

Annual Report

Committee on Intellectual Property, Patents & Copyright (IPPC)

Academic Year 2025–2026

Executive Summary

The IPPC had a productive year, advancing four interrelated initiatives that protect faculty rights, clarify university rules, and position the institution for emerging challenges in intellectual property.

Rule 04–06 Alignment

Examined a sequencing conflict between the faculty misconduct rule (3335-5-04) and the IP appeals rule (3335-13-06). The committee unanimously approved draft language requiring that IP appeals be adjudicated by IPPC before misconduct investigations. The proposed amendment to the 04 policy has been transmitted to Senate.

Syllabus Copyright & SB1 Compliance

Responded to Faculty Council concerns about faculty copyright protections in the context of Senate Bill 1 (SB1) public-syllabus requirements and third-party instructional platforms. The committee determined the existing IP policy is sound but poorly understood, and provided guidance to faculty and academic leadership on safeguarding innovative course content.

Scope of Employment

Continued the multi-year effort to clarify when faculty-created inventions fall within university scope. The chair has engaged the Senate Cabinet to discuss the results from the 2025 IPPC subcommittee that examined a three-part agency-law framework and transparent waiver pathway; discussions are ongoing.

Leadership Transition

Elected new officers for AY 2026–27: Luiz Meirelles (Chair) and Jessica Fritter (Secretary).

Staff Membership

The idea of adding additional staff membership to IPPC was discussed briefly. It would require amending the bylaws. The issue will be taken up when IPPC reconvenes in the Fall.

Outcomes

The committee produced a formal draft rule amendment (Rule 3335-5-04, new subsection B.6), now under review by Senate Rules, guidance on syllabus copyright was communicated through Faculty Council. No red-line revisions to the IP policy itself were required.

Committee Membership & Sub-Committees

Member	Source	Term Ends	Sub-committee
Michael Freitas	Presidential	2026	Scope of Employment (chair); IPPC Chair
Anand Mhatre	Presidential	2026	Scope of Employment
Luiz Meirelles	Faculty Council	2027	Scope of Employment
Wolfgang Windl	Faculty Council	2027	04–06 Rules
Katelyn Swindle-Reilly	Faculty Council	2027	04–06 Rules
Rocki Strader	Presidential	2028	04–06 Rules (chair)
Jessica Fritter	Faculty Council	2028	04–06 Rules; Secretary-Elect
Raju Raval	Faculty Council	2028	Scope of Employment
Jon Fritz	CGS (Grad. Stu.)	2028	04–06 Rules
Kevin Taylor	ERIK CIO	—	ERIK
David Mess	OIED Licensing Dir.	—	Observer – Scope
Becky Kaufmann	Sr. Assoc. General Counsel	—	Observer – 04–06 Rules

New members joining in AY 2025–26: Rocki Strader, Jessica Fritter, Raju Raval, and Jon Fritz replaced outgoing members Ash Faulkner, Tracy Owens, Mara Frazier, and Brian Rocha, whose terms concluded in 2025.

(The committee meets Rule 3335-5-48 membership requirements.)

Key Activities & Interim Outcomes

Rule 04–06 Alignment

- **Objective:** Harmonize the faculty misconduct rule (3335-5-04) with the IP appeals rule (3335-13-06) so that intellectual property appeals are resolved by IPPC before misconduct proceedings that rely on IP-related findings.
- **Progress:**
- In August 2025, Senate Steering posed three sequencing options to the committee regarding when IPPC review should occur relative to misconduct investigations.

- A subcommittee chaired by Rocki Strader (members: Jessica Fritter, Jon Fritz, Katelyn Swindle-Reilly, Wolfgang Windl; observer: Becky Kaufmann) convened on October 20, 2025 and unanimously agreed that the existing IP policy language is sufficient and that harmonization should occur through an amendment to Rule 3335-5-04.
- The subcommittee recommended inserting language requiring that any IP complaint identified during a preliminary assessment or inquiry be referred to IPPC for adjudication under Rule 3335-13-06 before the misconduct investigation continues.
- In December 2025, the full committee endorsed the recommendation with a modification: the language should apply broadly across all subsections of Rule 04 (not only research misconduct), placed as a new subsection B.6.
- The committee conducted a formal vote in February 2026 and unanimously approved the draft language.
- The Chair transmitted the approved draft to Sarah Watson (Senate Steering/Rules) for coordination with Brandon Lester (Office of Legal Affairs). A meeting with Senate Rules was held; the formal rule-change process is now under consideration.

04–06 Rules Sub-committee

Chaired by Rocki Strader, this subcommittee was formed in response to a request from Senate Steering to address a gap identified during a faculty case: when a misconduct complaint under Rule 3335-5-04 hinges on an intellectual property question, which body should adjudicate the IP issue, and when? The subcommittee reviewed both rules and the IP policy, concluding that the existing IPPC appeals framework is well-suited to handle such disputes. The key risk they identified was that college-level investigation committees might make IP determinations outside their expertise, leading to inconsistent outcomes and potential due-process concerns. Their solution: a blanket referral requirement inserted early in the Rule 04 procedures was designed to be simple, broadly applicable, and protective of both faculty rights and institutional integrity. The full committee's endorsement and subsequent unanimous vote demonstrated strong consensus around this approach.

Syllabus Copyright & SB1 Compliance

- **Objective:** Address faculty concerns about copyright protections for syllabi and instructional materials in the context of SB1 public-posting requirements and the adoption of third-party platforms such as Simple Syllabus.
- **Progress:**
- The committee reviewed discussion points prepared on the ambiguity between IP policy sections C.1 and C.2 regarding syllabus ownership, the duration of university rights when faculty stop teaching a course, and concerns about

contingent faculty being assigned materials originally created by tenure-track colleagues.

