THE UNIVERSITY OF MICHIGAN

STANDARD PRACTICE GUIDE

SECTION:	General University Policies	**Number:**	601.3
		Revised:	
SUBJECT:	Ownership and Use of Computer Software	**Date Issued:**	6/1/79
		Attachment(s)	0
APPLIES TO:			
ISSUED BY:	Vice President for Research		

I. Policy

The Regents, in their June, 1976, meeting, approved a revision of Bylaw 3.10, "Ownership of Patents, Copyrights, Computer Software, and Other Property Rights." This revision consisted of a restatement of policy about the ownership of patents and copyrights, emphasized the rights of the author and inventor, and added the following paragraph on computer software:

> Computer software created by members of the University staff in connection with administration, research, or other educational activities supported directly or indirectly by the funds administered by the University, regardless of the source of such funds, shall be the property of the University. Such computer software may be made available for use on a nonexclusive basis by those who pay appropriate charges to reimburse the University for the costs of development, distribution, and reproduction.

Hundreds of software programs are generated each year. Sponsorship of these programs has been varied; there has been considerable support from the federal government, industry, professional societies, and even from the University. Sponsors have expressed renewed interest about their rights and privileges concerning such software. The Regental Action is an attempt to blend the computer software programs into the University's research and educational programs, while at the same time, recognizing the rights of the sponsor, the author, and the University.

There have been recent changes in the patent, copyright, and audio-visual educational policies. Now we are making a strong effort to assure that the computer software programs will be available to others on a reasonable basis.

II. Procedure

The implementation and control of the distribution effort will be the responsibility of the unit of origination. It may be (a) a sale--no further obligation on the part of the University; or (b) a lease arrangement for those programs that may require updating. However, in either case, the unit of origination will determine the cost of development, reproduction, and distribution of its program. Such costs should include direct salaries and wages expended; applicable staff benefits; supplies, if any; and administrative expenses when appropriate. Assistance in determining costs can be obtained from the Cost Reimbursement Office, 764-

6243. A surcharge will be added to this cost; this will provide a royalty for the authors, and funds for the originating unit and Central Administration. More specifically, this will mean that after expenses, the author will receive 20% of the sale/lease price; $1,000 will be then credited to the originating unit; and the remainder will be divided equally between the latter and Central Administration. The surcharge will be determined by the Vice-President for Research on a case-by-case basis.

Inquiries are welcomed by Vice-President Overberger (764-1185) or Joseph Keeley (764-4290).