

Students and Intellectual Property

Frequently Asked Questions

Johns Hopkins Technology Ventures (JHTV) is proud to support student innovators and entrepreneurs across the University.¹ As part of this effort, JHTV has created this FAQ to help students understand who owns what when it comes to patentable and non-patentable inventions, software, copyrighted works, data sets, apps, and know-how created by students. The goal of this FAQ document is to answer frequently asked questions about intellectual property (IP) ownership, but this content does not replace the JHU IP Policy.

Certain common scenarios are described below. Because all situations are unique, the scenarios described may not be identical to your specific case. Please bring to JHTV any questions about IP (including patentable and non-patentable works and inventions, data sets, apps, and software) that you create while a student at JHU.

In situations where you own IP that you created while a student at JHU, you may still benefit by transferring ownership of your IP (which is called “assigning your IP”) to JHU. Students who are not obligated to assign their IP to JHU but nonetheless choose to do so will receive the same benefit that are received by JHU faculty and staff (who are required to assign their rights). This means that if JHTV pursues protection of the assigned intellectual property, it will do so at no cost to the students. And if the University receives revenue from licensing the assigned IP, the students will receive a share of that revenue as defined in the JHU IP Policy.

If you are interested in discussing whether JHU may be interested in taking assignment to your personal IP, please contact Kerrie Carden, Director of Student Ventures, at kcarden1@jhu.edu.

Undergraduates and IP

Question 1: An undergrad creates IP as part of a JHU course. Who owns the IP?

Answer 1: The student.

Question 2: An undergrad creates IP while working in a JHU faculty member’s lab, paid or unpaid. Who owns the IP?

Answer 2: JHU.

¹ Postgraduate trainees and fellows, including medical residents and fellows, are not students, and these FAQs are inapplicable to postgraduate trainees and fellows. IP invented by postgraduate trainees and fellows is subject to the JHU Intellectual Property Policy.

Question 3: An undergrad creates IP while participating in a one-time JHU-sponsored entrepreneurial event (i.e., a hackathon). Who owns the IP?

Answer 3: The student.

Question 4: An undergrad creates IP while participating in a JHU capstone project as part of an undergraduate degree program. The undergrad's team works with an industry partner. Who owns the IP?

Answer 4: Possibly the industry partner. Students in industry-sponsored JHU capstone projects may be obligated to assign any IP that comes out of the project to the industry partner. Please speak with your JHU instructor or advisor before engaging in industry-sponsored coursework. If you do not wish to be in a position where you will be required to assign IP to an industry partner, you will be offered a non-industry project on which to work.

Question 5: An undergrad creates IP while participating in a JHU course or degree project mentored or supervised by a JHU faculty member or graduate student. IP is created jointly by the undergrad and the faculty member. Who owns the IP?

Answer 5: The IP is likely jointly owned by the student and the faculty member/graduate student. If the IP was developed during and as part of the undergraduate project, the student will retain ownership of his or her ownership rights to the jointly-created IP. JHU owns the IP created by the faculty member/graduate student.

Question 6: An undergrad creates IP outside of coursework and without any faculty or graduate student involvement. Who owns the IP?

Answer 6: The student.

Graduate Students and IP

Question 1: A graduate student pays tuition to participate in a JHU graduate program. The graduate student creates IP during a graduate course. Who owns the IP?

Answer 1: The student.

Question 2: A graduate student is a member of a faculty lab. The graduate student creates IP during her lab work. Who owns the IP?

Answer 2: JHU.

Question 3: A graduate student serves as a teaching assistant or other type of supervisor to an undergraduate course or program as part of the graduate student's JHU responsibilities. The graduate student and his undergraduate students jointly create IP. Who owns the IP?

Answer 3: The undergraduate students own their interest in the IP; JHU owns the interest of the graduate student.

Question 4: A graduate student writes a dissertation that is itself IP. Who owns the dissertation?

Answer 4: The student, but JHU has certain rights to the dissertation.

Question 5: A graduate student works in a JHU faculty member's lab and writes her dissertation based on her laboratory work. Who owns the data that supports her dissertation?

Answer 5: JHU.