









- b. Covered Persons. Unless otherwise defined for use in a specific section below, members of the University, including faculty, staff, students, and researchers, who are engaged in research, development, or creative activities, and who are not Clients or other external parties whose relationship with the University is governed by written contracts between those third parties and the University.
- c. Copyrightable Material. Copyrightable Material may be in written, electronic, graphic, audio, visual, audio-visual or in any then-existing formats.
- d. Copyrights. A copyright is a form of protection granted under federal copyright law to authors of original works of authorship (including computer programs), scholarly works, dramatic works (including any accompanying music), musical works (including any accompanying words), pantomimes and choreographic works, pictorial, graphic, and sculptural works, motion pictures and other audiovisual works, sound recordings, and artistic and other forms of intellectual works. Holders of Registered Copyrights may restrict use by others of the copyrighted work, in a number of ways defined by current U.S. Copyright Law, as amended.
- e. Creator. Covered Persons and Collaborators, if any, who develop IP which is subject to this policy.
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purposes. Significant use exists when resources are provided beyond the customary professional, technological and technical support supplied by the University and extended to Covered Persons for development of a project or program. Therefore, if Alvernia University resources were the enabling factor or substantially contributed to the creation of a work or invention beyond Normal Support (see above), then such use constitutes Significant Use of University Resources. By way of illustration, if participation of students directly, or indirectly through use and feedback, substantively influences development of such works, then such participation constitutes Significant Use of University Resources. Some examples of Significant Uses of University Resources include, but are not limited to, the following, subject to the exclusions set forth in the definition of Normal Support: use of research or other funding to create the Intellectual Property; assistance of support Staff in creating the Intellectual Property; and use of University Facilities, including laboratory equipment or instrumentation, to create the Intellectual Property. By way of further explanation, Significant Use of University Resources excludes incidental or minimal use of University resources, such as University facilities that are available without charge to the public or use of resources or facilities where fees for such use (excluding tuition) have been paid. If the creator of Intellectual Property makes significant use of the services or facilities of the University to create any work, including Scholarly Works, he or she should disclose the work to the Director and the Provost.

- u. Staff. For the purpose of this Policy, personnel who are not Faculty but who are employed by the University, whether full-time or part-time employees, temporary or permanent, or personnel engaged under contract or other arrangement granting them access to the University Resources



word, symbol, design, phrase, or combination thereof, used to identify and distinguish the source or sponsor of services. Another form of trademark is trade dress: This is the characteristic of the visual appearance of a product or its packaging that signifies the source or sponsor of the product to

7. Trade Dress. Trade dress is a trademark that is a non-functional design or feature of a product or its packaging that identifies the source of the product to consumers. Trade dress can be a trademark if it is distinctive and non-functional. Trade dress is a trademark that is a non-functional design or feature of a product or its packaging that identifies the source of the product to consumers. Trade dress can be a trademark if it is distinctive and non-functional.

- z. Trade Secrets. A trade secret is confidential commercial information, such as a formula, giving one who possesses the lawful right to use it, a competitive advantage. For a trade secret to be protectable, the owner must take reasonable steps to keep it secret.
- aa. University Facilities. University Facilities include all areas on the University campus and other locations rented or arranged by the University. Locations of seminars and academic events hosted by the University qualify as University Facilities for the purposes of this Policy.
- bb. Websites. Text and images posted on the Internet and accessible using Domains, links or hashtags, including social media.
- cc. Work Made for Hire. Work Made for Hire, as defined in the United States Copyright Act, 17 U.S.C. Section







publication of the works as directed by the Provost and enforcing the Copyrights; and (iii) sign  
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therein.

## INVENTIONS AND PATENTS

Covered Persons include Faculty, Staff and Students. The procedure utilized in reviewing Inventions and potential Patents and Patent Rights shall be as follows:

- 1) A Covered Person or Covered Persons who obtain results or develops an idea, machine or process which might qualify as an Invention and/or for a Patent must contact the Director and @ )
- 2) Such Invention Disclosure shall be made sufficiently in advance of any publications, presentations, or other public disclosure to allow time for possible action to protect rights in and to the Invention. Such disclosure and information related to any potential Invention should not



The following shall apply to Inventions developed by Faculty, Staff or Students who are Covered Persons at the University and any Patents and Patent Rights related those Inventions:

- 1) The University shall have a non-  
all Inventions developed by Faculty, Staff or Students who are Covered Persons at the University in the course of teaching or research at the University or involving any Significant Use of University Resources. The University, through the Director, shall have the right to manage the exploitation of such Inventions (including decisions regarding the patenting thereof) as expressly provided in this IP Policy.
- 2) More particularly, the University will retain the University Interest in all Inventions together with



The procedure for commercialization and exploitation of Assigned Patent Rights and Retained Patent Rights.

- 1) The IP Committee (with the approval of the Provost) shall determine, on behalf of the University, in their sole discretion, if an Invention, whether or not patentable, should be commercialized or exploited and shall direct and control such commercialization and exploitation.
- 2) If the IP Committee determines that an Invention should be commercialized, the Director shall provide such assistance to the Assignees, as the Director deems appropriate, including, in appropriate cases, referrals to organizations that can improve the Invention, provide





4) The University is prohibited from using the names and Trademarks to

Trademarks in any written, electronic or other material to indicate that the University provides, sponsors or approves of any products or service(s) of any other person, institution or business without the express written permission of the Provost.

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