
Roundtable Discussion 10/4/2007

Definitions:

IP is a category of intangible rights protecting the products of human intellect that is unique and/or non-obvious with some value in the marketplace, including ideas, inventions, literary creations, unique names, business models, industrial processes, computer program code, etc. *patent, trademark, copyright, mask work, and trade secret* are well-known examples of Intellectual Property.

Patent is a governmental grant of right, privilege and authority for any *useful, novel, and nonobvious* inventions. A patent gives the holder the exclusive right to exclude others from *making, using, selling, offering to sell, and importing* any patented invention. Note, however, that a patent does not provide the holder any affirmative right to practice a technology, since it may fall under a broader patent owned by others; instead, your patent only provides the right to *exclude* others from practicing it.

Copyright is a property right in *original* works of *authorship* which have been *fixed* in any tangible medium of expression in the particular literary work, musical work, computer program, video or motion picture or sound recording, photograph, sculpture, etc. A copyright owner has the exclusive right to *reproduce* the work, prepare *derivative* works, *distribute* by sale or otherwise, and *display or perform* the work *publicly*. In contrast to a patent which protects the “idea”, copyright covers the “artistic expression.”

MIT POLICY:

General Research Policy: To prompt and *open dissemination* of the results of MIT research and the *free exchange* of information among scholars.

IP Ownership Policy:

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2. IP developed with significant use of funds or facilities administered by MIT.

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INVENTOR/AUTHOR OWNED: when none of the above applies.

IP in Sponsored Programs:

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