



(3) If the discovery or invention was developed by the faculty member(s) on his/her or their own time without any expense to the university.

c. If there is a difference of opinion as to whether a discovery or invention is within (a) or (b) above, or if within neither, the ownership and determination of any equities of the discovery or invention shall be decided by the committee, and subject to appeal to the president of the university. Once the decision has been rendered, it is binding on the university and the faculty member who made the discovery or invention.

### 3. Authority and Responsibility of Committee with Respect to Discoveries and Inventions

The committee, subject to appeals to the president listed here, has the following

department(s) of the inventor(s) according to proportionate participation as determined in "d" below.

- d. To determine the financial returns from the discovery or invention due each inventor when there are co-inventors.
- e. To determine whether the university should attempt to obtain a patent or submit the discovery to the university's patent agent, in the case of the university having a property interest. Any such determination shall be made within two months from the date the discovery was disclosed to the committee or, if sooner, within 30 days after the written request is received from the president of the university or from the inventor.
- f. To determine whether the university shall pursue a patent application or assign any right it may have in the discovery, when the committee submits a discovery or invention to the university's patent agent and the agent decides either not to file the application or abandon an application already filed. The inventor shall be notified of the determination within 30 days after the receipt by the committee of notice from the university's patent agent.
- g. To report its findings and determinations to the president of the university and other interested parties within 120 days, except in those situations for which a different period of time for making a determination is established.
- h. To report its findings to the president of the university on all matters pertaining to patentable research or patents offered to the university by gift, devise, purchase, sale or assignment, regardless of the potential value or circumstances under which such patentable research or patents were discovered.

#### 4. Management and Exploitation of Patents.

The president of the university shall be the final authority to determine how patents that are the property of the university shall be managed and exploited.

#### 2.19.3 Copyrightable Material

##### 1. Rights of Authors

In accordance with other institutions of higher learning and except as provided for in Paragraph 2 below, the right of first publication and of statutory copyright in any book, manuscript, television or motion picture script or film, educational material or other copyrightable work, whose author is a faculty member, shall be the property of the author.

##### 2. Rights of the University

Copyrightable material resulting from a project assigned to faculty as a part of their regular duties shall inure to the university only if so specified in writing and signed by the faculty member, their department head and the dean.

##### 3. Authority and Responsibility of Committee with Respect to Copyrightable Materials

The committee has the same authority and responsibility with respect to copyrightable material authored by a faculty member as it has in respect of discoveries or inventions







- 1) The faculty member will own the copyright to the materials, but the university will have a license to use the materials.
- 2) The university may use the materials in courses not taught by the faculty member for one year after the end of the first course that used the materials, even if the faculty member leaves the university before this year has ended. The university may continue to use the materials indefinitely if the faculty member does not instruct the university to stop using the materials.
- 3) The faculty member will have artistic and editorial control over

sublicense that the university may grant. In the absence of a contract, the university may not sublicense the materials.

- 4) If the university sublicenses the course materials, the license fee will normally be divided equally between the university, the faculty member's department and the faculty member.
- 5) The faculty member may be granted a right to sublicense the materials to other institutions. The contract will specify the maximum term of the sublicense the faculty member may grant, and the royalty or fee due the university. In the absence of a contract, the faculty member may not sublicense the materials.
- 6) The faculty member may be granted the right to market and use these course materials in courses presented independently of the university. If so, it will specify the royalty or fee due the university for such presentations. In the absence of a contract, the faculty member may not market or use these materials outside of the university without permission of the university.
- 7) The university may be granted the right to modify the course materials. In the absence of a contract, modifications may not be made without the approval of the faculty member.