**Intellectual Property Policy at NAU- A Simple Synopsis of ABOR and University Policy**

**Office of the Provost**

**October 2013**

Questions have surfaced recently about ABOR/NAU policy regarding intellectual property as it pertains to scholarly, instructional and creative works by faculty. The following is a summary of the key elements of NAU and ABOR intellectual property policy. NAU operates within the parameters of ABOR policy (6-908). This synopsis is not comprehensive and is offered as a general clarification of current policy and practice; there have been no changes to the policy since August of 2010.

Scholarly works (6-908 sections A, D, F):

* + NAU does not own, but retains a *non-exclusive* right to royalty free use for educational or other purposes which further the mission of the university.
  + Works of fine art, unless commissioned by NAU, also fall under this category.
  + Creator may make written request to university Intellectual Property Officer for the assignment of ownership and copyright from NAU to the Creator .
  + NAU will generally grant assignment of ownership to Creator of works.
  + NAU will retain *non-exclusive* right to royalty free use of such works for educational or public service purposes.

This means that faculty creators/authors may use their scholarly works at their own discretion, such as for publication, presentation or sale.

Other Works (6-908 sections A, D, F) :

Other works are created within the course and scope of employment, commissioned by university, or created using significant university resources, or patentable inventions/intellectual property. Unless there is an authorized written agreement setting forth different terms:

* + NAU owns such works

If an authorized written agreement is entered into between NAU and the Creator which grants the Creator the ownership rights to work created in the course of university obligations or commissioned by the university, in accordance with ABOR policy, still retains the right to use such work without paying royalties for educational or public service purposes.

Instructional materials and online course materials represent work created within the scope of employment. Instructional materials, course syllabi, and online courses are used for educational and/or public service purposes such as:

* Provide syllabi to orient and develop new and part-time faculty
* Ensure course level coordination
* Promote coordinated curricular design around collectively determined (shared) learning outcomes
* Archive syllabi and other course materials to serve students in cases where there has been an unanticipated change of instructors (e.g. leave, sabbatical and other discontinuities)
* Facilitate articulation with other institutions

NAU Intellectual Property Policy: <http://nau.edu/Research/NAU-Innovations/IP-Policy/NAU-IP-Policy/>.