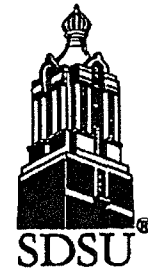


Effective 09/14/2015

To any non-SDSU party with interest in Student produced or designed work:



The purpose of this letter is to ensure the mutual understanding regarding intellectual property (IP) matters for all work designed and/or produced by School of Design Students at South Dakota State University (SDSU). This letter outlines SDSU's position on IP for potential non-university sponsors who are contemplating sponsorship of an art or design project or for non-university parties that may be interested in utilizing student developed work. In order to foster a productive relationship between SDSU and industry, it is critical that outside parties review this document.

SDSU encourages its faculty and students to interact with industry to advance its mission for education, research and community service. Within the educational framework, non-university partners provide students an excellent opportunity to interact with industry through hands on "real-world" projects. SDSU recognizes such educational experience is vital and beneficial to the development of SDSU students. Non-university parties also benefit by observing the students solving real-world problems in the educational framework and oftentimes can identify particular SDSU students who might be well suited for an offer of employment with the non-university party.

SDSU respects the proper IP rights of all parties, including those of non-university parties and will work with all parties for any agreement that is needed throughout a project. Absent intellectual and conceptual input of a project by an SDSU employee that would amount to inventorship under United States patent law and/or Board of Regents Policy 4.34 (<http://www.sdsu.edu/policy/4-Personnel/documents/4-34.pdf>) or the use of a project in sponsored or faculty directed research SDSU will not have rights in any IP, including art or design work, that is developed by a student in a School of Design classroom. SDSU cannot negotiate the IP rights or potential IP rights for students. Any IP agreements would need to be negotiated with the students working on the project.

The School of Design courses are meant to be an educational experience for undergraduate students and, therefore, it is important to note that a project that requires confidentiality by students or SDSU is often not appropriate. Barring any agreements executed by authorized personnel, SDSU employees will not have any responsibilities or obligations to maintain confidentiality for any information provided to them by non-university parties. Additionally, students receiving confidential information will need their own agreements as SDSU cannot negotiate, execute, or sign on behalf of students.

The SDSU Office of Technology Transfer and Commercialization is the designated and authorized office at SDSU to engage in IP related discussions regarding student produced intellectual property. If there are any questions or concerns, please feel free to contact us.

Sincerely,
The SDSU School of Design

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Kevin D. Kephart, Ph.D. Vice President for Research

Summary of Points:

- Subject to South Dakota Board of Regents Policy SDSU will not normally own the art work or design project created in School of Design classes.
- SDSU cannot negotiate on behalf of students.
- Absent agreements to the contrary there is no duty of confidentiality for students or SDSU employees for projects in School of Design classes.
- Any questions involving the ownership of intellectual property should be directed to the Office of Technology Transfer and Commercialization at SDSU.

Department/Program Approvals

The faculty of the Department of Architecture met Wednesday, September 2, 2015 at 12pm for a weekly faculty meeting. The "Intellectual Property Agreement for Design Students" was considered and it was unanimously agreed that the document will clarify these rights and responsibilities.

The Intellectual Property Agreement for Design Students was approved via a verbal vote in the Landscape Architecture program faculty meeting held at 12:00pm on September 2, 2015.

Graphic Design and Studio Art programs met in a joint meeting on September 4, 2015 at 12:30pm. They conducted a vote by show of hands on the adoption of the Intellectual Property document as presented and it was a unanimous vote to adopt.

Interior Design program met on September 9th for a bi-weekly faculty meeting and the Intellectual Property Agreement for Design Students was approved unanimously.