
National Park Service Intellectual Property

Learning Needs Analysis

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NATIONAL PARK SERVICE INTELLECTUAL PROPERTY: LEARNING NEEDS ANALYSIS

Abstract

The purpose of this project is to research standard practices regarding intellectual property that are used by the National Park Service (NPS), its partners, and other relevant parties. The findings from this project will help the NPS determine where it can improve its handling and use of intellectual property. Based on research, a training review, and interviews, this project produced four findings:

- I. The NPS should designate a single point of contact—an Intellectual Property Officer—who would oversee IP issues Servicewide.
- II. The NPS needs more direction and policy regarding intellectual property in the form of approved guidance documents and updated job aids/handbooks.
- III. The tracking of intellectual property held by the NPS is not consistent Servicewide. As a result, the NPS may not be aware of the full extent of its intellectual property holdings. This situation can lead to errors in the use of intellectual property by the NPS or misuse of NPS IP by others, which may, at times, result in financial liabilities.
- IV. Currently, the NPS does not have a comprehensive training program for intellectual property, which requires most employees to learn about intellectual property and IP practices “on the job.”

Introduction

The Eppley Institute for Parks and Public Lands, Indiana University, in partnership with the National Park Service (NPS), has conducted research regarding the use of and standard practices relating to intellectual property (IP) within the National Park Service. The purpose of the research is help the NPS determine where it can improve in its handling and use of intellectual property. In order to fulfill the project's purpose, the project team completed the following actions:

- Developed a project plan,
- Reviewed existing NPS intellectual property training that was available to NPS employees,
- Conducted interviews with relevant NPS employees, and

- Conducted additional research on intellectual property use.

This Learning Needs Analysis (LNA) is focused on the use—by the NPS, its partners, and other organizations and individuals—of intellectual property that has been produced by the NPS, its partners, and other organizations and individuals. For the purposes of this project, intellectual property will follow the Cornell University Law School definition of the term. This definition is used in this report because Cornell is known of its work regarding intellectual property. According to this definition, intellectual property is “any product of the human intellect that the law protects from unauthorized use by others. The ownership of intellectual property inherently creates a limited monopoly in the protected property. Intellectual property is traditionally comprised of four categories: patent, copyright, trademark, and trade secrets.”¹ Intellectual property can take many forms, including, but not limited to, photos, films, videos, processes, written works, and trade secrets.

An LNA ascertains what knowledge and training that currently exists and what is needed. The identification of needs is the first step in the development of materials for this project. Techniques used for this analysis included interviews and consultations with NPS employees and the Solicitor’s Office, a review of existing and pending NPS policies, and additional research regarding intellectual property use and misuse. In many instances, an LNA is the first step in developing instructional design documents for planned learning events. The findings of this report indicate that the NPS needs to finalize internal policies and procedures regarding intellectual property before considering the details of a training program. Clearly defined policies and procedures must be in place first, since these will provide the framework for the development of new training.

Intellectual Property Background

Appropriate use of intellectual property is a serious issue. For example, a misuse of NPS intellectual property by an individual or organization outside the NPS could give the false impression that the agency endorses a particular product, brand, or idea. This

¹ Cornell University Law School, “Intellectual Property,” https://www.law.cornell.edu/wex/intellectual_property (accessed August 6, 2015).

presents an obvious problem if the product, brand, or idea is something the NPS definitely does not wish to support. Even if it is something that aligns with the NPS mission and values, there may be any number of reasons why it would be inappropriate to publicly associate the NPS with that product, brand, or idea. By the same token, NPS misuse of intellectual property that does not belong to the NPS is an infringement on the rights of the owners of that intellectual property. Using the work of another individual or organization without their permission denies these entities the credit (and, often, the financial compensation) they deserve for something that they created, invented, trademarked, and/or copyrighted. In addition, there may be any number of reasons why an individual or organization might not want their work to be associated with the NPS.

In the private and public sectors, misuse of intellectual property often leads to lawsuits. This section of the report highlights case studies and examples in which the NPS has learned hard lessons as a result of the improper handling of intellectual property.

