

ADMINISTRATIVE PROCEDURES REGARDING INTELLECTUAL PROPERTIES

1. The principal objectives of Monroe County Community College establishing an intellectual properties policy are:
 - a. to provide incentives for creative intellectual effort by employees of Monroe County Community College and, as appropriate, to assure that the rights to copyrightable materials become the property of the employee;
 - b. to establish principles for determining the interests of the College and its employees with regard to inventions, publications and/or discoveries;
 - c. to recognize the right of the originator to financial benefits from the invention, publication and/or discovery.
2. As a general rule, all rights to copyrightable material are the property of the originator.
 - a. The distribution of royalties, if any, is a matter of arrangement between the originator and the publishers or licensors.
 - b. Varied arrangements regarding royalties may be accorded by the institution, such as the following:
 - (1) Where the institution or sponsor assigns or employs personnel for the express purpose of producing a specific work;
 - (2) Whenever it is necessary to reflect the contribution of the institution to the work.
3. The College Board of Trustees, pursuant to the Copyright Act of 1976, may wish to seek United States patents, copyrights, and/or trademarks, as owners of, and with respect to, works which have been prepared by District employees, in the scope of, or related to, employment by the District, or through the use of the District facilities, funds, equipment, or materials.
 - a. Employees, in the course of their employment, or as a result of their employment at Monroe County Community College, who plan to seek copyrights, patents, or trademarks, should enter into a written agreement with the College with regard to ownership, royalties, and future rights.
 - b. The College encourages employees to alert the District as early as possible to any activities which might be subject to copyrightable or patentable decisions.
4. If employees contemplate an activity which may result in copyrightable or patentable pieces of property, they should contact their immediate supervisor. An outline of the project should be developed addressing the following:
 - a. Is work on the project to be done as part of the individual's assigned activities?
 - b. Are College facilities or supplies to be utilized in the development of this project?
 - c. Is the development of the project to be contained within normal instructional activities, i.e., will project materials be validated or verified through classroom or laboratory student exposure?

5. Subsequent to review at the immediate supervisor level, the project outline shall be forwarded to the Intellectual Properties Committee. The committee will then make a determination as to whether or not there is an interest on the part of the District to participate in the project. In the event the District becomes a participant, arrangements shall be made regarding any distribution of royalties and future rights.
6. The District's legal counsel may be asked to review the language of any contractual arrangements arrived at between the District and the employee.
7. The President will notify the Board of Trustees of the final status of each project.

Cross-References

Policy 6.38 Intellectual Properties Policy Statement