- Committee discussion identified that the existing IP policy is fundamentally sound but poorly understood across academic units, creating anxiety among faculty—particularly at regional campuses and in online programs.
- Third-party platform agreements (EULAs) were flagged as a potential risk; the committee requested that OAA and OCIO verify that platform terms do not inadvertently transfer ownership or grant vendors reuse rights.
- Specific concern was raised that highly innovative program designs (e.g., a new assistive-technology curriculum) could be copied by competing institutions if fully disclosed in public syllabi, given that copyright protection for syllabi is narrow.
- The committee determined it would not propose revisions to the IP policy at this time. Instead, it recommended practical guidance: keep public syllabi minimal and protect innovative content within course materials hosted on internal platforms such as Carmen.
- The Chair conveyed the committee’s concerns and guidance to Faculty Council and the Office of Academic Affairs, and coordinated with OAA working groups already addressing SB1 implementation.

Syllabus Copyright Discussion

This issue emerged from two Faculty Council questions: whether faculty were unknowingly assigning away IP rights through centralized software platforms, and whether SB1’s public-posting mandate was exposing proprietary instructional content. The committee investigated both concerns during the fall semester. Members noted that enforcement options are limited, the Office of Legal Affairs rarely litigates copyright matters, and can send cease-and-desist letters only when OSU has a direct licensing interest. Rather than pursue policy changes that could take years, the committee took an immediate, practical approach: educating faculty through Faculty Council channels, recommending minimal-disclosure practices for public syllabi, and urging OAA to audit third-party vendor agreements. The committee also identified the need for a faculty-facing FAQ or short guide explaining copyright basics, OSU policy, and SB1 requirements.

Scope of Employment

- **Objective:** Develop a clear definition and application framework for “scope of employment” in the IP policy, including potential amendments to address ambiguity in ownership determinations.
- **Progress:**
- The subcommittee (chaired by Michael Freitas; members: Anand Mhatre, Luiz Meirelles, Raju Raval; observer: David Mess) continued the work begun in AY 2024–25, building on the prior year’s SWOT analysis and peer-institution benchmarking.

- The committee discussed three-part agency-law test (whether the activity was the kind the employee was hired to perform, took place during authorized time and space, and was motivated at least in part to serve the employer) and a transparent advance-ruling and waiver pathway.
- As of April 2026, discussions with Senate Cabinet are still needed. The subcommittee plans to circulate draft policy language for broader comment during AY 2026–27.

Scope of Employment Sub-committee

Building on last year's foundational research, which included benchmarking several AAU peers and completing a SWOT analysis, the subcommittee shifted focus to stakeholder engagement this year. The primary goal was to socialize the proposed three-part agency-law framework with university governance bodies before drafting formal policy language. A meeting with Senate Cabinet was planned to discuss the concept and gather feedback. However, the Scope of Employment and Roadmap subcommittees were placed on hold for the year due to bandwidth constraints; the scope-of-employment work remains a priority, and the subcommittee expects to produce a red-lined policy draft for committee review in the coming academic year.

Entrepreneurship Roadmap

The Entrepreneurship Roadmap subcommittee was placed on hold for AY 2025–26 to allow the committee to focus on the 04–06 alignment and syllabus-copyright initiatives. The prior year's work—including NPS analysis, survey redesign proposals, and process-improvement ideas—remains available for the incoming committee to resume when capacity permits.

AI & Intellectual-Property Resources

The AI-and-IP resource page, developed in partnership with the University Libraries' Patent & Trademark Resource Center (PTRC) and ERIK, was scheduled for launch. The committee continued to track evolving federal guidance on generative AI's intersection with copyright and patent law. Multiple guest speakers on AI in copyright and patent/trademark centers were identified for future meetings but had not yet been scheduled by year-end.

Consultations & Appeals

No formal consultations or appeals were adjudicated during AY 2025–26. The committee did, however, provide substantive consultation to Senate Steering on the 04–06 sequencing issue and to Faculty Council on syllabus-copyright concerns.

Staff Membership

The idea of adding additional staff membership to IPPC was discussed briefly. It would require amending the bylaws. The issue will be taken up when IPPC reconvenes in the Fall.

Priorities for AY 2026–27

- **Finalize Rule 3335-5-04 amendment:** Work with Senate Rules and the Office of Legal Affairs to shepherd the approved 04–06 alignment language through the formal rule-change process.
- **Draft scope-of-employment policy language:** Circulate a red-lined revision of the IP policy incorporating the three-part agency-law test and advance-ruling/waiver pathway for broader faculty comment.
- **Monitor SB1 and syllabus-copyright implementation:** Continue coordinating with OAA to ensure third-party platform agreements protect faculty rights, and develop a faculty-facing FAQ on copyright, IP policy, and SB1 requirements.
- **Resume entrepreneurship roadmap:** Re-engage the Roadmap subcommittee to advance NPS-informed improvements to ERIK/OIED disclosure and licensing processes as committee bandwidth allows.
- **Advance AI-and-IP resources:** Support the launch of the PTRC/ERIK resource page and invite speakers on emerging AI-related IP topics.
- **Transition leadership:** Support incoming Chair Luiz Meirelles and Secretary Jessica Fritter in continuing the committee’s agenda and onboarding any new members.
- **Staff Membership:** The idea of adding additional staff membership to IPPC was discussed briefly. It would require amending the bylaws. The issue will be taken up when IPPC reconvenes in the Fall.

Prepared on behalf of the IPPC by

Michael Freitas, Ph.D.

Chair, IPPC 2025–26