Hot Springs National Park: A Case Study²

The name “Hot Springs National Park” in Arkansas sparked a years-long legal process between the NPS and the Hot Springs Advertising and Promotion Commission about the ownership of the name and who could legally use it for promotional purposes.

In 2002, the then superintendent of Hot Springs National Park, Roger Giddings, gave permission to the Hot Springs Advertising and Promotion Commission to trademark its logo the with phrase “Hot Springs National Park Arkansas.”³ Giddings did not recall speaking with his superiors about the issue.⁴ This gave an outside group permission to use an NPS park name without legal



² The Hot Springs logo is from Hot Springs Advertising and Promotion Commission website, <http://www.cityhs.net/156/Advertising-Promotion-Commission> (Accessed December 31, 2015).

³ *Hot Springs (AR) Sentinel-Record*, “Dispositions: No Limit on NPS Name,” by Mark Gregory, September 2, 2009.

⁴ *Hot Springs (AR) Sentinel-Record*, “Dispositions: No Limit on NPS Name,” by Mark Gregory, September 2, 2009.

and policy review. The NPS position on the Hot Springs Advertising and Promotion Commission created logo changed in 2008, after Josie Fernandez took over as superintendent at Hot Springs National Park. The NPS petitioned the U.S. Patent and Trade office to order the town to discontinue its advertising campaign. The NPS claimed that the wording would result in “confusion, mistake or deception” on the part of the public and that the public would believe that the national park was involved with the advertisements. The NPS was also concerned that the use of the “National Park name in the logo causes consumers to be confused when they visit the City of Hot Springs, Arkansas.”⁵ The city had been using the “National Park” moniker in other ways as well. The City of Hot Springs flew a flag at Hot Springs Mountain Tower that had the words “Hot Springs National Park” on it. In May 2009 the Hot Springs Advertising and Promotion Commission lost a court case regarding this use and had to remove the flag.⁶ The NPS also demanded that maps at Mountain Tower include a disclaimer that businesses listed on the document were not endorsed by Hot Springs National Park or by the NPS.

Ultimately the U.S. Trademark Trial and Appeal Board ruled against the National Park Service in May 2011. The Board stated that the City of Hot Springs logo was not in violation of any law because the Promotion Commission had used the park's name in a larger design.⁷ This incident highlights the complexity of intellectual property rights. The Appeal Board sided with the Promotion Commission due to the logo's shape. This small difference can determine whether the NPS or another organization has used IP in a lawful manner. This was a complicated case that took years to resolve, cost thousands of dollars, and created a rift between the park and its gateway community.

⁵ *Arkansas Times*, “Hot Springs wins Trademark Fight with Park Service UPDATE,” by Max Brantly, May 26, 2011.

⁶ *National Parks Traveler*, “There Won't be Any 'Hot Springs National Park Massage Parlor' on Ken Salazar's Watch,” by Bob Janiske, September 4, 2009.

⁷ *National Park Service v. Hot Springs Advertising & Promotion Commission: Cancellation No. 92049191*, United States Patent and Trademark Office, Trademark Trial and Appeal Board (Hearing: December 9, 2010, Mailed May 25, 2011), <http://ftabvue.uspto.gov/ftabvue/v?pno=92049191&pty=CAN&eno=77> (accessed December 10, 2015).

Partnerships and Intellectual Property: A Case Study

In a more recent intellectual property dilemma, several concessioners at some of the largest parks in the country filed trademark claims for names of the National Park Service properties in which they operate. By filing trademark claims, the concessioners could charge fees to use the trademarked names should a concession contract be awarded to another company in the future.⁸

At Yosemite National Park, concessioner Delaware North claimed that the names it trademarked in the park, including Curry Village, Badger Pass, and Wawona Hotel, are worth "tens of millions of dollars"⁹ and that since the company's original contract "required them to buy the intellectual property owned by the previous concessioner" (i.e., the names in question) they were merely attempting to require the same of any future concessioner.¹⁰

The following excerpt from a *USA Today* article about this controversy provides additional insight.

Lisa Ramsey, a professor at the University of San Diego School of Law and an expert in trademark law, said registering a trademark doesn't guarantee Delaware North actually owns it. Instead, the specific details of the contract matter more. Still, she said the fact the park service didn't oppose the trademarking is "troubling."

