

Copyright Guidelines at the University of Oregon

Additional Information

Copyright works are subject to the [UO Internal Directives for Intellectual Property](#). These guidelines are to inform employees of their obligations and some background on how intellectual property is handled at the University. Please contact Industry, Innovation, and Translation (IIT) if you have any questions.

Ownership

Works developed without funding, not as a specific work assignment, and with minimal use of UO resources are not required to be assigned to UO. The university asserts copyright ownership over only those materials that fall within the parameters defined by To be owned by their authors or creators:

- Lecture notes and other materials prepared by academic staff in connection with a teaching assignment and with only incidental use of institutional facilities, funds, staff, and other resources normally shall be viewed as flowing from individual effort and initiative and shall not be construed as having been produced in the course of discharging the obligations of employment.
- Except as provided in the directives, the ownership rights to all forms of educational and professional material in the form of books, musical or dramatic composition, architectural designs, paintings, sculptures, or other works of comparable type developed by institution employees either in conjunction with or aside from their employment shall accrue to the author, unless the material is prepared in compliance with contractual provisions or as a specific work assignment or significant institutional resources were utilized. An academic staff person's general obligation to produce scholarly works does not constitute such a specific institution assignment.

To be owned by UO:

- Materials developed with institutional resources.
- Materials developed in the course of employment means, either materials for which the author was employed for the specific purpose of preparing or producing or for which the author was specifically directed to develop as part of general employment duties and responsibilities.

- Materials that were developed with significant institution-assisted effort and materials developed under sponsored assignments.

Publications

UO exempts material published in scholarly or professional journals without monetary compensation from any requirement to assign copyrights to UO. Most journals require and receive copyright assignments or licenses directly from the authors.

The general obligation of academic staff to produce scholarly works does not constitute a specific work assignment, and therefore, in the absence of the other guideline conditions above (no specific directed work assignment or contract, no funding, no significant institutional resources), the copyrights to such works are not obligated to be assigned to UO. See [Senate Motion US20/21-18 Open Access Scholarship Policy](#) for recommendations regarding the deposit of a journal-allowed version of scholarly articles in Scholar's Bank, the open access digital repository.

Disclosure

UO provides the following practical guidelines for what must be disclosed and what doesn't necessarily need to be disclosed to IIT.

Disclosure to IIT is ***not required*** in cases where copyrighted materials should be university owned, but for which there are no rights licensed or no licensing to third parties in exchange for compensation. IIT will consider proper attribution on the work (© University of Oregon) rather than physical disclosure to IIT to be sufficient to fulfill any disclosure requirement.

For practical purposes, we are extending this approach to other works, which may include software and other materials that may be distributed under [Open Source](#) or [Creative Commons](#) licensing or course materials for either online, physical, or hybrid classes that are created with significant use of institutional resources.

For example, a faculty member working on a project uses an image from a database with a Creative Commons Share Alike license. The faculty member could add their derivative of the image to the Creative Commons without disclosing that to IIT. Similarly, a faculty member could incorporate software with GPL code, add to it, and then release what they've added also under GPL without disclosing the code they created to IIT.

UO is allowing the authors of these works to decide how they would like to give permission to third parties to use UO copyrighted works (and not requiring that you tell us about it) as long as:

1. There is no money involved.
2. All authors have disclosed any potential conflict of interest. If there is a conflict, the authors must have obtained a UO conflict of interest management plan.
3. The proper name is used in the copyright notice.

Although not required, these materials may still be disclosed to IIT, and IIT remains a resource to faculty and research projects to discuss the licensing and management of these materials. Disclosure to IIT is **required** in cases where copyrighted materials should be university owned and for which there will be or may be rights licensed to third parties in exchange for compensation.

Disclosures should be made to IIT through the innovator portal. Additionally, IIT staff can help with registration, formally documenting the copyright for increased protection.

Licensing

IIT will license copyrighted works in counsel with the authors and with the best interests of the innovation and the goals of the project in mind.

As a consequence of our guidelines on copyright disclosure, there will be UO-owned copyright works where the authors will have control over the grant of rights and licensing of the work provided that proper attribution is made.

IIT is a resource for employees to aid in navigating licensing options, and we encourage authors to use the appropriate Creative Commons or Open Source licenses when distributing the work, if applicable. Please contact IIT for guidance navigating your options in protecting your copyright and distributing materials in line with project goals.