Intellectual Property Policy
ADM 4.0
Office of Academic Affairs

Policy Type: Institutional
Applies to: Faculty, staff, student employees, students, volunteers, and UMU Affiliates.

POLICY DATES

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Reviewed by: Stephen Craig

As a learning community, the University of Mount Union ("UMU") works to fulfill its mission "to prepare students for fulfilling lives, meaningful work and responsible citizenship." The community embraces the entrepreneurial mindset, creativity and innovation. To support innovation, this Intellectual Property Policy ("Policy") has been adopted as a mechanism to help identify, protect, communicate, and commercialize innovation resulting in possible monetary rewards for the innovator at UMU.

UMU does not desire to take automatic ownership of faculty, staff, student employees, students, volunteers, entities connected to UMU's innovation. However, given the expense, time, connections and expertise required to bring a concept from an idea through research and development, intellectual property protection, and ultimately commercialization, UMU strongly encourages innovators to have an open discussion with the Office of Academic Affairs to discuss any innovations. Office of Academic Affairs welcomes and encourages communication with UMU constituents to discuss any questions regarding this Policy or any intellectual property issues. Please contact the Vice President for Academic Affairs.

Through this Policy, UMU uses commercially reasonable efforts to comply with applicable intellectual property federal, state, and local laws and regulations, including without limitation, the American Jobs Creation Act of 2004, Bayh-Dole Act of 1980, Cooperative Research and Technology Enhancement Act (CREATE ACT), Trademark Revision Act, U.S. Patent Act, and Visual Artists Rights Act.

Definitions

Term	Definition
Intellectual Property	This includes any innovation, invention (whether patentable or not), discovery, research, improvements, modifications, copyrights, trademarks, know how, trade secrets, and proprietary information.
UMU Affiliates	This means with respect to any specified person or entity, any other person or entity which controls, is controlled by, or is under common control with UMU. For purposes of this Policy, "control" and its variants shall mean the direct or indirect ownership of more than fifty percent (50%) of the voting stock of a person or entity. Industry partners are not considered Affiliates under this policy unless that partner meets the definition of "control" stated herein.
UMU Innovators	This means all persons, including faculty, staff, students, volunteers, and all UMU Affiliates.
AI-Assisted Work	Human-created works that incorporate or are informed by generative AI outputs but for which the human originator maintains substantive intellectual contribution, curation, or authorship.
Institutional Materials	Any content created as part of assigned duties, contracted work or using substantial UMU resources, including course templates, multimedia, assessments, and online courses.
Jointly-Developed Content	Content created collaboratively by two or more UMU Innovators, or between UMU and external partners.
External AI Tools	AI tools not approved by UMU IT and not owned and controlled by UMU

Policy Details

I. Policy Purpose

This Policy establishes the University of Mount Union's standards for identifying, protecting, managing, and commercializing intellectual property produced by members of the UMU community, while safeguarding academic freedom, supporting innovation, and ensuring appropriate stewardship of institutional resources.

II. Who and What is Covered?

University of Mount Union Innovators ("UMU Innovators") shall be covered under this policy. UMU Innovators under this Policy shall mean all persons, including faculty, staff, student employees, students, volunteers, and all UMU Affiliates.

III. What Intellectual Property is Excluded from this Policy?

UMU prides itself on being fair and supportive of the UMU community. With this in mind, UMU will not take any ownership claim for any Intellectual Property resulting from a UMU Innovator in any of the following situations:

A. UMU Innovators who create or conceive any Intellectual Property and/or explore commercialization efforts using minimal or no UMU resources (time, resources, or facilities). Some nonlimiting examples of minimal resources include thirty minutes of consultation time with a professor or working on a hobby in a student's dorm room using UMU's internet connection.
B. UMU Innovators who obtain a release, waiver or assignment from an authorized representative as designated by the University President.
C. Copyrightable works such as articles written for publication in academic journals and textbooks, fiction and non-fiction work, software, etc. unless it is a specific UMU project.
D. As a general rule, faculty own the content they create within the LMS, except as otherwise provided in a written agreement with the University. Faculty-developed LMS course content will not be reused, redistributed, or modified without the permission of the faculty developer unless:

    - They are ensuring instructional continuity during an unplanned instructor absence
    - Meeting contractual or compliance obligations
    - Addressing legal, accreditation, academic integrity, or student rights matters

    This policy does not apply to specific course elements that were created collaboratively with the intent to be shared such as program-approved rubrics, key assessments, or other standardized elements required across multiple sections of a course. This policy also does not apply to a course's syllabus, which is classified as an institutional record and needed to maintain accreditation.