"It all comes down to what the contract says," Ramsey said. "A better approach would be to have made them exclusive licensees. It's very troublesome to me that they have the rights to the words."

She added: "In a perfect world, the National Park Service would have seen these applications and said 'wait a minute.' It sounds like

⁸ *USA Today*, "Feds Fight over who Owns National Park Trademark," by Trevor Hughes and William M. Welch, January 8, 2015.

⁹ *USA Today*, "Feds Fight over who Owns National Park Trademark," by Trevor Hughes and William M. Welch, January 8, 2015.

¹⁰ *USA Today*, "Feds Fight over who Owns National Park Trademark," by Trevor Hughes and William M. Welch, January 8, 2015.

they are paying a little bit closer attention now [...]I would hope we could interpret any ambiguity in favor of the public."¹¹

The examples found in the previous case studies indicate that improvements might be needed in the way that intellectual property review is handled by the NPS. A better understanding of intellectual property principles and improved intellectual property review practices could help the NPS avoid difficult situations with concessioners. In both examples, a policy handbook and a training program might have provided the guidance needed by key NPS personnel to identify potential problems and may in the future alert the NPS to take proactive action.

Use of Intellectual Property by NPS: Case Studies

Cases in which the NPS neglects intellectual property considerations typically involve images, photographs, and movies/videos. For example, according to an interview with Chris Higgins of Independence National Historical Park, interpretive staff created a program at Edgar Allan Poe National Historic Site that included a special screening of several films based on Poe's stories. A day or two before the event, the details of the screening reached an NPS solicitor. The solicitor informed the staff that they needed to have permission to screen the films to avoid any copyright issues.¹² If the interpretive staff had known about this requirement and restriction on film use, they could have approached the project differently to avoid a significant intellectual property issue the day before the event. In many cases, parks have documents and images with no record of where they came from or of whether there are any restrictions on their use. In these situations the NPS can all too easily violate others' intellectual property rights. Pulling images or videos from the internet without properly citing them is a common infringement of intellectual property rights. If the NPS fights hard to protect its own intellectual property rights, it owes the same respect to others' intellectual property rights. Successfully avoiding intellectual property rights violations Servicewide will require clearly defined policies, standard practices, and appropriate training. The current NPS

¹¹ Ibid.

¹² Interview, Chris Higgins, Archivist and Library Manager, Independence National Historical Park, June 23, 2015.

policies, procedures, and training with regard to intellectual property could be improved.

Additional issues regarding intellectual property arise in the creation of works that are featured in National Parks and the ways in which copyright is secured for their use. The Korean War Veterans Memorial is located on the National Mall and is an NPS site. While the memorial, and the famous statues of soldiers known as “The Column,” are part of the park, the sculptures themselves are under copyright by their sculptor, Frank Gaylord.¹³ Approved for construction by Congress in 1986, the design and creation were managed by the Korean War Veterans Memorial Advisory Board and the American Battle Monuments Commission.¹⁴ These organizations did not secure copyright for use of the sculptures before the Memorial was transferred to the National Park Service, and the NPS did not secure copyright from the sculptor after it became an NPS unit. Since Gaylord retained copyright, he successfully sued the United States Postal Service for \$540,000 for using an image of the sculptures on a postage stamp without his permission.¹⁵ Since the NPS does not hold the copyright, it also must secure permission for its use from Mr. Gaylord in order to avoid similar situations. When issuing a special park use permit for commercial filming or still photography at the Korean War Veterans Memorial, the NPS requires that the applicant reach a copyright agreement with Mr. Gaylord before issuing the permit. Standard NPS policies regarding situations such as this would be invaluable, as would dissemination of these policies to employees, partners, and other organizations. Appropriate policies and sufficient training can help the NPS to avoid similar situations in the future when other national memorials and monuments including original artwork are being considered.

Interviews

¹³ “Court Upholds \$540,000 Judgment against USPS for Korean War Stamp,” *Washington Post*, Lisa Rein, February 10, 2015.

¹⁴ “Korean War Veterans Memorial,” Washington, D.C., www.washington.org (accessed December 14, 2015).

