

OWNERSHIP OF INTELLECTUAL PROPERTY

The Intellectual Property Policy of Bay Path University establishes criteria concerning the development, use, ownership, management, and marketing of intellectual property. This policy applies to all persons employed by the University and to students at the graduate and undergraduate levels. The policy applies to any invention, discovery, technology, creation, development, or other form of expression of an idea that arises from the activities of such persons, whether or not the subject matter is protected under the patent, trademark, or copyright laws, and includes the creation of curriculum, curricular support materials, software, internet/web-based materials, and any and all other multimedia courseware and/or materials. Students and those employed by the University and using University facilities while creating intellectual property in collaboration with institutions, corporations, and other organizations outside the University must notify their Academic Department Chair, Academic Program Director, or the Dean of Undergraduate Studies, respectively. Notification must be in writing and cover the scope, intent and outcome of the work.

If the intellectual property results from work done wholly on the individual's own time and without any University support, the inventor, author, or creator retains all rights of ownership, and the ownership of intellectual property rights resides in the inventor, author, or creator. Generally, theses and dissertations (and other projects and assignments) completed as requirements in degree programs and scholarly publications fall in this category.

When intellectual property results from work or other activity occurring during time for which the employee is compensated by the University or while using University facilities, materials, systems or equipment, or with any University support, stipend, reimbursement or any other form of compensation, Bay Path University shall own by automatic assignment all rights of ownership in the intellectual property. While theses, dissertations (and other projects and assignments), and scholarly publications are excluded from this category, the University shall retain all rights of ownership and the intellectual property rights for the creation of curriculum, University programs of study, courses, and other means of teaching/learning regardless of delivery means or format.

Faculty, staff and students may petition for a waiver of the University's intellectual property rights by submitting a detailed letter outlining the reason for the petition, specific activity to be excluded, a description of the project and the involvement of the petitioner, and any outside affiliations of the project to the Dean. If the University determines in its sole discretion not to exploit its interest in the intellectual property, the creator will be notified in writing by the University that it is formally waiving its ownership interest in the work. The creator will thereafter be free to do with the intellectual property as they determine. In such instances, the University may, at its option, reserve a non-exclusive royalty-free license to use the intellectual property for research and teaching purposes. If the University desires to exploit its interest in the intellectual property, the creator shall assign all rights to Bay Path University in writing as and when requested by the University.