

Policies and Procedures

TITLE: INTELLECTUAL PROPERTY

POLICY NO: 4-5

EFFECTIVE DATE: 02/10/2009

VCCS POLICY NO: [**12.0**](#)

REVISED DATE: 05/21/2020

I. Purpose:

To establish the process for the recognition, notification, protection, ownership, use, and commercialization of intellectual property, and any royalties or other income derived therefrom.

II. Definitions:

Intellectual property: includes, but is not limited to, any material defined within one or more of the following categories:

- a potentially patentable machine, production, composition of matter, process, or improvement in any of these
- an issued patent
- a legal right which is part of a patent
- anything that is copyrightable

III. Policy:

The college will operate under the system-wide rules for intellectual property as provided for in Section 12 of the *Virginia Community College System (VCCS) Policy Manual*.

The vice president of finance and administration is the intellectual property policy administrator who will carry out the provisions of the Intellectual Property Guidelines, as promulgated in Section 12.0.0 of the *VCCS Policy Manual*.

The intellectual property policy administrator shall be assisted by an appropriate college committee in implementing the policy, as stated in Section 12 of the *VCCS Policy Manual*. The college president will appoint a college committee. Insofar as possible, the committee membership will reflect expertise in the intellectual property identified.

Under state law, unless a waiver or other written agreement exists between a creator and J. Sargeant Reynolds Community College (Reynolds), the college is required to claim an interest in any intellectual property produced as an assigned duty, having significant market value, and produced through the substantial use of state resources, facilities, or funds, which is defined as \$10,000 or greater, in value.

The college usually does not claim an interest in dissertations or theses, classroom materials produced as part of usual or routine teaching duties, any intellectual property produced without

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any actual out-of-pocket cost to the institution, or materials produced by students as part of course requirements making only incidental use of college resources.

The college does not claim an interest in literary works (poems, plays, novels, essays, musical scores, etc.), unless the creator made substantial use (\$10,000 or greater value) of college resources, or was hired, assigned, or directed to write the work.

IV. Procedures:

Early identification of the potential creation of intellectual property is encouraged. Creators of intellectual property will make themselves known to the intellectual property policy administrator by providing a brief written description of the property.

With the assistance of an ad hoc Intellectual Property Committee and the creator, the intellectual property policy administrator will evaluate the property in accordance with the VCCS policy and make recommendations to the college president as to its disposition.

Disputes with the recommendations of the intellectual property policy administrator will be resolved through submission of a petition to the college president prior to signing a contract between the college and the involved parties. The petition will state the grounds for an appeal and a proposal for a different determination. The decision of the college president will be final.

V. Other Information: N/A