

SUBPART 10-9
INTELLECTUAL PROPERTY RIGHTS AND
ELECTRONIC DISTANCE LEARNING MATERIALS

Sec. 10-901. Purpose of the Policy on Intellectual Property Rights and Electronic Distance Learning Materials. Ferris State University is dedicated to teaching, scholarly activity, and the extension of knowledge and services to the public, particularly the citizens of Michigan. The University community recognizes its responsibility to produce and disseminate knowledge. Inherent within this responsibility is the need to encourage the production of creative and scholarly works and the development of new and useful materials, devices, processes, and other Intellectual Property, some of which may have potential commercial value. These activities contribute to the professional development of the individuals involved, enhance the reputation of the University in which they work, provide additional educational opportunities for students, and promote the public welfare.

The purpose of this Subpart is to (i) protect the rights of both the faculty member and the University and to encourage the creation, offering, and use of quality distance learning programs; and (ii) to inform all employees and students of Ferris State University of their rights and responsibilities whenever the results of their scholarly activity or creative endeavors are patentable, copyrightable, or otherwise commercially marketable.

Sec. 10-902. Intellectual Property Covered by this Policy. This policy covers all Intellectual Property, including anything that is patentable, copyrightable, or otherwise marketable and/or may be protected. This includes, but is not limited to, the following: inventions, books, articles, study guides, syllabi, workbooks or manuals, bibliographies, instructional materials, tests, video or audio recordings, films, slides, transparencies, charts, other graphic materials, photographic or similar visual materials, film strips, multi-media materials, three-dimensional materials, exhibits, computer software, and web courseware or distance learning materials.

Sec. 10-903. Persons Covered by this Policy. This policy applies to all full-time and part-time University faculty, staff, administrators, and adjunct faculty; or anyone acting in the capacity of a faculty member, professional and graduate and undergraduate students, working with or without monetary compensation on any project under the direction and control of the University; and anyone using University facilities or conducting activities under the supervision of University personnel at any location. Notwithstanding the foregoing, this Policy does not cover full-time Board-appointed faculty members that are otherwise covered under the terms and conditions of the Collective Bargaining Agreement.

Contracts and subcontracts shall include language determining the ownership of Intellectual Property that is developed by those working under the terms of the contract or subcontract. This is also true for those hired as independent contractors.

Sec. 10-904. Administration and Interpretation of this Policy. The responsibility for the establishment, administration and interpretation of policies and procedures governing intellectual property rights is delegated to the Vice President for Academic Affairs or his/her designee for all of FSU (including FSU-GR), such responsibility to be exercised in consultation with the General Counsel's office as needed.

Cross Reference:

Academic Affairs Policy, *Intellectual Property Rights and Electronic Distance Learning Materials*

Prior Board Action:

Entire Subpart 10-9 included in October 19, 2001 Codification, Phase I.

Entire Subpart 10-9 included in October 22, 2004 Codification, Phase II.