EMAYA

Intellectual Property Protection Policy

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Created by	Jorge Huezo
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4/17/2023	0.1	Jorge Huezo	Draft
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Contents

Introduction

The organization recognizes the importance of intellectual property rights and is committed to protecting its own intellectual property and respecting the intellectual property rights of others. This policy outlines the guidelines and procedures that the organization follows to safeguard its intellectual property.

Purpose

This policy provides guidance to employees, contractors, and third-party vendors on the proper use, protection, and management of the organization's intellectual property. This policy aims to ensure compliance with applicable laws, regulations, and license agreements, and to prevent unauthorized use, copying, or distribution of intellectual property.

Scope

This policy applies to all employees, contractors, and third-party vendors who use or have access to the organization's intellectual property. This policy covers all forms of intellectual property, including copyrights, trademarks, patents, trade secrets, and other proprietary information. This policy also applies to all software and information products acquired, used, or developed by the organization. This policy does not supersede any other policies or agreements related to intellectual property that the organization has in place.

Intellectual Property Protection Policy

This policy aims to protect all intellectual property owned by the organization and ensure compliance with applicable laws, regulations, and license agreements. All employees, contractors, and third-party vendors who use or have access to the organization's intellectual property must comply with this policy.

The term "intellectual property rights" encompasses a range of protections, including copyright for software and documents, design rights, trademarks, patents, and source code licenses. To protect intellectual property Emaya will carry out the following:

Compliance Procedures

The organization will publish procedures for intellectual property rights compliance, which will define compliant use of software and information products. All employees, contractors, and third-party vendors must comply with these procedures.

Asset Registers

The organization will maintain appropriate asset registers and identify all assets with requirements to protect intellectual property rights.

Compliance with legal, statutory, regulatory, and contractual requirements is critical to avoid infringement of proprietary material. Only material developed by the organization or licensed by the developer shall be used.

Software

Software Acquisition

The organization will acquire software only through known and reputable sources to ensure that copyright is not infringed upon as defined by the supplier management procedures and policies.

Software Disposal and Transfer

The organization will provide procedures for disposing of or transferring software to others.

Considerations for Disposing of or Transferring Software to Others:

1. Obtain written approval from the appropriate authority before disposing of or transferring software to another party.
2. Ensure that all licensed software is uninstalled or removed from the organization's systems before disposing of or transferring it to another party.
3. Transfer the software only to parties who agree to comply with all license terms and conditions.

4. Keep accurate records of all software transfers, including the name and contact information of the party receiving the software, the date of transfer, and the license terms and conditions.
5. Ensure that all license keys, access codes, or other means of accessing the software are removed from the organization's systems before transferring the software.
6. Provide the party receiving the software with any necessary documentation, such as manuals or installation instructions, and proof of ownership or licenses.
7. Obtain written confirmation from the party receiving the software that they have received and understand the license terms and conditions, and that they agree to comply with them.
8. Ensure that any backups or copies of the software are also disposed of or transferred in accordance with these procedures.
9. When disposing of software, ensure it is done securely and environmentally responsible, in compliance with any applicable laws or regulations.

Licensing

License Ownership

The organization will maintain proof and evidence of ownership of licenses, manuals, and other related documents.

License Compliance

The organization will ensure that any maximum number of users or resources permitted within the license is not exceeded. The organization will carry out internal audits to ensure that only authorized software and licensed products are installed. More details can be found on the audit plan.

When using proprietary software products, it is essential to adhere to the terms and conditions set forth in the license agreement. Such agreements typically limit the use of the product to specific machines and restrict copying to the creation of backup copies only.

Emaya ensures that license agreements are reviewed and understood by all employees, contractors, and third-party vendors who use or have access to the licensed software and that all employees, contractors, and third-party vendors who use or have access to licensed software are aware of and understand these procedures.

GLPI

Emaya uses GLPI as an information technology asset manager; GLPI allows Emaya to do the following for compliance with internal policies and the norm:

1. Maintain a central repository for all software licenses, contracts, and agreements.
2. Keep track of license expiration dates and renew licenses before they expire.
3. Monitor license usage to ensure compliance with license terms, including the maximum number of users or resources permitted within the license.
4. Keep accurate records of license transfers and ensure that the new licensee is aware of and agrees to all license terms.
5. Ensure that license keys or other access codes are kept secure and only accessible by authorized personnel.
6. Keep track of license updates and ensure that all software is up to date with the latest version.
7. Monitor software usage to ensure that it is being used only for its intended purpose and in compliance with license terms.
8. Ensure that all software and information products are uninstalled or removed when license agreements expire or when they are no longer needed.
9. Keep accurate records of license usage and compliance efforts.

Compliance with Public Networks and Outside Sources

The organization will comply with terms and conditions for software and information obtained from public networks and outside sources.

Acquiring data from outside sources can also present challenges. Data sharing agreements or similar legal instruments should be in place to clarify what processing is permitted for the acquired data. In general, the only data from external sources used by Emaya is technical documentation; this is not manipulated in any form and is procured from the software/information provider directly in most cases.

Duplicating and Copying Restrictions

The organization will not duplicate, convert to another format, or extract from commercial recordings other than permitted by copyright law or applicable licenses. The organization will not copy, in full or in part, standards, books, articles, reports, or other documents other than permitted by copyright law or applicable licenses.