

CS 3.2.14 - Intellectual Property Rights

The institution's policies are clear concerning ownership of materials, compensation, copyright issues, and the use of revenue derived from the creation and production of all intellectual property. These policies apply to students, faculty, and staff.

Compliance Finding: In Compliance

Narrative:

University of South Carolina policies and procedures related to intellectual property rights are uniform and apply to faculty, staff, and students at all campuses including the University of South Carolina Beaufort (USC Beaufort). Therefore in the narrative for CS 3.2.14, when the term "USC" or "the University" is used, reference is to the USC system. The University recognizes the right of all employees to engage in the uncommissioned creation of scholarly, pedagogical, and artistic works subject to copyright, and to copyright such works and to receive royalties from their use. "Uncommissioned" activities mean works that do not receive substantial aid from the University or from an outside agency through University channels. Scholarly books and articles, textbooks resulting from usual teaching activities, painting, musical compositions, graphic art, and media materials are examples of work that might be uncommissioned. The University gains a right to materials subject to copyright when such materials result from activity commissioned by the University or by an outside agency through University channels.

These policies and procedures related to intellectual property rights for faculty, staff, and students are:

- USC Policies and Procedures Manual, ACAF 1.39 "University Software Policy" [\[i\]](#)
- USC Policies and Procedures Manual, ACAF 1.33 "Intellectual Property Policy" [\[ii\]](#)
- USC Policies and Procedures Manual, "Distance Education and Instructional Report" [\[iii\]](#)
- 2007 Faculty Manual, Section IX [\[iv\]](#)
- Student Handbook
- USC Intellectual Properties Office [\[v\]](#)
This policy addresses the rights to, interests in, and protection and transfer of, intellectual property rights created by USC faculty, staff, and students.

The legal title to all university-commissioned educational, literary, and media materials is vested in the University with the following exception: materials produced on grants from the federal government or other outside sponsors is subject to the conditions of the contract or grant (to be negotiated solely by the University) with respect to ownership, distribution, use, and other residual rights of and to such materials. All such materials bear the required statutory notice of copyright and name the University as the copyright proprietor. After consultation with the authors, the University, at its discretion, may use, assign, transfer, license, lease, or sell all or part of its legal rights in educational, literary, and media materials.

Although the search for commercially exploitable inventions is not a specific function of the University, a discovery leading to such an invention may be a by-product of creative endeavors undertaken for other purposes. When such a discovery is made, the University assists the inventor in evaluating, patenting, and exploiting the discovery, while safeguarding the interests of all concerned parties. This policy pertains to all undergraduate students, part- and full-time members of the faculty and staff, all other agents and employees of the University, and all other individuals who have made substantial use of University resources.

Supporting Documentation

- [i USC Policies and Procedures Manual, ACAD 1.39 "University Software Policy"](#)
- [ii USC Policies and Procedures Manual, ACAF 1.33 "Intellectual Property Policy"](#)
- [iii USC Policies and Procedures Manual, "Distance Education and Instructional Report"](#)
- [iv USC Beaufort 2007 Faculty Manual, Section IX](#)
- [v USC Intellectual Properties Office](#)