¹⁵ “Court Upholds \$540,000 Judgment against USPS for Korean War Stamp,” *Washington Post*, Lisa Rein, February 10, 2015.

To get a complete picture of how the NPS handles intellectual property use by its staff and how others use and misuse NPS intellectual property, the project team contacted Solicitors, Associate Directors, and all divisions to request 30- to 60-minute interviews. The project team provided respondents with a list of questions prior to their interviews. These interviews provided the project team with useful insight into common practices and issues. The interviews also revealed how uniformly the NPS handles intellectual property issues across divisions.

Questions

All interviewees were asked the same questions. As the interviews progressed, project team members asked follow-up questions to gain clarity and to confirm impressions that the interviewees had on topics that were discussed. The following questions were asked in the interviews:

- What are the main intellectual property (IP) issues that affect your division?
- Do you have specific examples of IP issues that could be used to illustrate how important it is to handle IP correctly? If yes, please share.
- What type of training is provided to employees in your division for IP?
- If there is training, is it contingent upon position or other criteria?
- If there is training, how is it delivered?
- Are there specific best practices that the division utilizes for IP issues? If so, when were they last updated?
- In your opinion, what would be the best way to deliver IP information to employees in your division?
- Do you have any other comments regarding IP that you would like to share with us today?

Summary of Findings

Based on the interviews and research conducted for this project, the project team identified four main findings. These findings are:

- I. The NPS should designate a single point of contact—an Intellectual Property Officer—who would oversee IP issues Servicewide.
- II. The NPS needs more direction and policy regarding intellectual property in the form of approved guidance documents and updated job aids/handbooks.
- III. The tracking of intellectual property held by the NPS is not consistent Servicewide. As a result, the NPS may not be aware of the full extent of its intellectual property holdings. This situation can lead to errors in the use of intellectual property by the NPS or misuse of NPS IP by others, which may, at times, result in financial liabilities.
- IV. Currently, the NPS does not have a comprehensive training program for intellectual property, which requires most employees to learn about intellectual property and IP practices “on the job.”

I. The NPS should designate a single point of contact—an Intellectual Property Officer—who would oversee IP issues Servicewide.

As the NPS is currently organized, there is not a single point of contact (POC) or subject matter expert who is consulted regarding intellectual property issues. A POC would coordinate, research, and provide information about intellectual property to the field, create IP management tools, and develop training.

The draft of DO #67 defines responsibilities between different parts of the NPS. However, more details are needed to define how the Office of the Solicitor, Office of Policy, Office of Communications, and Regional and Associate/Assistant Directors should work together and who should be the ultimate decision maker regarding IP. The gaps in these responsibilities could make the development and delivery of any intellectual property training difficult until they are resolved. Selection of a POC who could assist in directing all intellectual property efforts, from policy to training, would help ensure that a consistent message regarding the topic is provided throughout the NPS.

Job Aids

A POC would provide management and guidance in the development of job aids. Though there is not much NPS-specific training material available on intellectual property use, some of the gaps in information could be made up for through the creation and updating of job aids. These aids can be consulted for answers to typical intellectual property questions (i.e., FAQs) and even be tailored to specific topics, offices, or job classifications. These aids, however, are not readily available to most NPS employees and interested parties. Only smaller groups, usually those working more frequently with IP issues, know of these job aids and use them. The Office of Legislative and Congressional Affairs, Public Affairs, parks, and some specific job classifications, like interpreters, do not currently have job aids that can be consulted regarding intellectual property.

Harpers Ferry Design Center uses a handout from a 2010 training as a job aid for intellectual property questions concerning publications. Since the aid is five years old, it should be reviewed to ensure that it is up to date with current NPS policies and that it addresses evolving intellectual property issues related to increased use of digital media.

The NPS Museum Handbook features some guidance regarding gift rights and image use. However, based on research for this project, it appears that it is not widely used outside of archivist circles.¹⁶ It contains a significant amount of information which, if perceived as daunting or inaccessible, may actually discourage people from using it.

II. The NPS needs more direction and policy regarding intellectual property in the form of approved guidance documents and updated job aids/handbooks.

