

Case Studies—How software is handled under the [Copyright Ownership and Management of Software Policy](#)

How developed?	Ownership and Rights of Use	Management and Distribution Rights and Protocols
<p>Developer initiated and supported: Software developed by university faculty, staff, students and/or student organizations which is</p> <ul style="list-style-type: none"> • Without outside sponsorship restrictions, • Not a directed university collaborative effort, • Not for university administrative purposes, or • Developed without substantial use of university Resources 	<p>Faculty, staff, student or student organization developers own the copyright</p> <p>ISU retains right for internal non-profit use. Example: If a faculty member leaves, ISU has the right to use software for classroom purposes.</p> <p>Note: If the software developed by staff employees is not within their scope of duties, ISU has no claim or right to use as long as substantial university resources were not used. Example: Staff member in business office uses his/her own time and own computing facilities to develop software to track personal exercise.</p>	<p>Faculty, staff, student or student developer</p> <p>For software developed by staff employees for university purposes with potential commercial use, may consult with OIPTT.</p>
<p>Software developed under sponsorship without restriction and processed through OSPA (sponsor does not claim interest)</p>	<p>ISU owns copyright</p> <p>Developers retain right for internal educational and research activity. Example: Researcher retains right to continue to use software developed under sponsorship and to create derivative works in a university setting, but not in consulting activity or other commercial purposes with a company without written approval from ISU or ISURF.</p>	<p>For commercially viable software (including consulting activity), OIPTT must be consulted.</p>
<p>Software developed under restriction:</p> <p>Software developed under an agreement that provides the sponsor rights in software.</p> <p>Examples: Agreements with the US Department of Energy and industry sponsors have clauses stipulating that they retain certain rights in software.</p>	<p>In accordance with agreement</p> <p>Generally, ISURF will own the copyright but ISU retains a right to use software developed under sponsorship for internal non-profit educational and research purposes. If such a right is granted, the developers shall also have such rights to use the software and create derivative works in a university setting, but not for commercial purposes with a company including consulting without written approval from ISURF.</p>	<p>In accordance with agreement</p> <p>OIPTT must be consulted for compliance with the federal regulations or industry agreement.</p> <p>Ames Laboratory Office of Sponsored Research Administration must be consulted for compliance with the Ames Lab agreement.</p>
<p>Substantial use of university resources:</p> <p>Examples:</p> <ol style="list-style-type: none"> 1. Software developed after permission has been granted to use specialized facilities of the university. E.g., Graduate student is authorized to use C-6 for project related to dissertation which is not sponsored. 2. Software is developed by faculty and staff that will analyze and provide real-time imaging of cattle inter-muscular fat and muscle. University staff were paid to code and debug the software. 	<p>In absence of an agreement otherwise, ISU will own the copyright</p> <p>Developers retain right for internal non-profit educational and research use at ISU. Rights are generally reserved for the developer to also use the software and create derivatives at other non-profit organizations/institutions for educational and research use. No rights are granted for commercial use, including consulting, without written approval from ISU or ISURF.</p> <p>Note: Use of computing equipment normally accessible to employees, such as use of standard desktop or laptop computers, and computing labs open to students or staff shall not be considered specialized facilities.</p>	<p>ISU college or department</p> <p>OIPTT must be consulted before distribution.</p> <p>OIPTT manages distribution.</p>

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<p>Collaborative works directed by university or university unit:</p> <p>Example: Program begins initiative on developing research tools, requiring the assistance of a team of researchers, and the project is directed by a person designated by the program director or chair</p>	<p>ISU owns copyright</p> <p>Subject to any agreement between developers, each developer retains right for internal non-profit research and educational use while at ISU. Example: Researcher retains right to continue to use software developed under sponsorship and to create derivative works while at ISU.</p>	<p>ISU college or department</p>
<p>Collaborative works directed by a principal investigator for a university unit:</p> <p>Example: A PI's research project has developed a manufacturing software program that is continuously used and modified and is a key component to the function of a research group. The program is developed and modified over 10 years and is a valuable research and educational project for graduate students. There are multiple faculty and student developers of this program over the 10-year period. Now the program has attracted commercial interest but there is a need for the center to provide support to the commercial users of the program.</p>	<p>ISU, including any derivative works.</p> <p>Subject to any agreement with a funding source, each developer retains the right to continue to use the software program for non-profit research and educational purposes and to create derivative works while at ISU. If income is available for sharing, the university unit will receive the developers share and no sharing will go to the developers.</p>	<p>ISU College or Department</p> <p>OIPTT manages distribution</p>
<p>Administrative Work: Software developed to carry out university administrative and business functions.</p> <p>Example: Admissions requests IT staff to develop software to manage admissions contacts.</p>	<p>ISU owns copyright</p>	<p>Unit developing the software</p> <p>If the software is to be sold commercially, OIPTT must be consulted.</p>
<p>Extension Work: Software developed for public use as part of extension activity.</p> <p>Example: Software developed as a calendar addition so that farmers will remember to conduct crop testing.</p>	<p>ISU owns copyright</p> <p>Developer retains right for internal non-profit educational and research use while at ISU or other non-profit entity. Example: Researcher retains right to continue to use software developed under sponsorship and to create derivative works.</p>	<p>Extension</p> <p>If the software is to be sold/licensed commercially, OIPTT must be consulted.</p>