

INTELLECTUAL PROPERTY RIGHTS *Of Employees or Contractors of SLCC*

Any materials created by an employee of the College, or by any person employed by the College as an independent contractor, within the scope of his/her employment and/or for the purpose of College business are generally considered to be works made for hire. The intellectual property rights (copyright, patent, trademark, etc.) for such works are held by Salt Lake Community College itself, not by the creator of the work.

Works made for hire are defined in the *Copyright Law of 1976* as:

- a. A work prepared by an employee within the scope of his or her employment.
- b. A work specially ordered or commissioned for use as a contribution to a collective work, as a part of a motion picture or other audiovisual work, as a translation, as a supplementary work, as a compilation, as an instructional text, as a test, as an answer material for a test, or as an atlas. For the purpose of the forgoing sentence, a “supplementary work” would include a secondary adjunct to a work by another author for the purpose of introducing, concluding, illustrating, explaining, revising, commenting upon, or assisting in the use of the other work, such as forewords, afterwords, pictorial illustrations, maps, charts, tables, editorial notes, musical arrangements, answer materials for tests, bibliographies, appendixes, and indexes, and an “instructional text” is a literary, pictorial, or graphic work, prepared with the purpose of use in systematic instructional activities.

In addition to the works listed in the 1976 law, the College considers the following to also be works for hire: web pages, computer software, templates, and other digital creations, training, procedural, and other manuals, course syllabi and other curriculum development materials, and other works or projects arising from an individual’s employment at SLCC, regardless of format. This list is not all inclusive, but most other works or materials produced by an employee using College time, equipment, materials, or other resources would also be considered a work for hire.

The employee or independent contractor does not retain any intellectual property ownership rights to any such work product unless the individual and the College, prior to the development or creation of the intellectual property, have entered into the College’s standard written Agreement specifically granting some or all rights to the employee.