



## Intellectual Rights Policy

The parties to this agreement believe that the public interest is best served by creating an intellectual environment whereby creative efforts and innovations can be encouraged and rewarded while still retaining Leadership For Execs and its learning communities' reasonable access to and use of the intellectual property for whose creation the Leadership For Execs has aided.

Leadership For Execs supports the development, production, and dissemination of intellectual property by its employees and contractors.

When used in this agreement, the term "Copyright" shall be understood to mean the bundle of rights that protect original works of authorship fixed in any tangible medium of expression, now known, or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. "Works of authorship" (including computer programs) include but are not limited to the following: literary works; musical works, including any accompanying words; dramatic works, including any accompanying music; pantomimes and choreographic works; pictorial, graphic, and sculptural works (photographs, prints, diagrams, models, and technical drawings); motion pictures and other audiovisual works; sound recordings; and architectural works. "Tangible media" include, but are not limited to, books, periodicals, manuscripts, phonorecords, films, tapes, and disks.

When used in this agreement, the term "Patent" shall be understood to mean the bundle of rights that protect inventions or discoveries which constitute any new and useful processes, trainings, software, machines, manufacturing, or composition of matter, or any new and useful improvement thereof of new and ornamental designs for any useful article or product.

Intellectual property created, made, or originated by a faculty member exclusively shall be the sole and exclusive property of the faculty, author, or inventor, except as they may voluntarily choose to transfer such property, in full, or in part. Intellectual property created in conjunction with, exclusively by, or under the advisement of Leadership For Execs shall be the sole and exclusive property of Leadership For Execs, except as the company may voluntarily choose to transfer such property, in full or in part.

Leadership For Execs acknowledges three limited and expressly defined sets of circumstances where Leadership For Execs can claim ownership of the copyright.

- Special works created in circumstances that may properly be regarded as "made for hire.
- Negotiated contractual transfers, and
- "Joint works" as described in the Copyright Act, where Leadership For Execs can be considered a co-author.



Leadership For Execs shall own copyright only in the following three circumstances:

- I. Leadership For Execs expressly directs an employee or contractor to create a specified work, or the work is created as a specific requirement of employment or as an assigned organizational duty that may, for example, be included in a written job description or an employment agreement.
- II. The employee or contractor has voluntarily transferred the copyright, in whole or in part to the organization. Such transfer shall be in the form of a written document signed by the Chief Executive Officer.
- III. Leadership For Execs has contributed to a "joint work" under the Copyright Act. The organization can exercise joint ownership under this clause when it has contributed specialized services to the production of the work that goes beyond what is traditionally provided generally in the preparation of the product, training, or course materials. Such arrangement is to be agreed to in writing, in advance, and in full conformance with other provisions of this agreement.

#### **Who May Use the Intellectual Property?**

A collective bargaining agreement or organizational policy may allow organizations, corporations, employees, or contractors to use works created by Leadership For Execs at a charge for educational, contractual requirements, and administrative purposes within the organization. Material created for ordinary training use shall remain the property of Leadership For Execs., Still contractors, corporations, and employees shall be permitted to use such material for internal instructional, educational, and administrative purposes, including satisfying requests of accreditation agencies and external needs with approval from Leadership For Execs as appropriate. In an agreement transferring copyright for such works to a publisher, contractors, employees, or collaborative partners are urged to seek to provide rights to Leadership For Execs to use such works for internal instructional, educational, and administrative purposes.

Leadership For Execs shall monitor and review technological and legislative changes affecting intellectual property policy annually and update the policy when such changes affect existing policies.