Copyright & Intellectual Property

Developed by
The University of Texas at Dallas
Office of Research
Why is training on copyright & intellectual property important?

It’s the law!

We must follow these laws and policies:

• United States Copyright Law of 1976
• Code of Federal Regulations, Title 37, Part 401 (inventions resulting from federally sponsored research)
• UTDPP1043 - Policy Regarding Photocopying Copyrighted Materials
• UT System Regents Rules and Regulations, Rule 90101: Intellectual Property: Preamble, Scope, Authority

It applies to everyone:

“Everyone” means more than faculty and staff. It also includes:

• Students
• Anyone using UT Dallas facilities under the supervision of UT Dallas personnel
What do we mean by “Intellectual Property”?  

Intellectual property can be covered by any of these legal areas:

**Copyright:** original works of authorship in any tangible medium of expression

** Patent:** the right to exclude others from using, making, selling, offering to sell or importing an invention

**Trademark:** allows buyers to reliably distinguish a source of goods or services

**Trade secret:** information that has economic value because it is not known or readily ascertainable

For example, intellectual property could be:

- An original work of art
- An invention
- A logo that is unique to a brand
- A scientific discovery
Copyright laws apply to things we do constantly at UT Dallas.

For example:
- Installing and using software
- Making course reserves available
- Distributing course packs
- Giving students access to music and image archives
- Making copies of articles for research
- Delivering content through online/distance learning
- Displaying/presenting works in a classroom

This training will give you general principles, but it doesn’t cover everything. Consult UTSystem’s comprehensive copyright policy for things not covered here.
Use and distribute software legally.

Unauthorized duplication of copyrighted software is a violation of federal copyright law.

- All users must abide by all software license agreements.
- Licensed software may be copied only as permitted by the license.
- When in doubt, read the agreement with the software vendor.
Follow the rules when copying books/periodicals for the classroom.

Copies should be limited to:

- Single chapters of books or articles from periodicals
- Several charts, graphs, or illustrations
- Other small parts of a work
Follow the rules for educational uses of music.

You can copy music only under certain circumstances:

• Entire works of sheet music **only** for performances and **only** in emergencies.
• Sections (units) of sheet music **only** if out of print.
• Student performances **only** for teacher, evaluation, or a student’s portfolio.
• Sound recordings as long as it’s **only one copy** for classroom or reserve room.
Researchers should pay special attention to intellectual property laws.

There are laws and policies governing the disclosure, evaluation, and protection of your inventions.

This training will give you general principles, but it doesn’t cover everything. Consult UT System’s comprehensive intellectual property policy for things not covered here.
Ownership of intellectual property depends on certain criteria.

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<th>Owner of Intellectual Property</th>
<th>When the work meets any of these criteria:</th>
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| The Board of Regents          | • Is related to an employee’s job responsibilities. For example, if it is within the scope of employment or research field.  
• Is created on UT Dallas time, with the use of UT Dallas facilities, or state financial support.  
• Is commissioned by UT Dallas.  
• Results from research supported by federal funds or third-party sponsorship. |
| The UT Dallas Employee        | Is unrelated to his/her job responsibilities, and the employee made no more than incidental use of UT Dallas resources.  
Is an invention that has been released to the inventor.  
Is a scholarly work in the employee’s field of expertise unless:  
• The employee was specifically hired or required to create it, or  
• The work was commissioned by a UT System component institution. |

Shared royalties

- UT Dallas shares royalties with inventors after all patented costs are reimbursed to the university.  
- For a list of exceptions to this rule, refer to the UT System Plain English Intellectual Property Policy.
If you think you’ve created intellectual property...

Disclose your invention to the UT Dallas Office of Technology Commercialization **BEFORE** you:

- Present any information at a meeting or conference
- Send an e-mail containing any information about the invention
- Submit any information about the invention for publication
- Send invention-related chemical or biological materials outside the university.

If you reveal key information about your intellectual property before disclosing to the Office of Technology Commercialization (OTC), avenues we have to protect your work could be put at risk. Contact us early on and we can guide you through the process of disclosure, evaluation, and protection of inventions.
This training module is always available at the UT Dallas Office of Institutional Equity and Compliance website.

If you have questions, contact us:
Office of Technology Commercialization
otc@utdallas.edu
972-883-2792

Policies

UT System
• Intellectual property policy (Plain English)
• Rule 90101: Intellectual Property: Preamble, Scope, Authority

UT Dallas
• UTDPP1002 - Intellectual Property Policy
• UTDPP1043 - Policy Regarding Photocopying Copyrighted Materials

Laws
• United States Copyright Law of 1976
• Code of Federal Regulations, Title 37, Part 401 (inventions resulting from federally sponsored research)