

# THE UNIVERSITY OF ALABAMA IN HUNTSVILLE

## COPYRIGHT POLICY

<b><u>Number</u></b>	07.03.02
<b><u>Division</u></b>	Office of Technology Commercialization (OTC)
<b><u>Date</u></b>	1994
<b><u>Purpose</u></b>	UAH supports the creation and dissemination of scholarly and/or creative works. In particular, the university recognizes and reaffirms the right of its faculty and staff to publish the results of their intellectual or creative labor without undue restriction. At the same time, where institutional resources are significantly involved in the production of a copyrightable work, the university has equities in it that must be

In those instances in which resources of a particular department, center, laboratory, or other university unit are to be used in developing the copyrightable material, the copyright agreement between the university and the employee shall provide for internal distribution of a designated percentage of the university's share of royalty income to such unit. The university may waive or release any or all of its rights to a copyrightable work in an appropriate case.

The name and/or logo of the university may not be used in connection with the publication, display, or distribution of a work where the copyright is in the name of an employee, except upon prior approval of the university or except to show the employee's affiliation with the university.

The senior vice president for research has the responsibility for administering the principles and policies stated herein. Actual implementation shall be handled primarily by the patents and copyrights administrator and the Patents and Copyrights Committee.

All university employees should report to the administrator any copyrightable work of his or her own in which the university has or may have an interest. Such reports must be made at the earliest point at which the likelihood of institutional interest becomes reasonably apparent. It is the intent of these policies that, wherever possible, determination of equities, income distribution, and other rights be made before the completion of the copyrightable work.

The employee and the patents and copyrights administrator will determine the classification of the work under these policies, the respective equities of the parties to be reflected in a sharing of royalties or other financial arrangement, and any rights in regard to revision or withdrawal of the work and the use of the university name and logo. Agreement on these issues shall be reduced to writing in the form of a copyright agreement to be executed by the employee and an authorized university representative.

If the employee and the administrator cannot reach agreement, the matter will be submitted to the Patents and Copyrights Committee. The committee will review all the relevant circumstances and recommend to the senior vice president for research on all issues requiring determination. In the event the employee is not satisfied with the decision of the senior vice president for research, appeal may be made to the president, whose decision is final.

The administrator provides advice and assistance in copyright and related matters to university employees upon request. Those responsible for carrying out programs that may generate copyrightable materials with significant support by the university or a sponsor should seek clarification in advance from the administrator concerning all questions of equities, copyright ownership, and rights as to such material.

### **Definitions**

For the purpose of this policy, the following definitions shall apply.

**(a) Copyright:** Grant to an author of a copyrightable work or other copyright proprietor, of the exclusive right to publish, reproduce, distribute, sell, perform, or display the work.

**(b) Copyrightable work:** Any original work of authorship in tangible form, including written works, such as books, journal articles, study guides, manuals, syllabi, lecture notes, programmed instructional materials, proposals, musical and dramatic compositions; pantomimes and choreographic works; pictorial, graphic and sculptural works, such as fine, graphic and applied art, photographs, prints, art reproductions, maps, globes, charts, technical drawings, diagrams, and models; films, filmstrips, and other audiovisual works; sound recordings; and computer programs. U.S. copyright protection for works created on or after January 1, 1978, begins at creation and lasts until fifty years after the author's death. If the creator of the work is an employee or in cases where the work has been specially commissioned as instruction, as a test, or answer material for a test, copyright protection lasts for 75 years from the date of first publication or 100 years from the date of creation of the work, whichever date expires first. Copyright protection covers both published and unpublished works. That a work is out of print does not affect its copyright. Copyright begins at the moment the work is created according to the Copyright Act of 1976, 17 U.S.C. § 102.



Copyright Disclosure Form

<http://www.uah.edu/otc/for-uah-inventors/forms>

UAH Policy on Income from Patents, Inventions, and Discoveries

<https://www.uah.edu/images/administrative/policies/07.03.03->

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