

## Intellectual Property and Copyrights Policy

### 1. Purpose:

This policy aims to establish guidelines for the ownership, use, commercialisation of, and distribution of intellectual property (IP) created in the context of all content including blended and fully online learning at the CPL Institute. The policy seeks to protect the rights of faculty, students, and the institution while fostering innovation and collaboration.

### 2. Scope:

This policy applies to all Instructors, staff, and learners involved in the creation, use, or distribution of educational materials including blended and fully online learning, including but not limited to lecture content, course materials, multimedia resources, and assessments.

IP is the tangible or intangible results of development, teaching, or other intellectual activity. It may be created by faculty, and other staff, by learners and by other relevant parties such as contractors and consultants.

Types of IP may include patents, copyright (including: - teaching materials and learning content, etc.), trademarks, designs, domain names, software algorithms and code (as a special case of copyright), data, databases, confidential information and know-how and specialist types of IP protection.

### 3. Ownership of Intellectual Property

#### 3.1 CPL Institute-Created Materials

- All Intellectual Property Rights created, invented or discovered by staff (including contracted instructors) whether alone or with any other person at any time in the course of and during the continuance of their employment with the CPL Institute shall belong to, vest in and be the absolute sole and unencumbered property of the CPL Institute, excluding any specific projects undertaken by the staff where the Company has consented (in writing) that any Intellectual Property Rights in the project and work associated with it shall remain the property of the staff member (such consent not to be unreasonably withheld).
- The staff hereby undertakes in relation to such Intellectual Property Rights to assign by way of present assignment all current and future Intellectual Property Rights to which this clause applies and acknowledges that, save as provided in this Agreement no further remuneration or compensation is or may become due to the Employee in respect of their performance of their obligations. Where the design, development, or dissemination of an educational resource by a person who is not an employee involves Significant Use of The CPL Institute Resources then ownership rests with the CPL Institute. This includes curricular or pedagogical design that occurred through the CPL Institute or where a programme has been accredited / validated by the CPL Institute.
- Staff members retain ownership of original teaching materials they create for blended/fully online learning unless:
  - The materials were developed as part of a specific institutional project or contract.
  - Substantial institutional resources (e.g., funding, specialised software, or technical support) were provided.

### 3.2 Student-Created Work

- The CPL Institute recognises that learners retain intellectual property rights to the work that they have exclusively created, subject to the CPL Institute's rights and responsibilities in relation to that material, in particular in relation to assessment, certification, programme review and institutional review requirements. In addition, the CPL Institute's right to reproduce and distribute a learner's work is contained in the Irish Copyright Act 2000 (and amendments). This Act is available here: <https://www.oireachtas.ie/documents/bills28/acts/2000/a2800.pdf>
- Students retain ownership of the intellectual property they create as part of their coursework unless the work:
  - Is developed as part of a collaborative project funded or guided by the institution.
  - Incorporates significant institutional resources or proprietary content.

### 3.3 Institutional Contributions

Materials created collaboratively or with substantial institutional support will have shared ownership between the creator(s) and the institution. Specific agreements should outline terms of use and ownership.

## 4. Licensing and Use

### 4.1 Institutional Rights:

The institution reserves a non-exclusive, royalty-free license to use faculty- or student-created materials for educational purposes within the institution, provided such use is properly credited and aligns with the original intent of the creators.

### 4.2 External Use:

Any external sharing or commercial use of educational materials developed for blended/fully online learning requires prior written consent from the creators and, where applicable, the institution.

## 5. Attribution and Acknowledgment:

Creators must be credited appropriately for their work in all instances of use or distribution. Any adaptation or modification of materials must also acknowledge the original creators.

## 6. Resolution of Disputes:

Disputes regarding intellectual property ownership or usage will be addressed through mediation facilitated by the institution.

## 7. Periodic Review:

This policy will be reviewed periodically to ensure it remains aligned with legal standards and the evolving needs of blended/fully online learning practices.

## 8.0 Procedure

### 8.1 Identification:

In order to understand the copyright obligations that govern use of a text it can be helpful to follow the following steps. These steps are like those used when checking for a reference.

- When using hard copy documents, check the document carefully for copyright information.
- When using online resources, scan the sites for details of a copyright policy. This may be located at the top or bottom of the home page.

- Look for a Creative Commons licence on the site. Creative Commons (CC) license is a public copyright licenses that enable the free distribution of an otherwise copyrighted text. A CC license is used when an author wants to give other people the right to share, use, and build upon a work that the author has created. This may mean that the material can be used for educational purposes without written permission.
- If there is no obvious copyright policy, they try Google. Enter the organisation's name and 'copyright policy' into Google. If the copyright information cannot be found then it is best to assume that the work is copyrighted, and act accordingly.
- Copyright is a legal identification of the rights of a creator of work. It is important also to consider the ethics of use. These ethics have been codified and introduced in Ireland as a result of European Directives aimed at harmonising copyright law throughout the European Union in the Copyright & Related Rights Act, 2000. These principles apply in relation to all use – such as referencing and citing the works of others in academic writing:
  - The Paternity Right, which is the right to be identified as the author of the work
  - The Integrity Right, which is the right to prevent mutilation, distortion or other derogatory alteration of the work which would prejudice the artists' reputation
  - The Right of False Attribution, which is the artists right not to have a work falsely attributed to them
- There are some exceptions to copyright. Generally fair usage and educational usage have some leniency with strict copyright requirement.

## 9. Contact Information

Questions or concerns regarding this policy should be directed to [support@cplinstitute.com](mailto:support@cplinstitute.com)