

 PA TURNPIKE COMMISSION POLICY <i>This is a statement of official Pennsylvania Turnpike Policy</i>		NUMBER: 8.15 APPROVAL DATE: 10-18-2022 EFFECTIVE DATE: 11-02-2022 REVISED DATE:
POLICY SUBJECT: Intellectual Property	RESPONSIBLE DEPARTMENT: Legal	

A. PURPOSE:

The Pennsylvania Turnpike Commission (“PTC”) has a history of encouraging and introducing innovations. The PTC desires to continue encouraging innovation and seeks to recognize innovative ideas as Intellectual Property (“IP”). This Policy provides a framework for the use, generation, acquisition, and management of IP and ensures that PTC-owned IP is used to generate value and innovation to the fullest extent possible.

B. SCOPE:

This policy applies to all employees; full-time, part-time, temporary, interns, annuitants, independent consultants, summer, and contract employees.

C. GENERAL POLICY:

The PTC encourages the creation and development of new ideas and innovations and provides the tools and support necessary to develop such innovations. The PTC is committed to protecting its IP, such as information, processes, and technology, from infringement by others. The PTC owns innovations and ideas that PTC employees create and develop with PTC resources. The PTC’s IP includes confidential agency information, inventions, innovations and ideas, trademarks, and copyrighted works. It is the responsibility of every PTC employee to help protect the PTC’s IP.

D. DEFINITIONS:

Confidential Information. Information not obtainable from reviewing a public document or from making inquiry to a publicly available source of information.

Copyright. The exclusive right given to an originator to print, publish, perform, film, or record literary, artistic, or musical material.

Independent Contractor. A self-employed person or entity contracted to perform work for-or to provide services to-another entity.

Innovations. Something that enhances the PTC’s ability to meet its vision, such as new technologies, tactics, techniques, and ideas that can offer improved performance or effectiveness in the PTC’s operations. Also, anything that improves safety, reliability and customer-value and results in new customers, an enhancement of revenues and/or cost savings.

Innovation Council. An official PTC committee created to foster a collaborative environment for the rapid implementation of ready to deploy and beneficial innovations to efficiently deliver a high-quality transportation system and to support the transformation, modernization, and innovation of PTC operation and processes.

Intellectual Property (or IP). Patents, trademarks, copyrights, trade secrets and service marks.

Inventions. Discoveries, ideas, improvements, conceptions, and related technical information.

Patent. An exclusive right granted to a person or entity for an invention which excludes others from making, using, or selling the invention for a certain number of years.

PTC Resources. Any support administered by or through the PTC, including, but not limited to, funds, facilities, equipment, or personnel.

Service Marks. A name or designation used in commerce, which may or may not be registered, in the manner of a trademark to distinguish an organization’s services from those of its competitors and used in connection with the rendering of services.

Trademarks. A symbol, design, word, or words established by use in commerce, which may or may not be registered, in connection with the sale of a product.

Trade Secrets. A practice, technique or process of a company that is generally not known outside of the company.

Vendors. Individuals or companies procured by the PTC to provide products or services.

Works for Hire. Any and all writings and other works including, but not limited to, computer programs, software, designs, graphics, scientific and technical data and reports, and presentations prepared by employees alone or with others during employment with the PTC shall be considered “works for hire” and shall be the sole property of the PTC which shall have the exclusive right to copyright or otherwise protect such works in all countries.

E. PROCEDURES:

1). Creating PTC IP.

A). Employees. All employees and teams of employees understand that the PTC owns all IP including ideas, innovations and inventions and any other IP created and developed using PTC resources and/or on PTC time. PTC employees are subject to the Commonwealth’s Adverse Interest Act, which prohibits employees from having an adverse interest (be a party

to) in any contract with the State agency by which they are employed. Employees are prohibited from partnering with state agencies in any contract or arrangement for the acquisition, use or disposal by a State agency of services or of supplies, materials, equipment, land or other personal or real property. PTC employees expressly agree that when submitting an idea, whether to the PTC Innovation Council, through All Ideas Matter or otherwise, the PTC will be the sole owner of all worldwide rights, title, and interest in and to that IP and all related work product(s). The submitting employee or team of employees: (a) forever assigns and transfers to the PTC all rights, title and interest in and to the work product and the related IP, including, without limitation, any and all copyright, patent, trademark, trade secret or other intellectual property rights inherent in or related to the work product; and (b) shall execute and deliver to the PTC such applications, assignments, and other documents and take such other actions as the PTC, in its sole discretion, considers necessary to vest, perfect, defend, or maintain the PTC's rights in and to the work product and the related IP.

Employees will be required to complete the Submit an Idea form which includes an acknowledgment that the PTC owns all ideas, innovations and inventions and any other IP that PTC employees create and develop in the course of their employment using PTC resources or on PTC time and that such IP shall be the exclusive property of the PTC.

Employees should not submit ideas, innovations or inventions to PTC that were created or developed using non-Commission or non-Commonwealth resources and on personal time, unless the employee agrees to assign and transfer all rights, title, and interest in and to the idea, innovation or invention to PTC as set forth above.

B). Vendors. It is to be understood that any IP created during the completion of the task or assignment a vendor was procured to complete shall be transferred to the PTC. Individuals or companies procured by the PTC must disclose in their written proposals any vendor-owned IP or third-party IP intended to be used in the performance of the task or assignment for which it was procured. Vendors must disclose any new IP anticipated to be created and used in the performance of their task or assignment that would be considered PTC property.

2). Managing PTC IP.

Any PTC Department procuring a service, task or assignment from a vendor will be required to include an IP Vendor Disclosure Form in the Requests for Proposals. Departments will be responsible for creating an IP creation checklist for project managers.

The Legal Department will review submitted ideas, innovations, inventions, and any other IP for protection of PTC rights and to determine whether an idea, innovation, or invention is PTC IP. The Legal Department will also, provide for the appropriate application for intellectual property protection with the applicable governmental authorities, and the assignment, as necessary, of the IP from the employee.

This Policy Letter supersedes all previous Policy Letters on this subject.