The NPS does not have established policy and guidance that is readily available and known by park service personnel. There are federal guidelines that do exist and should be consulted regarding intellectual property use; however, these are not NPS-specific. Federal law could be used as a foundation for the training until such time as NPS guidance documents were in place. However, the National Park Service currently has

¹⁶ Interview, Chris Higgins, Archivist and Library Manager, Independence National Historical Park, June 23, 2015.

two Director's Orders in development that would directly affect how the agency handles intellectual property. As a result, development of training before these Director's Orders are completed would be premature. What follows is a summary of drafts as of the summer of 2015 that were available to the Intellectual Property project team and how the information could affect the project.

Director's Order #67: Copyright, Trademark, and Other Intellectual Property

The project team obtained a draft of Director's Order #67: Copyright, Trademark, and Other Intellectual Property (DO #67) from the Office of Policy in the summer of 2015. DO #67 is being developed to "establish policies and procedures to govern the recognition, creation, acquisition, use and management of IP in the National Park Service."¹⁷ As part of this endeavor, the NPS has identified three objectives for this DO. These objectives are to:

- Prevent the unauthorized, unprofessional, or inappropriate use of items containing intellectual property by NPS employees,
- Promote the consistent use of proper procedures for creating, acquiring, and managing NPS intellectual property resources, and
- Provide links to additional resources for guidance on intellectual property.¹⁸

Draft DO #67 identifies roles and responsibilities for the Director, Office of the Solicitor, Office of Policy, Assistant Director of Communications, Assistant Director of Partnerships and Civic Engagement, Associate Director of Business Services, Harpers Ferry Design Center, Denver Service Center, Regional and Associate/Assistant Directors, Superintendents/Program Managers, Administrative/Contracting Officers, and Volunteer Coordinators. This DO states that there are seven areas of primary concern regarding IP:

- Donations
- Contracts and Agreements
- Partnerships
- Scientific Research and Collection Permits

¹⁷ National Park Service, "Director's Order # 67: Copyright, Trademark, and Other Intellectual Property," (DRAFT), p. 1.

¹⁸ IBID, 2.

- The creation of works by NPS employees and contractors
- The use of IP by NPS employees
- Public display or distribution of a motion picture, photograph, or other copyrighted work.¹⁹

Draft Director's Order #21: Donations and Fundraising

In the publicly available draft of Director's Order #21: Donations and Fundraising, the DO outlines authorities, constraints, policies, roles, and responsibilities as they relate to donations and fundraising for the National Park Service.

Though DO #21 is undergoing changes, there are areas that the NPS has identified for conversation. This includes creating "an articulated policy on IP in a place it can be found and read by any partners be they organizations commonly understood to be fundraising partners, i.e., friends groups, as well as any organization with an agreement authorizing fundraising."²⁰ The draft identifies goodwill, patent, copyright, trademark, trade secrets, licensing, brand management, and enforcement as the key components.²¹ This guidance is certainly appropriate given the many lawsuits that have been filed to resolve issues with partners and concessioners.

III. The tracking of intellectual property held by the NPS is not consistent Servicewide. As a result, the NPS may not be aware of the full extent of its intellectual property holdings. This situation can lead to errors in the use of intellectual property by the NPS or misuse of NPS IP by others, which may, at times, result in financial liabilities.

Interviews with NPS staff indicate that many parks have archives consisting of images and other materials without documentation of the history of the materials or the intellectual property rights associated with them. The system that is used to track who owns the intellectual property rights to these materials varies with each location. Harpers Ferry Design Center has its own database for tracking images, but the program is not used by the parks.²² Parks, on the other hand, do not appear to have a

¹⁹ IBID, 8-9.

²⁰ National Park Service, "Draft for Discussion," 2015, p. 1.

²¹ Ibid. p. 2.

²² Interview, Melissa Cronyn and Jane Hanna, Harpers Ferry Publications Office, June 4, 2015.

standardized, Servicewide system for tracking intellectual property. It is unclear how successful parks are in tracking the ownership of an image donated to the park. This can make it extremely difficult for parks to determine whether a photo or document is available for distribution or is in the public domain. A standard protocol for recording accepted intellectual property would potentially eliminate misuse of the resource by the NPS.

IV. Currently, the NPS does not have a comprehensive training program for intellectual property, which requires most employees to learn about intellectual property and IP practices “on the job.”

