

WGTC 6.17

Intellectual Property

The College encourages the development, writing, invention, or production of intellectual property designed to improve the productivity of the College or to enhance the teaching/learning environment.

Intellectual property includes, but is not limited to, any copyrightable subject matter or material(s), patentable inventions, online courses, computer software or materials, or works of art that might be normally developed on a proprietary basis. Intellectual property also includes the common meaning, definition, and description of intellectual property as established by the Copyright Act (Title 17 of the United States Code). Intellectual and creative works that can be copyrighted or patented, such as literary, dramatic, musical and artistic works, computer software, multimedia presentations, inventions, etc., are “intellectual property.”

Unless otherwise provided in a separate agreement, the College owns all rights to a copyrightable or patentable work created by the employee or student with College support. The ownership of a copyright or patent resulting from the development of intellectual property and any rewards or recognition attributed to the copyright or patent will be determined according to the following conditions:

Ownership resides with the employee or student if 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 program requirements.
- The work is not completed using equipment or resources provided by the College.

Ownership resides with the College if the above criteria are not met and/or if the following criteria apply:

- 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.
- The development of the work involved facilities, time, and/or other resources of the College including, but not limited to, released time, grant funds, College personnel, salary supplement, leave with pay, equipment, or other materials or financial assistance.

Ownership refers to a legally binding agreement specifying the named party or parties to whom the intellectual property belongs and who will be attributer as the owners of the intellectual property in the general public. College resources include, but are not limited to, offices, computers, standard office equipment and supplies, libraries, labs, funds, and personnel.

In order to be able to utilize to the best and fullest extent all works produced for it and all works provided for its use, anyone producing work for TCSG and college units and anyone providing work for their use must represent and warrant that such works:

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

Reference: State Board Policy 3.2.1.
<https://www.tcsg.edu/tcsgpolicy/files/3.2.1.pdf>

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