

Date of Issue	September 2019
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Subject	INTELLECTUAL PROPERTY RIGHTS
References	Policy 2260 – Intellectual Property Canadian Intellectual Property Office Intellectual Property Institute of Canada
Contact	Business Services

1. Purpose

This Administrative Procedures Memorandum (APM) provides guidance to employees and contracted individuals of the Simcoe County District School Board (SCDSB) on the process to follow when creating, loaning, transferring, and distributing board Intellectual Property (IP).

2. Description

To assist in recognizing the forms of Intellectual Property and the definitions for copyright and trademark, refer to Policy 2260 – Intellectual Property.

3. Process to Loan, Transfer and Distribute

3.1 Prior to loaning, transferring and distributing board IP, authorization from the Superintendent of Business and Facility Services is required using FORM A2000 - 1, Authorization to Loan, Transfer and Distribute Board Intellectual Property. This authorization process is not intended to limit the external use of board IP, but is intended to protect and communicate the board's IP legal rights.

3.2 When the board and its employees share and collaborate on IP works with other boards and organizations, the ownership, loan, transfer and distribution of the IP shall be in accordance with the terms of the negotiated agreement.

4. Process to Notify of Intellectual Property Outside of Board Employment

4.1 When an employee or contracted staff enter into a contractual arrangement outside of their employment contract with the board, which has the potential to infringe on board IP, the employee's or contracted staff's supervisor must be notified using FORM A2000 - 2, Notification of Intellectual Property. The Superintendent of Business and Facility Services receives a copy of the completed FORM A2000 - 2.

4.2 The purpose of this notification is not to limit the extent of external contracts, but to manage the risk of unintentional use of board IP or any conflict of interest.

5. General

- 5.1 Clarity in the delineation of IP ownership shall be sought in consultation with the Superintendent of Business and Facility Services.
- 5.2 A conflict of interest not resolved by the employee's or contracted staff's supervisor shall be presented to the Superintendent of Business and Facility Services for resolution.
- 5.3 Supervisors are responsible for ensuring their staff and individuals on contract are informed of the content of this APM and Policy 2260 – Intellectual Property.

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Issued under the authority of the Director of Education

**AUTHORIZATION TO LOAN, TRANSFER AND DISTRIBUTE
BOARD INTELLECTUAL PROPERTY (IP)**

1. IP Information

Loan Transfer Distribute

Description - Include characteristics that distinguish the IP from other similar products.

Recipient of board IP (name of individual and/or organization)

2. Request For Authorization By Creator of IP

Creator Signature	Name and Title	Date
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School / Department:

3. Authorization Recommendation by Creator's Superintendent, Principal, or Manager

Recommendation: Yes No

Recommender Signature	Name and Title	Date
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School / Department:

4. Authorization by Superintendent of Business and Facility Services

Superintendent Signature	Name	Date
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