

BOARD POLICY**No. 902**

TITLE: Patent and Copyright Policy

DATE ADOPTED: January 15, 2019

EFFECTIVE DATE: January 15, 2019

SUPERSEDES: July 1, 1975

POLICY:

1. All property rights in books written, teaching aids developed (including workbooks, laboratory manuals, transparencies, tapes, films and the like) and equipment designed or invented, shall belong to the staff member or members who shall have written such book or books, developed such teaching aids, or designed or invented such equipment, including any books, teaching aids or equipment written, developed or designed by any staff member in conjunction with his or her teaching assignment, with any extended or released time or assigned project authorized or directed by the College, or written, developed, or designed prior to becoming a member of the Rowan College at Burlington County staff. Such property rights shall, subject to paragraph 3 hereof, include:
 - a. The right to publish for private profit and the right to copyright any book, manual, or printed official material; and
 - b. The right to negotiate privately with any person, firm or corporations, for the manufacture of any equipment or teaching aid and the right to acquire any patent rights which may be obtainable thereon.
2. The property rights and joint projects of staff members (faculty, instructional assistants, administrative and support personnel, etc.) undertaken either as part of a teaching assignment, released time, or assigned projects, or on their own time, shall be shared by the participants in such manner as they shall agree in writing.

Furthermore, any individual(s) other than those designated as the author(s) or compiler(s) who make unique, creative* contributions to any material specified in paragraph one above, shall receive full written credit for those contributions and hold the copyright for said contribution, and if such material is offered for sale, shall receive remuneration commensurate with the contribution as determined by mutual written agreement between all parties.

3. Notwithstanding the property rights of any staff member or members in any books, teaching aids, or equipment published, developed, or designed by said staff member or members, Rowan College at Burlington County shall, to the extent that said book, teaching aid, or equipment was written or designed in connection with an extended or released time project or program, have a joint property right therein.

Said joint property shall entitle the College to use or purchase said book, teaching aid or equipment regardless of copyrights or patents thereon and exclusive of any royalties, commissions, or other pecuniary profit to the applicable staff member or members until such times as Rowan College at Burlington County has been reimbursed from said royalties, commissions or other pecuniary profit to the extent and amount that the College paid for that part of the project or program which resulted in the creation of the book, teaching aid or equipment, not to exceed the staff member's pay rate for a like amount of time at the part-time salary rate for his particular salary category and such other costs as may be involved in the project.

Once reimbursement for such extended or released time has been made, any joint property rights of the College shall cease and all royalties, commissions, or pecuniary profit thereafter earned by the sale of said book, teaching aid, or equipment, to any purchaser thereof, shall belong exclusively to the staff member or members.

4. The College shall have non-transferable rights, in perpetuity, to unrestricted use within the College of all inventions, discoveries or writings made or authored by members of the staff or faculty while under contract to the College.

* A unique, creative contribution is defined as one deriving from the interpretive talents of an individual without prior instructions or descriptions and shall include original artwork and photography. It does not include derivative artwork, i.e., any work (graphic designs, photographs, or drawings) described either in writing or diagrammatically conceptualized by the author. Each contribution defined as unique and creative that is integral to the completed work, and can stand alone, shall hold independent copyright registration.



Further, the College shall have the right to use all non-patented and non-copyrighted inventions, discoveries or writings in program exchanges with other non-profit institutions so long as aforesaid exchange is of a non-commercial nature and not involving exchange of cash and/or other gratuities.

5. Any staff member, who will be executing an employment contract with the College, or who is otherwise formally considered an employee of the College, such as supportive staff personnel, hereby agree to give the College the joint property rights hereinabove described.

President

Date:

Chairman

Date: