

Managing Student Intellectual Property Issues at Institutions of Higher Education: An AUTM Primer

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Introduction

An understanding of intellectual property (IP) is an important skill set in today's increasingly dynamic, information-based economy. Awareness is especially important at academic institutions where many of society's brightest students first learn about and begin practicing innovation and entrepreneurship. Accordingly, university community members—including students, faculty, alumni, and administrators—should all have reasonable access to IP literacy. For students, this necessarily involves gaining an understanding of their institutional IP policy and how it affects their potential rights and obligations.

While the main purpose of a university's interaction with students is in the delivery of education, there are times when these students develop intellectual property. These inventions can occur, for example, when students are working on entrepreneurship projects, when they are working in the lab as part of a research experience, or during industry-sponsored Capstone projects. In some cases these inventions have real value, and there are many examples of student activity—including that of undergraduates—resulting in the formation of viable businesses. Unlike faculty and graduate

researchers whose contractual relationship with an institution tends to be quite formalized, undergraduates and masters students are not generally regarded as being employed by their university in the traditional sense. Accordingly, student-generated IP lies outside of the clear-cut employment context and raises a unique set of issues concerning ownership and other IP-related rights.