

UC Copyright Ownership Policy Recommendation Summary

<p>Recommendations from the <i>Final Report of the SLASIAC UC Copyright Ownership Policy Working Group, Oct. 2014</i></p>	<p>SLASIAC Standing Subcommittee on Copyright Policies (SSCP) – Responses and Actions</p>
<p>1. Expand the class of employees that are allowed to own their Scholarly/Aesthetic Works. Revise the policy to allow all job titles (including faculty, graduate students and staff) to own the scholarly/aesthetic works they create.</p>	<p>Draft wording to describe who’s included in the class of UC employees that own their own copyright, and how (and perhaps when) to exclude represented employees.</p> <p><i>Revision draft:</i> Designated Academic Appointees: <u>Includes all Academic Appointees who are engaged primarily in instruction and/or research, and whose University duties include Those University employees who have a general obligation to produce scholarly/ aesthetic works. Included are all appointees in the Professor series, In-Residence series, and the Professional Research series. Appointees in other academic titles may also be designated by the appropriate Chancellor or Vice President as having the obligation to produce scholarly/aesthetic works.</u></p> <p><u>Represented employees (those who are members of a union) are governed by the union agreement with the University.</u></p> <hr/> <p>Draft a working definition of a scholarly/aesthetic work”</p> <p><u>“Work” includes lecture notes, case examples, textbooks, works of nonfiction, novels, lyrics, musical compositions/arrangements and recordings, journal articles, scholarly papers, poems, architectural drawings, software, visual works of art, sculpture, and other artistic creations, among others, regardless of the medium in which those works are fixed or disseminated.</u></p> <p>[Based on Univ of Michigan: http://spg.umich.edu/policy/601.28]</p>
<p>2. Clarify “use of University resources,” either by defining “exceptional use” or providing examples of “incidental use” (or both).</p>	<p>Draft a definition of incidental university resources.</p> <p>Incidental University Resources: The usual support generally available to similarly</p>

	situated faculty members such as: customary administrative support, library facilities, office space, personal computers, access to computers and networks, and academic year salary.
3. For <i>non-software, traditional scholarly writings</i> (e.g., articles, books, translations) where the University holds the copyright under the policy, the University automatically grants back ownership to the author (subject to any obligations to third parties, such as the agencies that provided the research funding), rather than requiring the authors to affirmatively request title.	May not be necessary. Policy already has a “Release of University Rights” section (Sec. C).
4. Clarify that the University would only assert ownership if more than “incidental” University resources are used.	Still needed. See section III. A. 7.
5. UC should consider adopting a mechanism to assure that the university receives a return on its investment when commercially-oriented copyrightable works (or other copyrightable works) are developed. SLASIAC discuss whether, regardless of ownership, the University should receive an appropriate return on its investment in faculty-owned copyrighted works that enjoy unusual levels of commercial success.	The SSCP does not recommend. It seems impossible to define or administer, and feasible only in very narrow circumstances.