# 500.525 INTELLECTUAL PROPERTY POLICY

The principle is hereby recognized that there are usually three interests involved in connection with the ownership of intellectual property as it relates to Wenatchee Valley College. These three interests are represented by the creator of intellectual property, the college, and the public whose taxes and gifts support the college.

## A. INTELLECTUAL PROPERTY RESULTING FROM TEACHING AND\OR RESEARCH

### 1. The ownership of any materials, invention, or processes produced solely for the college, at college request, and at college expense with the use of district resources shall be deemed college-owned and be copyrighted or patented, if at all, in its name. This provision shall apply to all materials, inventions or processes that were produced as part of the employee’s regularly compensated duties.

### 2. Joint college and employee ownership: If a employee uses district resources to produce copyrightable materials which are not necessary to fulfill the employee’s regularly compensated duties, ownership of the materials shall be designated in a written agreement entered into prior to production. It shall be the employee’s responsibility to initiate this agreement with their immediate supervisor. Reasonable cooperation in obtaining the agreement on behalf of both parties is implied.

## B. INTELLECTUAL PROPERTY RESULTING FROM SUPPORT BY AN OUTSIDE AGENCY

Conditions regarding rights in materials or restrictions on copyrighter patent privileges contained in sponsored grants, contracts, or other awards are binding on the college and employee

## C. INTELLECTUAL PROPERTY RESULTING FROM PERSONAL OR PRIVATE EFFORTS

The college shall have no vested interest in *intellectual property* clearly resulting from personal or private efforts and developed by a person, without cost or expense to, or use of facilities, equipment or staff of the college. Such *intellectual property* may be voluntarily offered by its creator to the college.

## D. RIGHTS OF STUDENTS

Except in the case of works written or produced for hire, and subject to any restrictions imposed by outside sponsoring or funding organizations, a student of the college who writes or produces any work shall have exclusive rights thereto, including the ownership of copyright therein.

## E. WORKS MADE FOR HIRE

### 1. Except for works produced or written for hire, any publishable materials produced by a member of the faculty or staff of the college shall be exclusive literary property of the author, if produced without the use of college facilities, equipment or staff. The author may obtain copyright or dedicate the work to the public as she/he chooses, subject to any restriction imposed by sponsoring or funding agencies not under college control.

### 2. Works produced or written “for hire” are defined as manuscripts, software or other materials produced by persons who are engaged by the college specifically to produce such manuscripts or works, or released from other work to produce such materials. The college shall be the sole proprietor of any work done “for hire,” and may make such disposition of resultant materials as it may choose. Works specifically ordered by the college or commissioned for use, such as a contribution to a collective work, as a translation, as supplementary work, as a compilation, as in instructional text, as a test, as an answer material for a test, or as an atlas, shall be considered a work made for hire. Borderline determinations should be documented through agreement between the developer of the intellectual property and the college president or designee.

### 3. Intellectual property developed by faculty or staff with normal use of college facility, equipment or staff as part of the normal teaching or teaching related use or job assignment shall not be considered as done “for hire.” Such intellectual property is owned by the employee who created it. Wenatchee Valley College, however, retains continuous rights to use this creation and all subsequent updates to it.

Revised (renumbered from 000.400)

Adopted by the board of trustees: 6/13/01

Last reviewed: 9/5/19

Policy contact: Human Resources

Related policies and procedures

 500.100 [Standards of Employee Conduct Policy](https://www.wvc.edu/humanresources/policies-procedures/500-human-resources/500.100-standards-of-employee-conduct.html)

 500.115 [Ethical Conduct/Conflict of Interest Policy](https://www.wvc.edu/humanresources/policies-procedures/500-human-resources/500.115-ethical-conduct-conflict-of-interest.html)