

**Management of Intellectual Property Related to Student Projects in the
Center for Manufacturing Excellence**

BACKGROUND

The Center for Manufacturing Excellence (CME) is a multidisciplinary center involving the Schools of Engineering, Business Administration, Accountancy, and the College of Liberal Arts. An entrepreneurial component of the CME curriculum is the formation of student teams to create companies to manufacture and potentially sell products. The products manufactured by the companies and/or the manufacturing processes may involve the use of intellectual property including patentable technologies, trade secrets, trademarks and copyrights. It is important to clearly define ownership of existing and future intellectual property in accordance with UM's Patent and Invention, and Copyright policies at the earliest possible stage of each project to facilitate commercialization.

UM's Patent and Invention Policy

UM's Patent and Invention Policy requires UM employees including student employees to assign their intellectual property rights to the UM. A University Employee is defined as faculty, staff and student employee, with full or part-time status, and any other employee or agent of UM during the course of employment. A student employee is defined by UM policy as a person who is enrolled as a student in UM and is employed part-time by UM.

UM's Copyright Policy

UM's Copyright Policy states students working collaboratively with UM employees on projects that result in copyrightable work may be granted the same rights and obligations of copyright ownership as would another UM employee working collaboratively on the project. UM disclaims any ownership interest in the copyright of works created by UM employees and students except in the following cases:

Supervised Works: UM will own the copyright to works created:

- (i) by student employees in the course of their assigned duties of employment, including duties as teaching or research assistants, or
- (ii) by faculty members, staff members or postdoctoral fellows or associates as part of an assigned task where UM:
 - (a) specifically assigns an individual to create a particular work or
 - (b) selects or supervises choice of subject matter and supervises content, course, and direction of the effort to create the work or retains editorial control over the final work product.

Supported Works: In the event that a Substantial Use of University resources is involved, the creator and the UM will share copyright ownership. Reimbursement of Substantial Use costs and/or a division of royalties may be required.

Externally Sponsored Works: Where copyrighted materials are developed by an investigator in the course of sponsored research funded by an outside agency, ownership of the copyright will be determined by the applicable terms of the funding agreement.

Division of Technology Management Procedure

PROCEDURE

It is expected that the nature of the student projects at CME will vary and therefore intellectual property and the underlying ownership rights will need to be managed on a case by case basis. Some projects may involve an outside company with existing intellectual property. Other projects may involve existing UM intellectual property. In all cases future intellectual property may be generated and ownership needs to be clearly defined.

A representative from the Division of Technology Management (DTM) will meet with each student team and their advisor(s) at the initiation of a project. DTM will explain the relevant policies and procedures and obtain an overview of the project to assess the potential intellectual property issues. If an outside company is involved in the project DTM will work with the company on any necessary agreements including but not limited to confidentiality and intellectual property sharing agreements.

DTM will issue a memorandum to the team members and their advisor(s) detailing how existing intellectual property and intellectual property generated during the course of the project will be managed. Team members will be asked to update DTM on the progress of the project and DTM will update the memorandum as needed to reflect necessary changes.