



## Puerto Rico School of Nurse Anesthetists

### Intellectual Property Policy

#### Introduction

Through the different academic and professional activities, faculty, staff and students share and create new knowledge. As a learning organization, the PRSNA seeks to organize and disseminate such knowledge for the benefit of our academic community and the society. PRSNA seeks to protect the interests of the people of our community by using the investments of research to assist the institution, our employees, faculty and students. PRSNA holds ownership rights of every act of creation under the PRSNA support.

#### What is Covered

- **General Rule:** PRSNA will hold all Legal Rights to all Intellectual Property conceived, first used (in the case of a trademark or service mark), or reduced to practice, discovered, or created, by any employee of PRSNA, during his/her employment. PRSNA may also hold Legal Rights to Intellectual Property conceived, first used or reduced to practice, discovered, or created, by any student at PRSNA. All persons covered by this Policy are required to disclose to PRSNA any Intellectual Property, except those Traditional Works as defined on the Exceptions section of this policy. When in doubt about whether or not Intellectual property may, in a reasonable opinion, have commercial value, the Creator should consult with PRSNA about any commercial potential. Such disclosure shall occur either simultaneously with or prior to public disclosure. PRSNA will hold all rights to such Intellectual Property that is not covered by an exception as described in Exceptions section. Prior patentable Intellectual Property or any other rights to prior Intellectual Property held by faculty, staff, other employees, or students are excluded from this Policy. Prior patentable Intellectual Property should be identified by the Creator and acknowledged by PRSNA in writing at the time of appointment or enrollment.
- **Exceptions:** PRSNA will not hold any ownership rights in Intellectual Property to the extent that:
  - federal or state law provides that some party other than the University holds one or more of such rights;
  - the Intellectual Property related to same was produced both outside the scope of the faculty or staff member's employment or Research, and without significant use of Specialized Resources;

- the Intellectual Property related to same is a Traditional Work, unless the Traditional Work was specifically commissioned by the University (productivity measures as agreed to in a work plan - books, articles, paintings, etc. - unless specifically commissioned by the University, are exempt);
- If a Creator is unsure if a specific Traditional Work may contain Intellectual Property that would not be exempted under the terms of this Policy, they should consult PRSNA.
- the Intellectual Property was produced by gratis faculty, unless the Intellectual Property was produced utilizing Specialized Resources or personnel of the University.
- **Public Domain Preference:** The Creator, or Creators acting collectively when there are more than one, is free to place an invention in the public domain for non-commercial, academic dissemination purposes if that would be in the best interest of technology transfer, and if doing so is not in violation of the terms of any agreements that supported or governed the work.

### Who is Covered

- **Faculty and Staff:** All faculty, staff, including part-time, gratis, and visiting faculty and staff, are subject to the provisions of this Policy. PRSNA shall also have legal interest in any Intellectual Property created or discovered by faculty, staff, or other employees while on leave without pay if they have used Specialized Resources, PRSNA funds, facilities, or materials. However, faculty, staff, and other employees while engaged in PRSNA- approved private consulting activities or authorized outside employment are excluded unless such activities include the substantial use of PRSNA facilities or Specialized Resources.
- **Students:** Students who independently create Intellectual Property arising out of their participation in programs of study at PRSNA, and that do not result from their employment by PRSNA, will retain the legal rights. Intellectual Property created by students through the use of Specialized Resources or in connection with their employment by PRSNA is owned by the PRSNA.
- **Other Cases:** Any Intellectual Property or exceptional Research results created under an exception to or outside of the PRSNA Ownership provisions of this Policy may be (but is not required to be) submitted to PRSNA.