

<b>SUBJECT:</b> Intellectual Property Rights	<b>POLICY NO:</b> INT-1	<b>LAST REVIEWED:</b> January 2018
<b>APPROVED BY:</b> Executive Board	<b>MANAGED BY:</b> Executive Director	<b>NEXT REVIEW:</b> January 2020

**SUMMARY**

**Policy Statement**

BCITSA recognizes intellectual property rights as mandated by legislation including those laws and regulations set by the Canadian Intellectual Property Office (CIPO) and the World Intellectual Property Association (WIPO).

**Purpose of This Policy**

The purpose of this Policy is to:

- Protect the intellectual property rights of BCITSA
- Outline the regulations surrounding intellectual property

**Application of This Policy**

This Policy applies to all employees of BCITSA, Executives, as well as any group affiliating with BCITSA on projects that may require an agreement as it relates to Intellectual Property.

**Related Documents and Legislation**

Regulating Bodies

- Canadian Intellectual Property Office (CIPO)
- World Intellectual Property Association (WIPO)

**Forms Associated With This Policy**

N/A

**Amendment History**

- Created 2018-01-29
- Amended [DATE]

## **DEFINITIONS**

### **Intellectual Property**

Intellectual Property is defined as a collection of thoughts, ideas, concepts, or plans either expressed orally or physically, that typically has financial value.

## **DUTIES AND RESPONSIBILITIES**

### **BCITSA Controller**

The Controller is responsible for the interpretation and enforcement of this Policy.

## **POLICY**

### **1. Ownership & Property Rights**

#### **1.1. Employer Property Rights**

- a. As the employer, BCITSA shall hold property rights for all works produced for BCITSA by employees or contractors unless explicitly outlined in a contractual agreement.
- b. Intellectual Property generated by employees will, in most cases, be owned by BCITSA. This applies to all Intellectual Property produced by employees in the course of their normal duties or employment.
  - i. Employees seeking to take ownership of Intellectual Property they have created shall meet with the Controller, and shall be handled on a case by case basis.

#### **1.2. Commissioned Work**

- a. The result of any work specifically commissioned by BCITSA shall be considered the property of BCITSA.

#### **1.3. Collaborative Projects**

- a. From time to time, BCITSA engages in collaborative projects with parties external to BCITSA. Whenever possible, the rights to Intellectual Property shall be addressed in an agreement prior to the commencement of work associated with such projects.

- b.** The absence of a written agreement shall not be construed as a forfeiture BCITSA’s rights of possession to any Intellectual Property culminating from a collaborative project.

**1.4. Intellectual Property of Students**

- a.** BCITSA shall normally not hold property rights for any works produced by students, except for when the student is also an employee, and the property in question is a direct result of employment with the BCITSA.
- b.** BCITSA provides services to students that aid in the process of creating their own Intellectual Property, such as idea generation for entrepreneurial initiatives. In these scenarios, employees are encouraged to meet with the student about any applicable regulations surrounding Intellectual Property to protect the students from any potential liability or loss of Intellectual Property.

**2. Usage of Property**

**2.1. Logos**

- a.** BCITSA logos, as well as logos of any BCITSA subsidiary or department, are the property of BCITSA.
- b.** Individuals outside of the BCITSA seeking to use BCITSA logos shall be required to obtain the express written consent of the BCITSA Director of Marketing & Communications prior to their use
- c.** Clubs seeking to use BCITSA logos shall also require the express written consent of the BCITSA Director of Marketing & Communications prior to their use.

**PROCEDURE**

N/A