



Minnesota
STATE COLLEGES
& UNIVERSITIES

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Intellectual Property (IP) Presentation Request Form

Use this form to request presentations on intellectual property topics by the System Director for Intellectual Property out of the System Office. The System Director for IP is available throughout the year and provides services and guidance on intellectual property matters at colleges, universities and the System Office.

A comprehensive IP presentation usually lasts 90 minutes; however, the time period can be adjusted upon request. The presentations are created for the specific interests that are present at each college and university. The System Director for IP works closely with the Office of General Counsel in the System Office to ensure that IP guidance and work products result from their collective thinking. As you anticipate the need for IP guidance for in-service training days or the development of collaborative curriculum, E-Textbooks, Course Packs, etc. with faculty, staff, students or partners external to the campus, please contact the System Director for assistance.

Board of Trustees Policy 3.26 Intellectual Property, Part 10 in pertinent part states *“The college, university, or system office shall arrange training on a periodic basis for faculty, staff and/or other persons who are covered by this Intellectual Property Policy.*

This form identifies the various IP topics that may be of interest to you and your faculty members, administrators, and staff. The items identified below are covered in the 90 minute presentation. Please check the boxes of interest and submit the form to the System Director for IP in either hard copy or electronic format.

Intellectual Property Topics:

General

- Provide a solid foundation of the four types of intellectual property: Patents, Copyrights, Trademarks and Trade Secrets.
- Empower the attendees with the knowledge necessary to identify situations with IP implications and how to manage them through best practices.
- Explain how ownership of IP in MnSCU is determined by applying IP law, the labor agreements, and MnSCU Policy 3.26 Intellectual Property. Define the characteristics of institutional works, scholarly works, personal works and student works found in Board Policy 3.26.
- Explain how written agreements such as grants, sponsorship agreements, specially commissioned work agreements and situations that can modify IP ownership.
- Explain and define the privacy rights that are involved when the voice or image of faculty and/or students are captured during classroom lectures or conference presentations.
- Explain how written agreements are used to bring external projects or research into the classroom.
- Distinguish between faculty members incorporating projects into their curriculum from the situations where college/university faculty collaborate on a project or sponsored research that requires a signed agreement by an administrator with contract signature authority.

Copyright

- Define “copyright” and identify the basic rights that copyright owners enjoy (e.g. make copies, distribute, create derivative works, perform, etc.).
- Explain Section 110(1) of the Copyright Act (*a.k.a. Education Exception*) and how it applies to face-to-face teaching. .
- Explain Section 110(2) of the Copyright Act (*a.k.a. TEACH Act*) and how it applies to “transmissions” of copyrighted materials in hybrid and online teaching through D2L.
- Explain Section 7 of the Copyright Act (*a.k.a. Fair Use*) and how it applies to face-to-face, hybrid and online teaching.
- Explain the different types of copyrighted works that may be used in student handouts.
- Explain the overlap of contract law and copyright law and which one applies in different situations, such as subscriptions to e-Textbooks or when using a rented DVD in face-to-face teaching.
- Identify the different types of works that are not protected by copyright and may be used freely without fear of copyright infringement.
- Define “public” performances which require a public performance license to play or perform copyrighted works such as music, songs and plays.
- Distinguish between educational uses and entertainment uses of copyrighted works.
- Identify the copyright issues that arise when using the Google Images search engine.
- Identify the copyright issues that arise when using information found on the internet.
- Identify ways to protect copyrighted materials (e.g. syllabi, course materials, website information, etc.) through copyright notices and other best practices.
- Explain music licenses and how to obtain them through the three licensing companies BMI, ASCAP or SESAC.
- Explain when transcripts may be created or when captioning can be added to a copyrighted video when responding to an accommodation request by a hearing impaired student.
- Identify the precautions to take when recording classroom lectures and how to obtain the students’ consent to record their image or voice.

Patents

- Describe and provide examples of the three types of patents; utility, design and plant.
- Identify the patent process used within MnSCU and the associated costs.
- Explain the realities involved when commercializing patentable inventions.

Trademarks

- Describe the different types of trademarks and service marks and how to select a mark that will be entitled to the highest level of protection under trademark law.
- Identify the process to register trademarks at the state and federal level, the associate costs, and when it is appropriate for a mark to be registered.
- Explain the proper use of TM, SM and ®.

Trade Secrets

- Define and provide examples of trade secrets within the MnSCU system.
- Provide best practices on how to manage trade secrets so an institution’s competitive advantage is maintained.
- Explain Minnesota Statute 13.37 General Nonpublic Data and it’s relationship to the MN Government Data Practices Act regarding trade secrets.

IP Forms

- A handout packet containing all pertinent IP forms, guidance documents and flow charts will be distributed prior to the presentation.
 - Fair Use Checklist
 - TEACH Act Checklist
 - Copying Guidelines for student handouts
 - Permission to Use Student Work form
 - Invention Disclosure Form
 - Various IP related Agreements
-

College/University: _____

Contact person: _____ Phone # _____

Proposed date(s): _____

Proposed time period(s): _____

Circle potential attendees: Faculty Staff Administrators

Identify unique IP issues or questions at your campus that should be addressed in the IP presentation.

- 1.
- 2.
- 3.
- 4.
- 5.

Mail hard copy form to:

Gary Hunter, System Director for Intellectual Property
Minnesota State Colleges and Universities
30 7th Street E., Suite 350
St. Paul, MN 55101-7804

Or email digital copy of form to:

gary.hunter@so.mnscu.edu

Gary Hunter, System Director for Intellectual Property
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