



CALIFORNIA STATE UNIVERSITY CHANNEL ISLANDS ADMINISTRATIVE POLICY MANUAL

<Academic Affairs>

Approved By: <Office Use Only>
<Office Use Only>

Policy Number: SP 04-41

Effective Date: <Office Use Only>

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Policy on Intellectual Property (Interim)

Purpose: To define an interim policy on Intellectual Property outlining faculty, staff, student, and university rights and responsibilities and to establish the Office of Research and Sponsored Programs Advisory Committee as a temporary “Advisory Committee on Copyrights and Patents.”

Background: CSU Executive Order 644 delegates to CSU campus presidents the responsibility of defining Intellectual Property for the campus:

“... presidents should ensure that campus policies addressing intellectual property are current and comprehensive. After review of the intellectual property policies on the campus, presidents are encouraged to submit them for review by the Office of General Counsel.”

The CSU-CFA Collective Bargaining Agreement (Article 39) specifies:

“this Memorandum of Understanding encourages the allocation of intellectual property rights so as to optimally support the mutual interests of the university, faculty, staff and students.”

The campus currently does not have a policy to define the intellectual property rights of faculty, staff, and students. The development of such a policy will involve cross-campus dialogue between the Vice-President for University Advancement, the Vice-President for Finance and Administration, the Provost/ Vice-President for Academic Affairs, the Dean, and the President. Since the campus has already engaged in and will continue to engage in the creation of intellectual property, this policy is proposed to provide guidance until a permanent policy on Intellectual Property can be established.

Accountability: Academic Affairs, Finance and Administration

Applicability: Faculty, Staff, and Students.

Policy:

The following policy is adapted from CSU Long Beach Senate Policy 95-08:

http://www.csulb.edu/divisions/aa/grad_undergrad/senate/documents/policy/1995/08/

In the time period until a permanent Intellectual Property Policy is approved by the President or until June 30, 2006, whichever comes first, the review of individual cases with the potential for patents and copyrights shall be conducted by an Advisory Committee for Patent and Copyrights (ACPC). The ACPC shall be appointed by the AVP for Research and Sponsored programs and will have at least one member of the Office of Research and Sponsored Programs Advisory Committee (ORSPAC). CSUCI employees should consult with the ACPC whenever there is any question about policies or procedures regarding the creation of intellectual



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property and shall disclose to the University through ACPC all patentable discoveries or inventions made by them while under hire or contract for employment in the University, whether or not in the performance of their regular and special assignments in the University, through a formal Invention Disclosure Application.

The ACPC is charged to:

- (1) review each disclosure of discovery or invention submitted by a University employee under the provisions of this policy;
- (2) formulate a recommendation to the Provost regarding the University's interest in the discovery or invention based on the employee's use of University facilities and equipment;
- (3) as necessary, make recommendations concerning University policies on discoveries, inventions, and patent matters in consultation with the Provost/ Vice-President for Academic Affairs, Dean of the Faculty, the Vice-President for University Advancement, and the Vice-President for Administration and Finance and submit any recommendations to the Academic Senate; and
- (4) provide a formal recommendation to the Provost on royalties to be paid to inventors.

All ACPC recommendations regarding individual cases of invention or discovery will be sent to the Provost, who will in turn confer with the President of the University on those items requiring assertion of University rights to intellectual property.

The provisions of this policy will expire at the end of the 2005-2006 fiscal year (June 30, 2006). ORSPAC is charged with overseeing the development of a permanent policy to be submitted to the Academic Senate in time to be approved before its last meeting of 2005-06.