

POLICY AND PROCEDURES

POLICY NAME: Intellectual Property	POLICY NUMBER: 3.1.5	CATEGORY: Governance
RESPONSIBLE EXECUTIVE: President	APPROVAL AUTHORITY: BOARD OF GOVERNORS	EFFECTIVE DATE: OCTOBER 6, 2023
NEXT FULL REVIEW DATE: October 5, 2028	REVISED: OCTOBER 24, 2023	REPLACES:

Purpose

Coquitlam College (the College) recognizes and values the intellectual contributions and creative endeavors of its faculty, staff, and students. This policy outlines the principles, rights, and responsibilities related to intellectual property generated within the college community.

Scope

This policy applies to all employees and students while engaged in their assigned duties and obligations or while under written agreement with the College.

Policy Statements

1. The College encourages, promotes and fosters innovation, creativity, discovery, and the generation of IP by its employees and students.
2. The College is committed to ensuring that IP rights are recognized, respected, and legally protected from unauthorized use or infringement.
3. Intellectual property created by faculty and staff as part of their employment responsibilities, using college resources, or resulting from sponsored research agreements shall be considered college-owned, except for the following cases:
 - Intellectual property created entirely on the faculty and staff member's personal time and without the use of college resources.
 - Scholarly and creative works such as books, articles, artistic creations, and similar works that are not produced as part of employment duties and are not directly related to sponsored research agreements.
In these cases, the intellectual property remains the property of the creator.
4. Any Indigenous Traditional Knowledge shared by First Nations, Metis, and Inuit communities within the delivery of College courses will remain the IP of the respective community, unless specifically gifted to the College.
5. The College owns IP created by an employee if:
 - a. the IP is created using College resources;
 - b. the IP is created in the course of employment or under a contractual relationship with the College; or
 - c. the College has commissioned the creation of the IP.
6. The College does not own IP created by an employee if:
 - a. The College has entered into a written agreement to the contrary.
 - b. The IP is created during non-College-related activities, such as outside employment.

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- c. The IP is an original work of scholarship, such as a journal article, textbook or other academic publication, or a conference paper or presentation.
 - d. The IP is from research funded by grants awarded to the employee as an individual researcher.
7. Intellectual property created by students as part of their coursework, independent research, or with the use of college resources shall generally be considered the property of the individual student. However, the college may have a non-exclusive right to use and display such student-created intellectual property for educational and promotional purposes, with proper attribution to the student creator.
8. If the College assigns a licence or partial ownership of IP to another party, the parties shall enter into a written agreement specifying how the costs of protecting, defending, and marketing the IP will be shared, and how revenues will be shared. The arrangement should reflect each party's contribution of resources.
9. Faculty and staff, and students are encouraged to voluntarily disclose any potentially valuable intellectual property created within the college community. This includes inventions, innovations, research findings, and creative works that may have commercial or non-commercial value.
10. The College recognizes that the creation of intellectual property is valuable aspect of the academic and creative endeavors of its faculty, staff, and students. This policy reflects our commitment to the responsible management and protection of intellectual property while acknowledging the rights and contributions of the creators within our academic community.
11. Faculty, staff, and students must adhere to ethical and legal standards when creating, using, or disseminating intellectual property. Plagiarism, copyright infringement, or any form of intellectual property misappropriation is strictly discouraged.

Procedures

12. Employees and students of the College are encouraged to discuss matters of IP ownership, use, and control with the President prior to embarking on any College-related assignment, project or undertaking that would result in the creation of IP. Whenever necessary, a written agreement or letter of understanding should be agreed upon by the College and the employee to provide transparency and manage expectations with respect to ownership, use and control of any IP.
13. Where a person ceases to be an employee or student of the College, this policy continues in effect with respect to the IP created by that person while affiliated with the College.
14. Where an employment relationship with the College ends, it is the employee's responsibility to ensure that all IP created by them in the course of their employment, and owned by the College, is transferred to the College and not destroyed.

Definitions

College Resources: Any materials, equipment, facilities, sites, services, or personnel owned or employed by the College.

Employee: An individual who is employed by the College on a full-time, part-time, permanent, temporary or contract basis.

Intellectual Property: Intellectual property refers to creations of the mind, including but not limited to inventions, discoveries, research, scholarly works, publications, artistic creations, and digital content. This policy covers a wide range of intellectual property, including patents, copyrights, trademarks, trade secrets, and other forms of intellectual creations.

Student: A person who is enrolled as a student at the College in credit or non-credit courses.

Related Documents

[2.4.8 Copyright Policy](#)

[Copyright Act \(R.S.C., 1985, c. C-42\)](#)