

CPTC Procedure: Intellectual Property

Coastal Pines Technical College encourages the development, writing, invention, or production of intellectual property designed to improve the productivity of the College or to enhance the teaching and learning environment. In order that the College may fully utilize to the best extent all works produced for it and provided for its use, anyone producing work for the College or its use represents and warrants that such works:

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

Intellectual property refers to creations of the mind: inventions and discoveries, literary and artistic works, and symbols, names, images, and designs used in commerce. Intellectual property includes, but is not limited to, materials that may be copyrighted, patented, and/or trademarked.

Ownership

Unless otherwise provided in a separate agreement, the College owns all rights to all works produced by or for the College, including a copyrightable, patentable, or trademarkable work created by an employee or student with the support of College resources. Ownership refers to a legally binding agreement specifying the names, party, or parties to whom the intellectual property belongs and who will be attributed as the owners of the intellectual property to the public. College resources include, but are not limited to, offices, computers, standard office equipment and supplies, libraries, labs, funds, and personnel. Employee, as used in this procedure, means any full-time or part-time, contractual, or non-contractual employee of Coastal Pines Technical College. Student, as used in this procedure, means any student officially enrolled at Coastal Pines Technical College.

Ownership resides with the employee or student if all of the following criteria are met:

- The work is the result of individual initiative, not requested or required by the College;
- The work is not the product of a specific contract or assignment made as a result of employment or enrollment with the College;
- The work is not prepared within the scope of the employee's job duties or course/program requirements;
- The work is not completed using equipment or resources provided by the College.

Ownership resides with the College if the work fails to meet any of the above criteria and/or if any of the following criteria applies:

- The work is prepared within the scope of the employee's job duties or course/program requirements;
- The work is the product of a specific contract or assignment made in the course of the employee's employment or student's enrollment with the college; or
- The development of the work involved facilities, time, and/or other resources of the College including, but not limited to, release time, grant funds, college personnel, salary supplement, leave with pay, equipment, or other materials or financial assistance.

Destruction or damaging of intellectual property created for the College is considered theft or vandalism and will be dealt with per College procedure.

Any employee or student of Coastal Pines Technical College must obtain the express approval of the President prior to the development of intellectual property if there is any question pertaining to ownership.

The burden of obtaining the copyright, patent, or trademark for any intellectual property, including cost, is that of the owner.

Revenue

Revenue derived from the creation and development of College-owned intellectual property is distributed to College revenue funds as determined by the President or Vice President for Administrative Services and in accordance with State Board policy and procedure.

In the event that intellectual property is licensed to the originator, the full rights for the copyright, patent, or trademark, and any resulting royalties or profits, shall remain with the originator.

All cases in which questions arise as to the equities, rights, division of revenues, or any other intellectual property-related matter, shall be referred to the College Council for consideration, interpretation of procedure, and decision. Appeal of the decision shall be to the Vice President for Administrative Services, then to the President, and finally to the Commission of the Technical College System of Georgia (TCSG). Appeals within the College must be made in writing within 30 days of written notice of a final decision. Appeals to the Commissioner of TCSG shall be made in accordance with State Board policy.

Responsibility

The Vice President for Academic Affairs has the overall responsibility of ensuring this procedure is implemented.

Adopted: April 28, 2014

Reviewed: February 13, 2024