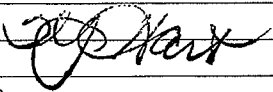




Northern Marianas College Procedure

Procedure No.: 5010.18 Procedure Title: Intellectual Property Rights
Issuing Date: 9/26/13 Adoption Date: 9/30/13 Effective Date: 9/26/13
Office of Origin: Human Resources Office
Procedure Approval Authority: President 
Board Policy No. Associated with this Procedure: 5010
This Procedure Supersedes/Replaces: 2011 BOR Policy Part VII.D

The written steps necessary to appropriately and uniformly perform a task in carrying out policies and activities of the College.

Overview/procedure description This Procedure describes the process for determining ownership and related rights in and to inventions, publications, works of art and other copyrightable and patentable materials and things conceived, made or invented in connection with or in the course of employment with Northern Marianas College.

Areas of Responsibility Inventors, Artists and Authors shall notify the College of all inventions, copyrightable materials and other works invented or created in connection with or in the course of their employment with Northern Marianas College. Notification shall be made to the President with copy to the Director of Human Resources and Legal Counsel

Procedure details **Rights to Materials, Art Works or Inventions – Ownership.** Subject to the following provisions, all rights and title to any written materials, including copyrightable materials, art works, Inventions, and patents on inventions made by an author, artist, or inventor in the course of their employment with Northern Marianas College shall belong to Northern Marianas College if the materials, art works, or inventions have been produced as part of or in connection with the author's, artist's, or inventor's employment with or pursuant to a contract with the College.

- If such materials, art works, or inventions are marketed the author, artist, or inventor and the Northern Marianas College shall equally share the profits from the sale of materials, art works, or inventions and shall equally bear the costs of marketing.
- If the College discontinues use of materials, art works, or inventions for more than 24 consecutive months, the author, artist, or inventor may request the College to relinquish all rights to the author, artist, or

inventor, provided that the author, artist, or inventor pays for all costs of transfer. The College may refuse to relinquish any rights to the materials, art works, or inventions if such decision is in the best interests of the College.

- When the College owns materials, art works, or inventions, the author, artist, or inventor or the College may initiate requests for revision. The author, artist, or inventor shall prepare any revision. If the author, artist, or inventor declines to prepare a revision as requested by the College, or fails to prepare a revision as agreed, the College may contract with another party to have the revision prepared.

Any materials, art works, or inventions prepared by a College employee without the assistance of the College and not in connection with or as a consequence or requirement of employment with the College shall be the property of the employee.

Materials, Art Works, or Inventions Developed Specifically for Use at Northern Marianas College. When materials, art works, or inventions are prepared by authors, artists, or inventors not employed by the College specifically for use in classes at Northern Marianas College, both the author, artist, or inventor and the College will be entitled to share the profits from sales, as stated above, including sales made to Northern Marianas College students through the College bookstore.