Auburn University Copyright Policy

The purpose of this policy is to provide guidelines for the determination of the respective rights of Auburn University and its members with regard to copyrights and royalties or other income derived from copyrightable work initiated after October 1, 1984. Materials and works subject to copyright and produced by members of the faculty, administration, staff, students, or other employees as a part of their employment shall be governed by this policy. Renewals of copyrights under previous copyright statutes shall follow the original formal or tacit copyright agreement between the University and the producer unless the material or work to be reproduced involves changes assisted or assigned by the University after October 1, 1984. This policy covers all material and work to be copyrighted by members of Auburn University under the Copyright Laws of the United States and/or other protective statutes. Examples of works covered by this policy include but are not limited to the following:

1. Books, journal articles, texts, glossaries, bibliographies, study guides, laboratory manuals, syllabi, tests, and survey instruments.

2. Lectures and unpublished lecture notes.

3. Films, slide programs, film strips, charts, transparencies, pictorials, graphics and other visual aids.

4. Video and audio tapes and cassettes.

5. Live video or audio broadcasts.


7. Computer programs and documentation.

I. Determination of Equity in Copyrighted Materials

Copyrighted material may be produced through:

1. Individual Efforts

This policy recognizes the long-standing custom and tacit understanding that faculty members own copyright to their individual scholarly work. A member of the University is entitled to ownership of copyright and royalties or other income derived from individual scholarly works. Individual work for members of the faculty is defined as that scholarly work generally expected of faculty and incorporated into the regular recognitions and rewards processes of the University and is not a specific University
assigned effort. Individual work, so defined, is automatically exempt from the formal review procedures of this policy. Individual scholarly work in which the University provides specific and non-routine support for the work, as defined by departmental, or unit, or University policy, shall be governed by Section I., 2. of this policy.

2. University Assisted Individual Efforts
Materials or works produced by employees of the University shall be subject to copyright by the employee and/or the University as co-authors if the production cost is specifically shared by the employee and the University and the material and works are not prepared in accordance with the terms of a contract or grant in which the University is a party or as a specific University assignment. In cases of University Assisted Individual Efforts in which the University assistance is less than fifty percent of the costs of production, the individual employee shall retain the copyright and the University may share in the division of royalty and other income up to the total of reimbursement costs of University assistance. In cases in which the University assistance is fifty percent or greater, the University shall retain the copyright and the division of royalty and other income shall be based on percentage of sponsorship. The percentage distribution shall be determined in accordance with the procedures in Section III. of this policy.

Routine use, as determined by departmental, unit, or University policy, of the Library, office space, equipment, supplies, facilities, and personnel does not, for the purposes of this policy, constitute University assistance.

3. Extramurally Sponsored Efforts
Rights to materials and works subject to copyright and developed as a result of work supported partially or fully by an outside agency through a contract or grant shall be determined in accordance with the terms of the contract or grant. In those cases where copyrights are vested in the University or shared between the sponsor and the University, the producer may share in the income within the provisions of this policy.

4. University Assigned Efforts
Materials or other works produced by employees of the University shall be subject to copyright exclusively by the University, if the University assigned the employee to write or produce the specific materials or works. Sharing of royalty or other income with the author or producer may be authorized by the Vice President for Research as an incentive to
encourage further development of copyrightable materials. A faculty member’s general obligation to produce scholarly and creative works and/or the receipt of a Professional Improvement Leave, unless there is a specific agreement to the contrary, do not constitute University Assigned Efforts as defined in this policy.

II. Remuneration

An employee of Auburn University may receive royalty and other incomes resulting from the net profit earnings from copyrighted material. No limit shall be set on the amount of royalty income an individual may earn. Determination of the relative amounts of royalty and other income earned or projected shall be negotiated with the Vice President for Research and shall be made at the time of copyright application, or at such prior time as deem appropriate, and within the provisions set forth in this policy. All remuneration agreements shall be put in writing.

III. Procedures

Prior to initiation, or at such prior time as may be appropriate, of a copyright application resulting from materials or works produced by Auburn University employees as a part of or related to their employment, the employee shall submit a Copyright Agreement for review and approval through the department or unit head and dean to the Vice President for Research. The agreement proposal shall be submitted on forms provided by the Vice President for Research and shall comply with the provisions stated in the University Copyright Policy.

IV. University Copyright Appeals Committee

A University Copyright Appeals Committee shall review the application of this policy and shall submit its recommendations to the President in the event of disagreement between the employee and the Vice President for Research. Either the employee or the Vice President for Research may request a review. The Copyright appeals Committee shall be appointed by the President from nominations submitted by the University Senate and shall function in accordance with policies and procedures established by the Committee and reviewed by the University Senate.

ADOPTED: 8/20/84