UNIVERSITY OF WEST FLORIDA

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INTELLECTUAL PROPERTY

Patent, Copyright & Trademark

A guide to the three main forms of intellectual property protection for UWF faculty and staff

Patent
Inventions: processes, devices, materials, technical systems

Copyright
Original works fixed in a tangible form

Trademark
Words, names, symbols and designs that identify a source

Patents

PATENT

A patent is a form of intellectual property protection for a new or improved invention, giving the owner exclusive rights for a limited period of time.

What Is a Patent?

A patent is a form of intellectual property protection that gives the patent owner the right to exclude others from making, using, selling, offering to sell, or importing a patented invention for a limited period of time. In the United States, utility patents generally last **20 years from the earliest non-provisional filing date**, subject to legal requirements, maintenance fees, and any applicable adjustments or limitations.

Patent protection may be available for new or improved inventions, including eligible processes, methods, devices, materials, compositions, technologies, and technical systems. In exchange for these exclusive rights, a patent application must describe the invention in sufficient detail so that others skilled in the field can understand it and, after the patent term ends, use the knowledge disclosed. In this way, the patent system both encourages innovation and promotes public knowledge.

What Is Patentable?

Patentable inventions can arise across many disciplines, including:

Engineering
Laboratory instruments, sensors, circuits, semiconductors, manufacturing techniques, filtration systems, and mechanical devices.

Biotechnology
Genetic markers, gene transfer methods, microorganisms, biological materials, diagnostic tools, and research methods.

Chemistry

New compounds, drugs, polymers, coatings, fuel cells, formulations, and chemical processes.

Software and Computing

Data-processing methods, cybersecurity systems, networking tools, machine-learning applications, technical algorithms, and digital platforms.

Environmental and Marine Science

Monitoring systems, testing methods, remediation technologies, materials, and applied field technologies.

Health and Human Performance

Devices, assessment methods, assistive technologies, training systems, and applied clinical or wellness tools.

What Is Not Patentable?

Some subject matter generally cannot be patented. This may include laws of nature, natural phenomena, scientific theories, abstract ideas, purely mental processes, and mathematical formulas by themselves. Pure algorithms without a practical technical application are also generally not patentable. However, practical applications or technical improvements based on those concepts may sometimes be patentable.

Copyright

COPYRIGHT

Copyright is a form of intellectual property protection for original works such as writings, images, music, videos, software, and other creative content fixed in a tangible form.

What Is Copyright?

Copyright is a form of intellectual property that protects the expression of an original idea once it is fixed in a tangible form, such as a written document, recording, image, video, software code, or other captured format.

For UWF faculty and staff, copyright may apply to works created through teaching, research, scholarship, creative activity, software development, training, and University-supported projects. These may include articles, books, presentations, course materials, instructional content, videos, artwork, music, software, and other original scholarly or creative works.

Copyright gives the owner exclusive rights to reproduce, distribute, display, perform, and create derivative works from the original. Protection generally arises automatically under U.S. law once the work is created and fixed in tangible form. Registration is not required for copyright protection to exist, but registration with the U.S. Copyright Office may provide additional legal benefits.

EXPRESSION, NOT IDEAS

Copyright protects the expression of an idea, not the idea itself. For example, copyright may protect an article, lecture, figure, image, or recorded presentation, but it does not protect the underlying facts, procedures, systems, methods, formulas, discoveries, or devices described in the work.

Who Owns It Under UWF Policy?

Under UWF policy, ownership depends on the nature of the work, the creator's role, and the level of University support involved. Traditional Works of Faculty Authorship are generally owned by the creator, while Works Made for Hire and certain University-supported works are generally owned by the University. Instructional materials and electronic courseware may be treated differently depending on the circumstances of development and the level of University support. Faculty and staff should consult the UWF Intellectual Property Policy and Research Administration and Engagement (RAE) for guidance on ownership, disclosure, and use.

Examples of Copyrightable Works

- ✔ Books, articles, reports, manuals, and lectures
- ✔ Software, source code, and related documentation
- ✔ Music, recordings, and audio works
- ✔ Plays, choreography, and performance materials
- ✔ Photographs, graphics, illustrations, paintings, and sculptures
- ✔ Films, videos, animations, and recorded lectures
- ✔ Course modules, presentations, handouts, and online learning content

What Copyright Does Not Protect

- × Ideas or concepts
- × Facts or factual information
- × Procedures, systems, processes, or methods
- × Formulas, discoveries, or devices
- × Titles, names, slogans, or short phrases
- × Public domain materials

Trademarks

TRADEMARK

A trademark is a word, name, symbol, design, or phrase that identifies and distinguishes the source of goods or services.

What Is a Trademark?

A trademark is a word, name, symbol, design, or combination of these used to identify and distinguish the source of goods. A service mark performs the same function for services. Trademarks and service marks help the public recognize the source of a product or service and distinguish it from others in the marketplace.

In a university setting, trademarks may include names, logos, slogans, symbols, program names, and other identifiers associated with the institution, its services, or its activities. Trademark protection helps preserve the distinctiveness of these identifiers and prevents others from using confusingly similar marks in a way that could mislead the public.

Trademark strength often depends on distinctiveness. In general, marks that are arbitrary, fanciful, or suggestive are stronger than marks that are merely descriptive, while generic terms are not protectable as trademarks. A mark must be used consistently and appropriately to function as a source identifier. If a mark becomes generic over time, it may lose trademark protection.

TERM OF REGISTRATION

A federally registered trademark generally remains in effect for 10-year terms and may be renewed as long as the mark remains in use and applicable legal requirements are satisfied.

For more information, visit the U.S. Patent and Trademark Office:

PATENTS
uspto.gov/patents

TRADEMARKS
uspto.gov/trademarks

QUESTIONS?

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