



---

Michael V. Drake, MD  
President

February 1, 2021

Office of the President  
1111 Franklin St.  
Oakland, CA 94607

[universityofcalifornia.edu](http://universityofcalifornia.edu)

CHANCELLORS  
LAWRENCE BERKELEY NATIONAL LABORATORY DIRECTOR  
VICE PRESIDENT—AGRICULTURE AND NATURAL RESOURCES  
ACADEMIC SENATE CHAIR

---

CAMPUSES

[Berkeley](#)  
[Davis](#)  
[Irvine](#)  
[UCLA](#)  
[Merced](#)  
[Riverside](#)  
[San Diego](#)  
[San Francisco](#)  
[Santa Barbara](#)  
[Santa Cruz](#)

MEDICAL CENTERS

[Davis](#)  
[Irvine](#)  
[UCLA](#)  
[San Diego](#)  
[San Francisco](#)

NATIONAL LABORATORIES

[Lawrence Berkeley](#)  
[Lawrence Livermore](#)  
[Los Alamos](#)

Dear Colleagues:

Enclosed is the updated Presidential Policy on Copyright Ownership. This policy, which is the principal policy governing ownership of copyrights at UC, has not been updated since 1992. Given the significant changes in the area of copyright over the past three decades, it has become clear that a policy update is necessary.

The University initiated the process to update the policy in April 2013, through the Standing Committee on Copyright Policy, a subcommittee of the Systemwide Library and Scholarly Information Advisory Committee (SLASIAC), and completed a full systemwide review of a draft policy from September 19, 2019 through December 19, 2019. All of the relevant comments from this review were considered for incorporation in updating the policy.

Key changes to the existing Presidential Policy on Copyright Ownership:

- **Expand eligibility to own copyrights.** The definition of “Academic Authors” in the revised policy is simplified and expands the pool of those eligible to own copyright. Among other things, it eliminates references to Academic Personnel Manual (APM) titles.
- **Expand and clarify the pool of works eligible for copyright ownership.** The policy includes a definition of “Scholarly & Aesthetic Works” – a definition that did not exist in the 1992 policy. It also clarifies that software is a work for which eligible employees may own the copyright.
- **Create a definition for “Significant University Resources” as a limitation on the University’s ownership.** The current policy has a broad definition of “University Resources,” which directs, in some instances, that the University assert copyright ownership when the University’s resources contributed to the development of the copyright work. The revised policy now includes a key limitation such that the level of University resources must be “significant” and beyond the support provided to similarly-situated authors.

- **Clarify copyright ownership for Graduate Students.** The revised policy provides greater clarity regarding copyright ownership by graduate students of their theses, dissertations, and other copyrightable works.
- **Clarify the application of this policy for Represented (Union) Employees.** The revised policy specifically carves out any provision that is inconsistent with a union employee's collective bargaining agreement regarding copyright ownership.

Under the revised policy (and as the following capitalized terms are defined in the policy), the University hereby transfers copyrights it may own in Scholarly & Aesthetic Works created on or after the effective date of this policy to Academic Authors who prepared those works using Independent Academic Effort, subject to limitations set forth in the revised policy.

This policy is effective as of the date of this letter and will be posted online at <http://policy.ucop.edu/>. It is accompanied by a set of Frequently Asked Questions (FAQs) to help answer questions associated with the policy.

Sincerely,



Michael V. Drake, MD  
President

Enclosures

cc: Provost and Executive Vice President Brown  
Division Leaders  
Vice Chair Horowitz  
Vice Provost Carlson  
Director Grant  
Director Osorio-O'Dea  
Copyright Policy & Education Officer Fortney  
Principal Counsel MacDonald  
Chief of Staff Levintov  
Universitywide Policy Office