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## Union Protests; NYU Backs Down on Plan to Assert Worldwide License to All Its Professors' Writings

NEW YORK—NYU administrators have now backed down from a recent effort to assert a perpetual and worldwide license to all scholarly writings and artworks produced by the university's professors. So say representatives of the Contract Faculty Union-UAW in a statement this week.

"The reach of the administration's proposal was stunning and outrageous," according to Professor Jacob Remes, who represents the union in negotiations with NYU's administrators. "They were demanding a right to reprint anything you write while you work at the university, and the right to disseminate it royalty-free. They also wanted to require all professors to tell the university of any new writings or artwork they might be trying to create."

Professor Remes said these demands were included in a new set of rules that the university recently sent to the union—before the union objected. The rules were to govern intellectual property at NYU.

Among the most egregious rules, he said, was Section 4.4 of the administration's document, which called professors "creators" and read: "the Creator grants to NYU a non-exclusive, perpetual, world-wide, royalty-free license (with the right to sublicense) to use such Work in any form or media for any purpose consistent with the mission of NYU, including educational and research purposes and for publicizing NYU or any program or department of NYU, and including the right to make derivative works for such purpose."



"Taken literally," Professor Remes continued, "this would allow NYU to republish a professor's books under NYU's own imprint, sell them without paying royalties to the author, and even turn the substance of these works into a video, or even a cartoon if they wanted—and all without the author's approval." He said the university asserted these same powers over artworks produced by NYU professors.

But the university's lawyers have now begun backtracking, Professor Remes added. "
"<u>The union protested vigorously</u>, and the provisions of the proposed new policy also set off alarm bells in the university's faculty senators councils." He said the administration was now trying to scale back its proposal.

"Another provision said you had to inform the university's office of Technology Opportunities & Ventures (TOV) whenever you produced something new," he added. "But when were you supposed to inform them—whenever you first dream up a project but haven't yet finished it?" He quoted a provision of the new rules, Section 6.3, that said, "All members of the University Community are required to promptly disclose to TOV in writing all Intellectual Property, pursuant to procedures adopted by TOV." He added, "This whole thing smacked of Big Brother."

Professor Remes continued: "This shows why we need a union in the first place. There's an old adage that companies get the unions they deserve. The current administration has been particularly aggressive in its demands, and demands like these hurt the academic community as a whole."

As evidence for his claim about aggressiveness, he said the office of the University Provost recently sought to prevent most of the Contract Faculty Senators Council, a part of the university's governance structure, from reviewing the new rules for professors' books and artworks.

Another union member, Professor Heidi White, who is a Faculty Senator, echoed this complaint. "Most elected members of the Contract Faculty Senators Council are also union members," she said.



"But the provost's office wrote explicitly that they didn't want any union members on the Council to review these new rules. At NYU, when a Council reviews, all it can do is read and, if necessary, criticize or recommend. But the administration now claims that reading and criticizing amounts to bargaining, and that, therefore, most Council members can't even read and criticize."

She added: "This is an obvious attack on academic freedom—on free speech in general—and it needs to be stubbornly resisted. The university's <u>Principles of Shared Governance</u> call for transparency. But this is the very opposite of transparency."