

**University of the Pacific**  
**Unit Protocol for the Intellectual Property Policy**  
**School of Engineering and Computer Science**

Approved by the Engineering Council: March 28, 2003  
Approved by the Dean of Engineering and Computer Science: March 28, 2003  
Approved by the Dean of Research and Graduate Studies: \_\_\_\_\_ (date)  
Approved by the Provost: \_\_\_\_\_ (date)

## **I. DEFINITIONS**

School/College definitions of the following:

1. "Academic Works" includes the definition from Section II C in the UOP Policies Related to Intellectual Property document as well as:

Compensated consulting which may include creation of software, feasibility studies, production of prototypes, gathering and collection and analysis of data, manufacturing of systems and devices, preparation of user manuals and other written documents.

2. "Customary Support" for faculty and staff in the unit includes:

- Use of discipline specific standard equipment and software provided in teaching labs in the School of Engineering and Computer Science
- Technician support
- Support staff support

3. "Significant University Resources" includes the definition from Section II D in the UOP Policies Related to Intellectual Property document as well as:

Equipment and/or software not normally provided in teaching labs in the School of Engineering and Computer Science whose cost is over the normal operating budget for that area

4. "Incidental Use" for faculty and staff in the unit refers to:

Use of equipment, software or staff provided through customary support of the unit already in place primarily for the instructional mission.

5. "Course" includes the definition from Section II E in the UOP Policies Related to the Intellectual Property document, where the "organized body of information" can include:

- Lab experiments, instructions and results
- Specialized software developed
- Hardware designs, machinery and equipment developed

## **II. COPYRIGHT POLICY**

Although the University retains the rights to courses, the faculty holds the copyright to the *components* of courses, which in the School of Engineering and Computer Science includes those components noted in Section III-C of the University of the Pacific Policies Related to Intellectual Property document (lecture notes, slides, handouts, electronic presentations, demonstrations, case books) as well as hardware built specifically for the course, software tools developed and problem sets. These are products of a faculty member's efforts used to fulfill the educational objectives of courses.

The Dean of the School of Engineering and Computer Science must approve any instance in which a faculty member uses components of courses for the delivery, at any other educational institution or in any other educational program, of a course that is similar to any course taught at the University.

Unless specified otherwise and approved in writing by the Dean of the School of Engineering and Computer Science in advance, visiting scholars and faculty will be subject to the same provisions of this policy and unit protocols as regular University personnel during the period they are associated with the University.

### Patents:

University policy utilizes the definition in law for patents and inventions and other related terms. For example, the law defines a patent as a novel and useful idea relating to processes, machines, manufactures, and compositions of matter.

## **III. ROYALTIES**

Negotiations involving royalty distribution will be between the faculty member and the Dean of the School of Engineering and Computer Science. Disputes that remain after faculty-dean negotiations are reviewed and resolved by the Provost.

## **IV. ADMINISTRATIVE MATTERS**

A. Determination of property rights in the School of Engineering and Computer Science will be made through consultation with the faculty member, the chair of the faculty member's department and the Dean of the School of Engineering and Computer Science. The Dean will make final decisions. Appeals of the Dean's decision will be conducted through the procedures described in the University of the Pacific Policies Related to Intellectual Property.

B. All faculty, staff, student employees, graduate students and post-doctoral fellows, volunteer and other employees or non-University employees are covered by the Policy. They are required to execute the University of the Pacific Copyright and Patent Agreement.

C.All departments within the School of Engineering and Computer Science are expected to obtain a written agreement from the non-employees of the University that ownership of institutional works is assigned to the University.

Approved by:

\_\_\_\_\_  
Unit Dean

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Date

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Dean, Research and Graduate Studies

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Date

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Provost

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Date