Each situation will be analyzed on a case-by-case basis by the Assistant Dean of Academic Affairs, who shall consult with appropriate administrators and the relevant department chair or program director, when possible.

IV. What Intellectual Property is Covered by this Policy?

UMU will exclusively own any Intellectual Property in the following situations:

A. Intellectual Property created or conceived substantially using UMU facilities or resources.
B. Intellectual Property created or conceived substantially as part of a UMU project, including collaboration with a third party.
C. Intellectual Property created or conceived substantially under the UMU Innovator's scope of employment.

"Substantial" use of UMU facilities or resources means that the Intellectual Property could not have been created or conceived without the UMU facilities or resources.

V. UMU's Relinquishment of Ownership Rights

UMU will notify the UMU Innovator (s) within 120 days after receiving all information necessary for disclosure if it decides not to pursue protection or commercialization for any innovation falling under Section IV of this Policy. In such cases, UMU will transfer its ownership rights to the UMU Innovator(s) in writing, but will maintain a perpetual, non-exclusive, world-wide, royalty free license for academic and research purposes.

VI. Artificial Intelligence and Intellectual Property

UMU recognizes that generative AI tools are increasingly used in teaching, learning, research, and creative work. To support innovation while safeguarding intellectual property, the following principles apply:

A. **Ownership of AI-Assisted Works**
When a UMU Innovator uses generative AI tools to assist in producing content and the Innovator makes a substantive intellectual contribution, the resulting work is considered the Innovator's intellectual property unless it was created using substantial UMU resources or within the scope of assigned duties.

B. **Use of UMU Content in External AI Systems**
UMU content, including any information protected by FERPA, confidential institutional data, student work, personally identifiable information, or copyrighted institutional assets, may not be uploaded into, or used to train, external AI tools without prior approval from Academic Affairs and IT. This restriction applies even when an AI provider offers a "Do Not Train" or similar option. The presence of such settings does not constitute UMU approval, nor does it ensure compliance with institutional, legal, or accreditation requirements. Only AI systems formally vetted and authorized by UMU may be used with institutional content. Improper usage of external AI will be reported to the VPAA.

C. **AI Tool Terms of Service and Risk Management**
Innovators are responsible for understanding the intellectual property risks associated with using AI tools, including licensing, training data issues, and public disclosure risks that may jeopardize future patentability.

D. **Transparency and Disclosure**
UMU Innovators should disclose the use of generative AI in the creation of scholarly, instructional, or commercial works when appropriate to ensure that ownership, licensing, and commercialization pathways are clearly defined.

PROCEDURE

I. Inventions & Procedures

A. The Importance of Early Disclosure
It is of great importance to submit invention disclosures to the Office of Academic Affairs as soon as possible by completing the Invention Disclosure Form found here:
UMU Invention Disclosure Form. United States patent law is now a first-to-file system. Because of the first-to-file system, the sooner innovations are disclosed to the Office of Academic Affairs for consideration, the more expeditiously UMU can act on those disclosures to obtain the earliest patent filing date as is reasonably possible. It is also of great importance not to disclose any inventions prior to submitting a patent application. Many foreign countries require that patent applications be filed prior to disclosing the invention, even if such disclosure is through published research papers. The United States patent system allows a one-year grace period from any public disclosure or offer for sale before filing a patent application. Many foreign countries do not provide a grace period. Public disclosures occur when the UMU Innovator tells someone their idea without a confidentiality agreement in place. Examples include presentations in the classroom, displays at trade shows, posting pictures and descriptions on social media or publication in a newspaper or academic journal. Please email or return a hard copy of completed Invention Disclosure Forms to Office of Academic Affairs, Vice President for Academic Affairs.

B. UMU recognizes that the results of research and scholarly works may be published in journals, textbooks or periodicals. This could also include software products. UMU does not intend for the Policy to prohibit this; however, it does reserve the right to delay any publication if it deems publication would jeopardize patent rights or other Intellectual Property rights.

C. Inventor Cooperation
When UMU determines to seek protection of any invention through patent(s) or other Intellectual Property, UMU will, without expense to the UMU Innovator(s), provide the requisite professional services as it deems necessary for such purpose. The UMU Innovator (s) shall cooperate fully in such effort, including diligent participation in such process and execution of all necessary or desirable documents.

D. Collaboration with Third Parties
UMU recognizes that collaboration is an important and necessary part of research and industry. To the extent intellectual property rights are created through collaboration with third parties, such as foundations, other institutions of higher learning, and industry, the terms of such contract shall govern and take precedence over this Policy. Note that the Office of Academic Affairs must approve any third-party collaboration contracts, including contracts with industry partners.

