

INTELLECTUAL PROPERTY

The faculty and administration believe that the public interest is best served by creating an intellectual environment whereby creative efforts and innovations can be encouraged and rewarded, while still retaining for the College and its learning communities reasonable access to, and use of, intellectual property the creation of which has been fostered by the College.

Judson supports the development, production, and dissemination of intellectual property by its faculty, staff, and students.

WORKS CREATED BY FACULTY OR STAFF

Intellectual property created, made, or originated by a faculty or staff member shall be the sole and exclusive property of the faculty, author, or inventor, except as he or she may voluntarily choose to transfer such property, in full, or in part.

Judson shall own copyright only in the following three circumstances:

1. The College expressly directs a faculty or staff member to create a specific work, or the work is created as a specific requirement of employment or as an assigned institutional duty that may, for example, be included in a written job description or an employment agreement.
2. The author has voluntarily transferred the copyright, in whole or in part to the institution. Such transfer shall be in the form of a written document signed by the author.
3. The College has contributed to a “joint work” under the Copyright Act. The institution shall have joint ownership under this clause when it has contributed specialized services or facilities to the production of the work that go beyond what is traditionally provided to faculty members generally in the preparation of their course materials. Any waiver or assignment by the College of its rights in a joint work shall be in writing signed by the president or senior vice president. A co-owner of a joint work shall not obligate the College for fees, costs, or expenses in connection with the registration or marketing of a joint work.

As a condition of employment, unless otherwise agreed by the College in writing, a faculty or staff member who uses his or her intellectual property in the course of his or her employment (for example, in a course or seminar taught by the author) shall be deemed to have granted the College a non-exclusive, non-transferable, royalty-free license for such use of the work.

WORKS CREATED BY STUDENTS

Any work created by a student solely in that capacity shall be the exclusive property of the student. A student shall be deemed to have granted the College a non-exclusive, non-transferable, royalty-free license to display any work used by a student in College course work unless such a license will impede scholarly publication or similar activities and the student has given the professor or instructor written notice that a specific work may not be displayed.