

# Intellectual Property

Intellectual Property includes:

- Copyrights: A copyright protects the tangible expression of an idea, not the idea itself (e.g., a book, a research article, or a videotape).
- Patents: A patent protects the idea and gives the creator the right to exclude others from using the idea (e.g., a patent may be awarded to anyone who invents a new machine or a new way of manufacturing something, etc.). In order to receive the patent, the creator must disclose in detail how to make his invention work and its use.
- Trademarks: A trademark identifies and distinguishes an idea, written words, pictures, or products from those of competitors (e.g., the Coca Cola script name is a registered trademark that immediately identifies the product).
- Trade Secrets: A trade secret refers to information that is not publicly known, that produces economic benefit to the owner, and that the owner maintains as secret.

Who owns your “intellectual property”?

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For these situations, what kind of intellectual property is involved and who owns it?

A professor gives an off-the-cuff lecture and you take notes.

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A professor reads a passage from his book and you copy it exactly.

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In the lecture you took notes on, he describes a recent patented invention of his.

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For the University Policy, see

[http://regents.umn.edu/sites/default/files/policies/Commercialization\\_IP.pdf](http://regents.umn.edu/sites/default/files/policies/Commercialization_IP.pdf)

## Authorship

To merit authorship, three things must usually be present (though different journals or fields may have specific guidelines). Generally:

1. All authors must make a significant contribution to research, such as conceptualization and design, collection of data, or analysis and/or interpretation of results.
2. All authors must contribute to drafting and/or revising important parts of the manuscript.
3. All authors must have final approval of the manuscript and accept responsibility for its integrity.

Consider the following situation. Who should be an author? Who should be acknowledged? Who does not merit formal recognition?

Bob Powell, a postdoctoral fellow in biochemistry, has just completed a manuscript detailing the results from the first project in which he has taken a leading role. The focus of his project has been to discern the ways in which humans metabolize sulfites, a class of chemicals commonly used to preserve wines and dried fruits. Although he had developed the rough outlines of the project on his own, he owes much to individuals both inside and outside his lab. The assistance he received from others includes the following:

- A colleague at another university, a toxicologist specializing in food additives, shared with Bob his previous work on the *in vivo* activity of sulfites, information that allowed Bob to choose the ideal animal model for the experiment—the Abyssinian field mouse.
- A friend of his, who happened to be a wildlife specialist, provided Bob with much advice on rearing and maintaining a colony of Abyssinian field mice such that he would have a stable pool of animal subjects.
- A highly experienced technician in the lab gave Bob advice on modifying an assay he had been using, which finally allowed him to measure successfully sulfite metabolites in mouse urine. This technician also assisted in writing up the methods section of the paper.
- The number of assays that Bob had to conduct was quite sizable and more than he could manage on his own, given other demands of the project. Thus, an undergraduate college student collected most of the urine samples and conducted the assays yielding the data.
- Finally, a senior researcher in a neighboring lab who took an interest in Bob's career offered to review the initial drafts of Bob's paper. By the end of the writing process, this researcher had helped Bob outline the paper, suggested a few additional experiments that strengthened the paper's conclusions, and made a number of editing changes in the penultimate draft that enhanced the paper's clarity.

Everyone who does 1,2,3 should be an author, and all authors should do 1,2,3, but not all authors are created equal. How is order of authorship decided?

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Name: \_\_\_\_\_

We discussed some issues about authorship and intellectual property today.

What did you find particularly interesting or new to you?

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