E. Final Funding Review
After the Office of Academic Affairs reviews disclosures, they will then make a written recommendation to the Vice President for Business Affairs, Vice President for Academic Affairs, and the President of the University. The two Vice Presidents and the President will make the final decision regarding funding and whether or not the University will pursue an ownership agreement.

II. Trademarks and Copyrights

UMU's Office of Marketing typically determines what trademarks or service marks will be protected at UMU. The University does not lend its name, trademarks, logos or copyrights, such as any charts, artwork, literature, videos or computer software to third parties without the prior written approval from Office of Marketing and the President. Specific issues relating to online curriculum shall adhere to the policies set forth in the current "Online Course Creation Policy".

III. AI and Data Governance

UMU institutional data or student data may not be uploaded to OR used to train external AI tools without explicit approval from Academic Affairs and IT. Employee use of AI tools must align with the Responsible Use of AI Guidelines.

IV. Royalties

Net Income shall mean the gross royalties or other payments received by UMU, minus any fees or costs directly attributable to obtaining Intellectual Property protection in the United States or internationally, and for licensing the invention. Such fees may include patent filing fees, fees for patent searches, marketing costs, maintenance fees, commercialization costs, and legal, litigation, travel, consulting or other fees necessary for the commercialization of the Intellectual Property. Net income shall be divided as follows:

Innovators	Department of Innovator	University (Academic Affairs)
50% (divided equally among Innovators unless otherwise agreed upon)	25%	25%

V. Disputes

Any disputes or problems of interpretation that arise in connection with the Policy shall be resolved by University

VI. Examples

1.) UMU student (or faculty member) creates a new gaming app at home and launches it on the Android and App Store platforms. The gaming app was not part of a project for UMU. UMU would not take an ownership interest in the app.

What if the student uses UMU computer labs for writing code for the app? UMU would still not take an ownership interest in the app.

What if the student asked a professor and/or fellow students for some informal input? UMU would still not take an ownership interest in the app.

What if the student received UMU credit for creating the new gaming app? UMU *would* take an ownership interest in the gaming app because significant UMU resources were utilized by the student.

2.) Company A approaches the Department of Engineering to develop a solution for a problem it is experiencing in its product line. The project will require significant research and development by UMU. In this instance, a contract will need to be signed by UMU and Company A, and the terms will be negotiated. If UMU is able to negotiate any royalties resulting from innovation, such as patent or copyright licensing fees, royalties will be divided pursuant to section IV (Royalties).

3.) Marketing company asks UMU to help it develop a new line of logos for consideration to help modernize its look. Again, an agreement needs to be executed, but the UMU Innovator should not need to complete any forms. The UMU Innovator should contact the Vice President for Academic Affairs of the University to start contract preparation.

4.) UMU faculty receives a federal grant for research that results in intellectual property. The UMU faculty member should work with UMU to review the scope of any contract associated with the grant to determine the effect of any intellectual property rights.

5.) UMU faculty starts a company based upon research done outside of UMU. Minimal resources, if any, are used by UMU faculty. In this case, UMU would not take any ownership of any intellectual property or the business.

6.) UMU faculty use substantial resources such that student teaching hours are reduced but the salary stays the same. In this case, UMU would take an ownership interest in the intellectual property and possibly the business.

7.) UMU faculty is approached by an industry partner for use of the faculty member's expertise in the field and UMU resources would be used. In this instance, a contract will need to be signed by UMU and the industry partner, and the terms will be negotiated. If UMU is able to negotiate any royalties resulting from innovation, such as patent or copyright licensing fees, royalties will be divided pursuant to section IV (Royalties).

Responsibilities

Position or Office	Responsibilities
VPAA of the University	Owner of policy
Assistant Dean of Academic Affairs	Report questions and concerns about intellectual property

Resources

The American Jobs Creation Act of 2004
Bayh-Dole Act of 1980
Cooperative Enhancement and Research Technology Act
Trademark Revision Act

Visual Artists Rights Act
U.S. Copyright Act

Workflow Process

Contacts

Subject	Office	Telephone	E-mail/URL
VPAA of University	Academic Affairs	(330) 823-2690	academic@mountunion.edu
Assistant Dean of Academic Affairs	Academic Affairs	(330) 823-4895	craigst@mountunion.edu

History

This policy was established in May 2016. All previous versions are inventoried by the Policy Review Council.