

17.01.99.R0.01 Intellectual Property

Approved January 14, 2014
Next Scheduled Review: January 14, 2019



Procedure Statement

This procedure provides guidance in complying with policy and regulation as directed by The Texas A&M University System with regard to intellectual property.

Reason for Procedure

This procedure implements the requirements of System Policy 17.01, *Intellectual Property Management and Commercialization*, and System Regulation 17.02.02, *Technology-Mediated Instruction*. This document is established to set forth the procedures for Texas A&M University-Commerce pertaining to intellectual property that are consistent with the A&M System's policies and regulations and applies to all persons employed by A&M-Commerce (including, but not limited to, full and part-time faculty and staff and visiting faculty members and researchers), and anyone using university facilities or university resources including but not limited to, students enrolled at the University whether undergraduate or graduate, as well as pre- and post-doctoral fellows.

Procedures and Responsibilities

1. GENERAL

- 1.1 A&M-Commerce is dedicated to teaching, research, and the extension of knowledge to the public. The University recognizes and encourages the publication of scholarly works and the creation/development of copyrightable/patentable inventions and materials. Such activities: a) contribute to the professional development of the faculty, staff, and students involved; b) enhance the reputation of the institution; c) provide additional educational opportunities for participating students; and, d) promote the general welfare of the public at large.

- 1.2 A&M-Commerce recognizes and encourages the publication of scholarly works as an integral part of the processes of teaching, research, and service. Frequently, through individual effort and initiative, faculty, staff, and students develop articles, pamphlets, books, and other scholarly works that have commercial potential. Creative and scholarly works and inventions that have commercial potential may be protected under the laws of various countries that establish rights called "Intellectual Property," a term that includes patents, copyrights, trade secrets, trademarks, plant variety protection, and other rights.

Such IP often comes about because of activities of university personnel who have been aided wholly or in part through use of the facilities at A&M-Commerce. It becomes significant, therefore, to insure the utilization of such IP for the public good and to expedite its development and marketing. The rights and privileges, as well as the incentives, of the authors, creators, or inventors, must be preserved so that the use of their abilities and the abilities of others at A&M-Commerce may be further encouraged and stimulated.

- 1.2 The A&M System has established an [*Intellectual Property Management and Commercialization Policy, 17.01*](#), which all employees of the A&M System are required to follow. The policy addresses the “ownership and management of intellectual and tangible research property.”

2. INVENTIONS, PATENTS, LICENSING, AND COPYRIGHT PROCEDURE

- 2.1 When and if any A&M-Commerce researcher/employee believes that he/she may have a product fitting the definition of intellectual property, must disclose that IP through their department head, dean, and the A&M-Commerce Office of Research and Sponsored Programs (ORSP), to the A&M System Office of Technology Commercialization (OTC). The OTC licenses inventions, discoveries and other System-owned intellectual property to private industry for public benefit.

- 2.2 The [*Commercialization Proposal/Invention Disclosure Form*](#) should be used to disclose all inventions, copyrightable work and tangible research property to the OTC. This form can be found on the ORSP website.

Related Statutes, Policies, or Requirements (Required)

System Regulation 17.01, [*Intellectual Property Management and Commercialization*](#)

System Regulation 17.02.02, [*Technology-Mediated Instruction*](#)

[*Office of Technology Commercialization Disclosure Form*](#)

Contact Office

Office of Research and Sponsored Programs
903-886-5159