

Office of Intellectual Property Development

Frequently Asked Questions

1. What is intellectual property?

Intellectual property (IP) is defined as “creations of the mind, e.g. inventions, literary and artistic works, designs and symbols, to which one has the right of ownership.” [Article I, Section 8 of the U.S. Constitution](#) gives Congress the power to “promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.” In other words, inventors own what they invent, whether it’s a song or a new drug.

2. What types of intellectual property protection are there?

There are three main types: **copyright** is used for original works such as books, works of art and other creative forms. It does not cover the ideas, only the way in which they are expressed. **Trademarks** are recognizable designs that distinguish a product or service from others. **Patents** are rights granted by the government to inventors or their assignees. Inventions must be new, not obvious and applicable.

3. Why should I consider patenting my invention?

There are many excellent reasons to protect IP: 1) to make money; 2) to maximize the societal benefits of your work; 3) to generate income for the university; 4) to yield a tangible return on investment from funding agencies; 5) to enhance area and state economic development; and more.

4. Does KSU have a right to my intellectual property?

Yes, if university resources were utilized or if the IP is a result of one’s job duties. If university resources were only ancillary (e.g. use of email) then the inventor may retain rights to his or her invention. Otherwise, the Board of Regents via KSU has ownership rights.

5. If the Board of Regents owns my IP, why should I bother developing it?

KSU, through [the Kennesaw State University Research and Service Foundation \(KSURSF\)](#), will share proceeds from licensing or sale of inventions with inventors pursuant to the IP policy. Currently, the split is 50%-50% after costs are recovered.

6. How does KSU support intellectual property development?

[KSURSF](#) will work with you to develop your invention and will pay the costs of writing and filing patent applications. Our patent attorney will take you every step of the way.

7. What are the first steps to protecting my IP?

Fill out to the best of your ability the [invention disclosure form](#) and send it to the [Director of Intellectual Property Development](#). Rest assured that all disclosures will remain confidential. After an initial assessment by the Intellectual Property Committee, a decision whether to file a provisional application will be made. Within a year from the provisional application, a full application must be made.

8. How do I copyright my work?

Copyright is automatic; if you write it, draw it or produce it, it's yours. Registering your copyright is a good idea if there is commercial value. It is easy to register on your own at www.copyright.gov.

9. What else do I need to know?

Contact the [Director of Intellectual Property Development](#) with any questions or concerns. While KSU has rights to the IP created with its resources and by its employees, it is not an adversarial process. The university, the inventor, and the licensee/purchaser all benefit.