

	<b>Florida Gulf Coast University</b> Policy Manual	<b>Policy: 2015</b>  <b>Approved: 12/13/2017</b>
	<b>Title:</b> <b>Student Created Intellectual Property</b>	<b>Responsible Executive:</b> Provost and Vice President for Academic Affairs <b>Responsible Office:</b> Sponsored Research

**A. POLICY STATEMENT**

Florida Gulf Coast University, as part of course work and degree programs, encourages research endeavors and original creative activities. Such work may lead to the development of new scholarship, works and inventions which stimulate learning and may lead to the discovery of new knowledge. Students are encouraged to develop Intellectual Property as part of their course work and should benefit from their efforts including securing, when applicable, patents, trademarks, or copyrights on their Intellectual Property, as individuals or in collaboration with the team of individuals that worked on the Intellectual Property.

**B. REASON FOR POLICY**

This policy provides criteria when Intellectual Property is created by a Student as part of a credit-bearing course or for degree requirements, or through Independent Efforts, so that the Student shall retain interest in the Intellectual Property.

**C. APPLICABILITY AND/OR ACCOUNTABILITY**

The policy applies to all enrolled Students.

**D. DEFINITION OF TERMS**

1. Independent Efforts: Intellectual Property developed from ideas originating from or developed with the Student and developed without the use of appreciable University support.
2. Intellectual Property: All intellectual property including but not limited to Works and Inventions.
3. Invention: Any discovery, invention, process, composition of matter, article of manufacture, know-how, design, model, technological development, strain, variety, culture of any organism, or portion, modification, translation, or extension of these items, and any mark used in connection with these items.

4. Student: All persons admitted to the University or taking credit-bearing courses at or through FGCU, either full-time or part-time, degree-seeking or non-degree-seeking, on campus, through distance learning or as part of an international program.
5. University Support: Includes the use of University funds, personnel, facilities, equipment, materials, or technological information and includes such support provided by other public or private organizations when it is arranged, administered, or controlled by the University.
6. Work: Any copyrightable material, such as publication or printed material, computer software or databases, audio and visual material, circuit diagrams, architectural and engineering drawings, lectures or presentations, musical or dramatic compositions, choreographic works, pictorial or graphic works, and sculptural works.

## E. PROCEDURES

1. A Student shall retain all interest in Intellectual Property when the Intellectual Property is developed as part of a credit bearing course or as part of degree requirements, there is no faculty involvement in the work other than that which is typical as the faculty responsible for the management of the course, the student does not otherwise receive a stipend or other compensation for developing the Intellectual Property. A Student shall retain all interest in Intellectual Property when the Intellectual Property is developed through Independent Efforts. Intellectual Property may be shared in those cases where the concerned parties established a written agreement, resulting from collaborations in the development of the Intellectual Property.
2. The following exception shall apply upon the request of the creator(s): the University shall determine ownership of works created from research or developmental activities that are collaborative efforts involving more than one student, several students among courses, student(s) working with a faculty research mentor(s) or spanning several semesters.
3. The Student gives the Florida Gulf Coast University a nonexclusive royalty-free license to mark on, modify, retain the work as may be required by the process of instruction, or otherwise handle the work as set out in this policy or in the course syllabus. The University does not have the right to use the work in any other manner without the written consent of the Student.


### *Related Information*

BOG 1.001, University Board of Trustees Powers and Duties

### *History of Policy*

New

**APPROVED**

  
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Michael V. Martin, President

December 13, 2017  
Date