



INTELLECTUAL PROPERTY AND COPYRIGHT POLICY

Classification:	Academic
Responsible:	Students, Instructors, and Administrative Team
Executive Sponsors:	Director
Approval Authority:	Director
Date First Approved:	June 1, 2021
Date last Reviewed:	August 7, 2024
Scheduled Review Date:	December 1, 2026

A. Purpose

The Intellectual Property and Copyright Policy ensures compliance with the Copyright Act and provides a framework for recognizing ownership in relation to works created within the College.

B. Scope

This policy applies to all members of The Learning Company community including applicants, students, graduates, employees and external partners.

C. Definitions

College Support:

College support refers to specialized knowledge and skills resources, financial support, production services, editorial supports, etc., which make the development of work possible.

Copyright:

Copyright is the exclusive legal right to produce, reproduce, publish or perform an original literary, artistic, dramatic or musical work as set out in the Copyright Act.

Copyright Material:

Copyright material includes tangible work such as but not limited to computer software, literary works, photographs, printed materials, musical works, film, dramatic works, etc.

Intellectual Property:

Intellectual Property includes intangible owned and protected by an individual or company such as but not limited to patents, ideas, trademarks, forms of expression, and inventions.

Moral Rights:

Moral Rights are the rights of a creator of copyrighted works to be recognized and for the user to maintain the integrity of the copyrighted works.

**Personal Work:**

Personal work is work that is created by staff or students that is not directly related to their employment or study at the college, which the College has not provided College Support.

Work:

Work includes but is not limited to any original literary, dramatic, musical, artistic, and cinematographic work, including but not limited to photographs, films, audio tapes, computer software, printed materials, music, video tapes, and digital material.

D. Policy

The Learning Company is responsible for ensuring compliance with the Copyright Act as it relates to the use, reproduction, and distribution of copyrighted-protected works. This policy outlines The Learning Company's responsibilities to copyright law, while respecting the rights of individuals.

1. Ownership:

1.1 The Learning Company maintains ownership and related rights of ownerships of Work made by employees under the Copyright Act subsection 13(3). This ownership includes;

- a. work created in the course of an individual's employment with The Learning Company.
- b. work commissioned by The Learning Company under a written agreement or contract.
- c. work created in part or whole with the assistance of The Learning Company.

1.2 When Personal Work is combined with work, ownership shall be determined in advance.

1.3 The Learning Company recognizes the employee's right to ownership of copyrighted Personal Work created outside of the scope of employment with The Learning Company.

2. Recognition of Contribution

2.1 The Learning Company recognizes the role of collaboration in the development of Work or Intellectual Property and will endeavor to acknowledge and provide credit to employees involved in Work or Intellectual Property which is copyrighted to The Learning Company.

2.2 Distribution of revenue generated through Work and Intellectual Property will be assessed on a case by case basis with a focus on fairness and precedence by similar educational institutions.



2.3 The Learning Company acknowledges the right for authors to maintain integrity of a Work.

3. Personal Work:

3.1 The Learning Company is responsible for maintaining academic integrity and has the right to approve all materials, including Personal Work used for teaching and learning purposes.

- 3.2 Employees who wish to use Personal Work for teaching and learning purposes:
 - a. must declare the use of Personal Work for teaching and learning purposes with the appropriate personnel
 - b. by introducing Personal Work, the employee grants The Learning Company a non-exclusive, royalty-free perpetual license to use the Personal Work.

4. Student Work

4.1 The Learning Company recognizes that students own the Copyright and Moral Rights of materials they produce as part of their program of study.

4.2 The Learning Company may claim joint or sole Copyright ownership of Works created by Students if compensation is provided, or if extensive College support is provided.

5. Classroom Recordings and Images

5.1 The Learning Company owns the copyright to audio, video, and photographic recordings of classroom activities, and may use these recordings for teaching and learning purposes without the consent of participants,

E. Related Legislation

Copyright Act

F. Procedure

Action

Responsibility

Recognition of Contribution

Distribution of revenue generated through Work and Intellectual Property will be assessed on a case by case basis, with focus on fairness and precedence by similar educational institutions.

Director



the LEARNING company

Personal Work

Employees who wish to use Personal Work for teaching and learning purposes must declare the use of Personal Work for teaching and learning purposes in advance with the Director.

Instructors, Director

External Agreements

The College shall use a written agreement that stipulates ownership of the finished product. In most cases the College shall require the individual to assign ownership to College.

Director

G. Supporting Documentation:

None

H. Related Policies:

None

I. Related Materials:

None

Approved: August 7, 2024

Approved by: The Learning Company Leadership Team

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