



INTELLECTUAL PROPERTY RIGHTS

POLICY

Brunswick Community College (BCC) encourages employees to be creative and productive in the course of their duties which may result in ideas, inventions, and/or publications that may be considered intellectual property. Examples of intellectual property may be technical or creative in nature and include patentable inventions, software, processes, methods, artistic works, publications and creative writings, video or audio recordings.

PROCEDURE

Any original work that is created by a contracted employee with significant use of College support services including, but not limited to, facilities, staff, funding, or work that is part of the individual's scope of employment or contracted work at the college, will be the property of BCC. It is the College's right and responsibility to apply for protection of such property under copyright and patent laws. Any original work produced by an employee without significant use of college support services is the sole property of the employee, who is responsible for protection of the property and any fees incurred. Original works created by students are the sole property of the student unless at the time of production of the intellectual property they are a contracted employee and used significant resources of the College.

Significant usage is defined as the use of resources or time in excess of what is normally needed to complete duties of the position. This may include support for the employee through reduced teaching loads, paid leave, substantial use of facilities, time, computers and servers, equipment, use of funds and gifts to the College, or the work is developed as a direct assignment as part of their appointed duties. The use of college resources is considered significant when it entails a level of use not ordinarily available to all, or virtually all, faculty, staff or students. If an employee or student develops Intellectual Property that arises in part or in whole from the significant use of College resources, BCC will have complete and exclusive ownership of all resulting copyrights and/or patents. However, contracted employees and students may pursue an agreement with the College to share ownership and royalties from intellectual property produced using significant College resources. A written document of the agreement must be approved by the President and the BCC Board of Trustees before the work is initiated.

The College reserves the right to contract with organizations and negotiate intellectual property rights that may arise from the collaboration. Income generated from intellectual property will be handled in accordance with the North Carolina General Statutes, the North Carolina Administrative Code, North Carolina Community College System policies and procedures, and BCC policies and procedures. Any situations not directly addressed by this policy will be reviewed by the President for proper action. Any regulations enacted by the North Carolina Community College System (NCCCS) shall supersede this policy. All intellectual property rights

contracts and agreements are subject to North Carolina General Statutes, Chapter 66, Article 10A, Inventions Developed by Employee.

Approved by Brunswick Community College Board of Trustees
January 16, 2008

Procedure Revised by President's Cabinet
August 29, 2022