

Clackamas Community College

Code: **GCQBBA**

Adopted: 4/96

Orig. Code(s): AR 719-001; AR 719-002

Copyrights/Patents: Ownership of Materials Created by College and Person Not Covered by College Collective Bargaining Agreement

1. The ownership of any materials or processes developed on an individual's own time, off campus and at no expense to the College shall vest and by copyrighted or patented, if at all, by a nonrepresented staff member.
2. The ownership of materials or processes produced solely for the College and at the College's expense shall vest in the College and be copyrighted and patented, if at all, in its name. ~~A written agreement will be entered into between the College and a nonrepresented staff member acknowledging such ownership.~~
3. In those instances where materials or processes are produced by a nonrepresented staff member with College support, by way of use of significant personal time, facilities or other college resources, the ownership of the materials or processes shall vest in and be copyrighted or patented, if at all, by the party designated by written agreement between the parties, entered into prior to the production. Such written agreement shall make either a positive or negative statement with regard to any compensation to be paid to a staff member.

In the absence of an agreement, the College shall be deemed to have ownership. It is the responsibility of the individual(s) involved in producing copyrighted or patented material to obtain, when appropriate, a signed release from all participants who may be recorded on film or tape. Release forms are available in the human resources office.

Note: Copyright/patent ~~regulations~~ **agreements** for collective bargaining unit members are addressed in the appropriate collective bargaining agreement.

END OF POLICY

Legal Reference(s):

[ORS 332.745](#)

Copyrights, 17 U.S.C. §§ 101- 1332; 19 C.F.R. Part 133 (2006).

Patents, 35 U.S.C. §§ 1-376 (2006).