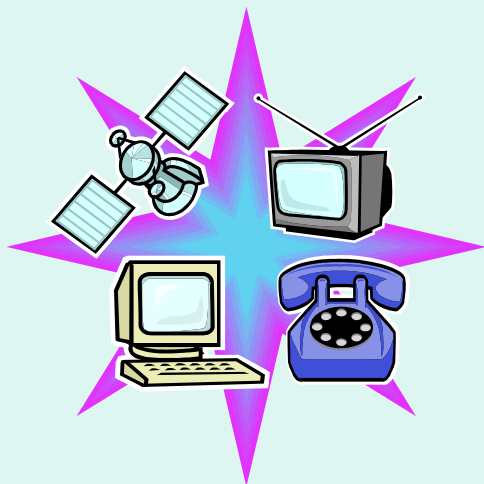
- The U.T. System Policy for the Use and Protection of Information Resources can be obtained at:
<http://www.utsystem.edu/BPM/53.htm>
- The Copyright Act can be viewed at:
<http://www4.law.cornell.edu/uscode/17/index.html>

Copyright

Where can I find out more?



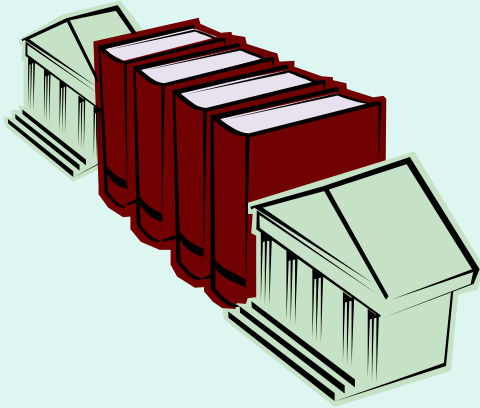
- See UTD's *Policy Memorandum 84-I.3-46* on Copyrighted Materials at:
<http://www.utdallas.edu/utdgeneral/provost/policies.html>
- UTD's Software Copyright Policy available at:
<http://www.utdallas.edu/ir/security/policies/copyright.html>
- Ask your supervisor or contact UTD's Compliance Officer at (972) 883-2240.



Intellectual Property

Who owns intellectual property?

The Board of Regents owns employee-created intellectual property when:





- The work is related to an employee's job responsibilities, i.e., within the scope of employment.
- The work is created on UTD time, with the use of UTD facilities or state financial support.
- The work is commissioned by UTD.
- The work results from research supported by federal funds or 3rd party sponsorship.

Intellectual Property

Who owns intellectual property?

A UTD employee owns intellectual property when:



-  The work is unrelated to his/her job responsibilities and the employee made no more than incidental use of UTD resources.
-  The work is an invention that has been released to the inventor.

Intellectual Property

Who owns intellectual property?

A UTD employee owns intellectual property when:

- The work is a “scholarly work” in the employee’s field of expertise, unless:
 - ◆ the employee was specifically hired or required to create it, or
 - ◆ the work was commissioned by a U.T. System component institution.



Intellectual Property

Who owns intellectual property?

Do I ever have to share royalties or other benefits?



- UTD shares royalties 50/50 with inventors after all patented costs are reimbursed to the University.
- For a list of exceptions to this rule, employees should refer to the U.T. System *Plain English* Intellectual Property Policy: <http://www.utsystem.edu/OGC/IntellectualProperty/ippol.htm>

Intellectual Property

What should I do if I think I've created Intellectual Property, other than a copyrighted work, subject to this policy?

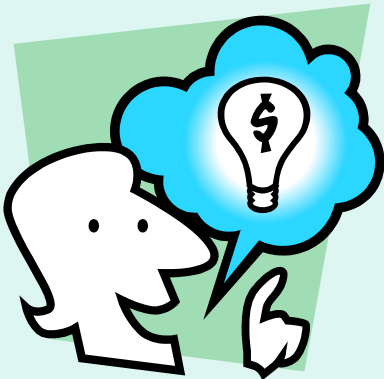
- Disclose your invention to UTD's Technology Transfer Office **BEFORE** you:
 - ◆ present any information at a meeting or conference,
 - ◆ send an e-mail containing any information about the invention or
 - ◆ submit any information about the invention for publication.



Intellectual Property

What should I do if I think I've created Intellectual Property, other than a copyrighted work, subject to this policy?

- Check UTD's Handbook of Operating Procedures for any guidance on the process of disclosure, review and evaluation of inventions.
- You will find UTD's Non-Disclosure Agreement at http://www.utdallas.edu/research/tt/bi_na.htm and an Intellectual Property Disclosure Form at http://www.utdallas.edu/research/tt/rfss_utdforms.htm



Intellectual Property

Where can I find out more?



- The examples in the previous slides are by no means a list of all intellectual property issues facing UTD employees.
- A detailed, easy-to-read discussion of Intellectual Property issues can be found on the Internet at:
<http://www.utsystem.edu/OGC/IntellectualProperty/ippol.htm>
- The official U.T. System intellectual property policy can be viewed at:
<http://www.utsystem.edu/OGC/intellectualproperty/2xii.htm>

Intellectual Property

Where can I find out more?



- See Policy Memorandum 79-I.2-36 on Intellectual Property available at:

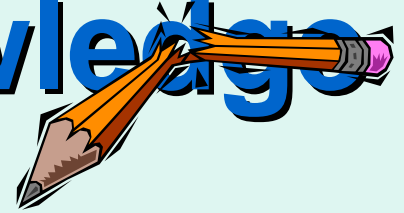
<http://www.utdallas.edu/utdgeneral/provost/policies.html>

Contact the Office of Technology Transfer at 972-883-4567, or at:

<http://www.utdallas.edu/research/tt/index.htm>



Test Your Knowledge



Following are several questions to test your knowledge of the information presented.

Answer all questions correctly to receive credit for the training.



Question #1

A set of copyright guidelines has been created by The U.T. System Office of General Counsel.

TRUE

FALSE

SORRY TRY AGAIN

REVIEW



Question #2

Licensed computer software can be copied as many times as needed, as long as it is for educational purposes.

TRUE

FALSE

SORRY TRY AGAIN

REVIEW



Question #3

Intellectual Property includes:

COPYRIGHTED MATERIALS

INVENTIONS

DISCOVERIES

ALL OF THE ABOVE

SORRY TRY AGAIN

REVIEW



Question #4

The U.T. System Board of Regents owns employee-created intellectual property if the work is created on UTD time and with UTD facilities.

True

False

SORRY TRY AGAIN

REVIEW



Question #5

A UTD employee owns intellectual property if his/her work . . .

**IS UNRELATED TO HIS/HER
JOB RESPONSIBILITIES**

**THE EMPLOYEE MADE NO MORE THAN
INCIDENTAL USE OF UTD RESOURCES**

**Both situations above must exist for a UTD
employee to own his/her intellectual property**

SORRY TRY AGAIN

REVIEW



Question #6

A UTD employee with a new invention should disclose his/her invention to UTD's Technology Transfer Office

**BEFORE HE OR SHE SUBMITS ANY
INFORMATION FOR PUBLICATION**

**AFTER THE EMPLOYEE HAS
PUBLISHED HIS OR HER INVENTION**

SORRY TRY AGAIN

REVIEW



Thank you for completing the questions related to Copyright and Intellectual Property.

Click on the button below to complete this module and receive credit for this course

[Click Here to Receive Credit for This Course](#)

SORRY TRY AGAIN

REVIEW



Congratulations...
you have completed
your training over
Copyright and
Intellectual Property

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End

The Training Post
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