Based on interviews with employees in numerous offices and parks, the NPS does not provide a Servicewide training program that addresses intellectual property. Training is offered locally by parks, regions, or divisions, generally based on perceived need. A lack of Servicewide training does not necessarily have bearing on the quality of the currently available training, but it does mean that the content and messages may vary significantly depending on the training event or location. For instance, Carla Mattix of the Office of the Solicitor has developed a training session on Intellectual Property that is used in various settings, including New Superintendent training. The project team reviewed her materials, and the materials do a good job of covering intellectual property in terms of common definitions and use. For the training to have a greater impact, it would need to be offered more often, be offered to varied audiences, and incorporate more connections to NPS-specific policy. The interviews conducted for this project indicate that many NPS employees have never received any formal intellectual property training. They instead have to rely on institutional knowledge, aging job aids, or advice from the Office of the Solicitor.

The NPS, particularly divisions that handle intellectual property on a regular basis, would benefit from more information about its handling, use, and NPS policy. For instance, the Office of Policy, Office of Legislative and Congressional Affairs, Office of Public Affairs, many parks, and individuals with specific job classifications such as archivists and interpreters, rarely receive any formal intellectual property training. Harpers Ferry Design Center's most recent training was delivered by Bill Blake from the Office of the Solicitor in 2010. As of the summer of 2015, Harpers Ferry had not held another training

on the topic. As a result, six of the fourteen employees at Harpers Ferry Center Publications Office have not received any formal intellectual property training despite the fact that they work with intellectual property, such as historic and commercial images, on a regular basis.²³ Handouts from the 2010 training are still used by Harpers Ferry employees for guidance. The materials are a good resource; however, they have not been updated with any new practices or NPS policies. Another member of the Office of the Solicitor, Carla Mattix, is called upon to deliver intellectual property training to new superintendents. This training is not regularly held and follow-up is not conducted.

Many employees learn about intellectual property use on the job. For example, Jeremy Sweat of the Office of Legislative and Congressional Affairs has not received training or any job aids on the topic. Instead, he relies on coworkers for information. Unfortunately, relying on coworkers who probably did not receive training on the issue is potentially problematic. What is particularly telling about Mr. Sweat's career is the breadth of his experience with the NPS and the fact that he received only informal, on-the-job training on IP. During the course of his career, Mr. Sweat has worked in interpretation, policy, and resource management; as the Chief of Interpretation at Great Smoky Mountains National Park; in a detail as Deputy Superintendent; and in the Office of Legislative and Congressional Affairs. Despite the range of offices he has worked in and positions he has held, not once did he receive formal training on intellectual property use.²⁴ Even employees in positions that have the most potential to interact with intellectual property, such as interpreters, do not receive formal, Servicewide training on the topic.²⁵

Recommendations

Based on the findings from the research conducted for this project, there are numerous recommendations for the National Park Service to carry out before any training or job aids would be recommended.

²³ Interview, Melissa Cronyn and Jane Hanna, Harpers Ferry Publications Office, June 4, 2015.

²⁴ Interview, Jeremy Sweat, Office of Legislative and Congressional Affairs, June 3, 2015.

²⁵ Interview, Diane Souder, Chief of Interpretation and Outreach, Petroglyph National Monument, July 1, 2015.

Expand and Finish Director's Order #67

Director's Order #67 has been in draft for a number of years. Without the direction provided by this Director's Order, it will be difficult for the NPS to offer any sort of Servicewide training. Though DO #67 does provide some guidance regarding intellectual property, it misses several important elements. The draft does not currently establish who is ultimately considered the expert to be consulted on intellectual property issues. The establishment of an Intellectual Property Officer who directs IP issues and resolves open questions would greatly benefit the organization. This would give a person or office ownership of the issue and allow them to work to create uniform procedures to handle IP issues. This person or office could then be empowered to organize training for the various divisions and personnel who need to be trained in IP.

Detail Proper Procedures for NPS Use of Intellectual Property

The guidance for intellectual property use is not consistent from one office or one park to the next. Each rely on their own methods of handling intellectual property issues. In many offices, such as Harpers Ferry Design Center, employees often rely upon informal and on-the-job training or consult outdated training materials that may not keep up with new and evolving uses of intellectual property, such as those associated with digital media.

