

**Manhattan Area Technical College
Institutional Policy and Procedure Manual**

Policy No. 4.1.4

Title: Intellectual Property	
Originated by: Vice President of Student Success/CAO	Originated Date: 8/2023
President/Board of Directors Approval Date: 8.28.23	
Revised by:	Revised Date:
Reviewed on:	

Policy Statement:

The College is dedicated to encouraging innovation, creativity, and effectiveness in serving students and the community, and the College expects its employees to comply with all laws and policies and procedures governing the creation and use of intellectual property.

Rationale:

The purpose of this Policy is to define ownership interests of Inventions and Materials developed by MATC employees, contractors, and agents.

Definitions:

"Inventions" means all devices, discoveries, processes, methods, uses, products or combinations, whether or not patented or patentable.

"Materials" means all tangible and intangible work product; discoveries; inventions; improvements; documentation; techniques; methodologies; data; works of authorship; designs; ideas; solutions; instructional (textbooks, course content, tests, homework, etc.), literary, artistic, dramatic works; software (code, games, etc.); sound, visual, audiovisual, film or other recordings or transcriptions in any format; and all other materials, published or unpublished, in hard-copy or electronic form.

"College Supported" means Inventions or Materials created in whole or in part: (1) in conjunction with the normal course of College duties for the employee, agent, or contractor (i.e., works made for hire); (2) during MATC recognized work time, overtime, sabbatical leave, or other MATC-granted leave with pay or partial pay; (3) with the assistance of grant money obtained by the college; or (4) with the assistance of equipment, material, software, information, or other financial or non-financial resources which are more than nominal owned or supplied by MATC.

"Commissioned Works" means Inventions or Materials specifically contracted for by the College.

Procedure:

I. Ownership

Unless otherwise specified in a contract (including grant awards), the legal title to College Supported Inventions and Materials is co-owned by the college and the original inventor, whereas the right to any related proceeds shall be held by MATC.

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When appropriate, formal statutory copyrights will be obtained for College Supported Inventions and Materials in the name of MATC. In the case of patents, all applications shall be accompanied by appropriate assignments to assure ownership by MATC.

- II. Inventions and Materials Developed during Outside Consulting Work
Inventions and Materials made or developed by College employees for third party organizations, without the use of any College resources, shall not be considered College Supported or Commissioned, and all proceeds to such Inventions and Materials shall remain with the individual.

- III. College Use of Income from Copyright and Invention Proceeds
Income derived by the College from College Supported Inventions and Materials will be used at the discretion of the college.

- IV. Releases
Employees, contractors, and agents shall be responsible for obtaining appropriate written releases from individuals contributing to or identifiable in College Supported Inventions and Materials. Written statements may also be obtained from employees, contractors, or agents indicating that to the best of their knowledge, Inventions and Materials developed do not infringe on existing copyrights or other legal rights.

- V. Transfer of Rights
The College may at its discretion assign, transfer, lease, or sell all or part of its legal rights in College Supported Inventions and Materials.