Identify Subject Matter Experts for Consultation when Questions Occur and to Guide the Development and Delivery of Intellectual Property Training

At this writing, there is not an office or a person who is specifically in charge of handling intellectual property within the National Park Service. Instead, responsibility is diffused through the Office of the Solicitor, the Assistant Director for Partnerships and Civic Engagement, the Assistant Director of Communications, regional leadership, and park leadership. A central office/person could provide much needed guidance that would ensure a more uniform approach to handling intellectual property issues across the NPS. This change would help the NPS to avoid potential misuse of intellectual property by employees.

Create an Intellectual Property Tracking System

The NPS would benefit from a uniform intellectual property tracking system and/or standardized categories that must be tracked for intellectual property use purposes. The system would provide all needed fields that would allow the NPS to properly track use and considerably decrease misuse of intellectual property. This system would help parks track who owns what and allow the NPS to have a better idea at a national level of the types of property that it can and cannot use. Researching other institutions and how they manage IP might provide insight into other potentially effective options.

Potential Training Audience

The audiences identified in this section could change depending on the final versions of Director's Orders #67 and #21. Based on the information that is currently available, the audience for IP training could potentially fit into two categories.

- I. Those who work extensively with IP and
- II. Those who have moderate to few IP-related job responsibilities but would still benefit from basic information.

Based on research and interviews conducted for this research project, employees who work in interpretation, marketing, partnerships, contracting, and policy would benefit from a comprehensive training as they are more likely to deal with IP issues on a recurring basis. For employees in other divisions, a broad introductory element, such as an e-course, might be appropriate.

Potential Method of Delivery

The potential delivery methods identified in this section could change depending on the final versions of Director's Orders #67 and #21. Based on the information that is currently available, general training and handbooks could be handled online via webinars. For many employees this should be sufficient since they only need to be aware of general intellectual property issues. There are offices and job categories that should receive in-depth training. These offices and individuals would work with intellectual property on a regular basis, and the training would give them greater insight into determining how intellectual property should and should not be treated and used. Offices and individuals such as but not limited to Harpers Ferry Design Center,

Concessions, Policy, Interpreters, Archivists and Museum Curators, Publications, and Partnerships offices should all be considered for this higher level of training since they work with intellectual property on a regular basis and their office/position can play a major role in reducing potential complications and liabilities due to misuse.

APPENDIX: INTERVIEW INFORMATION

The project team reached out to the following individuals. Demica Vigil, Training Manager for Visitor and Resource Protection, Public Affairs, Legislative Affairs, and International Affairs, emailed the first interview invitations on May 19, 2015. Several follow-up emails followed from Merle Dickinson, Special Park Uses Program Manager.

Interviewed	Contacted and Interview Delegated
Melissa Cronyn, Specialist, Harpers Ferry Center Publications Office	Stephanie Toothman, Associate Director of Cultural Resources
Catherine dePlour, IMR Chief of Staff, Information Resources	Julia Washburn, Associate Director of Interpretation and Education
Doris Fanelli, Chief Division of Cultural Resources Management, Independence National Historical Park	Don Kodak, Director of Harpers Ferry Center
Jane Hanna, Specialist, Harpers Ferry Center Publications Office	Brian Borda, Chief of Commercial Services (Concessions)
Chris Higgins, Archivist and Library Manager, Independence National Historical Park	Patrick Breen, Bureau Procurement Chief (Contracting)
Neil Mackay, Harpers Ferry Center Exhibit Planner	Alma Ripps, Chief of Office of Policy
Jeffry Olson, Public Affairs Officer, Office of Communications	Roberta D'Amico, Assistant Director, Office of Communications
Michael Shelton, Specialist, Office of Policy	April Slayton, Chief Spokesperson, NPS
Diane Souder, Chief of Interpretation and Outreach, Petroglyph National Monument	Don Hellman, Chief, Office of Legislative and Congressional Affairs
Jeremy Sweat, Specialist, Office of Legislative and Congressional Affairs	Melissa Kuckro, Specialist, Office of Legislative and Congressional Affairs
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