

INDEPENDENT SCHOOL DISTRICT 196
Rosemount-Apple Valley-Eagan Public Schools
Educating our students to reach their full potential

Series Number 407.1AR Adopted February 2015 Revised _____

Title Copyright and Patent Ownership

1. **District to Copyright or Patent Works or Inventions**

Subject to section 2 below, District 196 reserves the proprietary rights to certain publications, instructional materials, software applications, inventions and creations, which employees may develop or create, or assist in developing or creating.

1.1 The district may copyright or patent materials that are prepared and developed under the auspices of the district which have totally original content and which have potential application outside the district.

1.2 Material may be copyrighted or patented as described above to preclude the unauthorized use of district-prepared materials that have possible commercial value.

2. **Assignment of Rights**

2.1 Employees shall immediately disclose and, on demand of the school district, assign District 196 any rights to publications, instructional materials, software applications, inventions or creations that the employee develops or creates or assists in developing or creating during the term of the employee's employment and for two years thereafter, unless:

2.1.1 The District 196 employee develops, creates, or assists in developing or creating a publication, instructional material, software application, invention or creation entirely on the employee's own time and without the use of any school district facilities or equipment, and

2.1.2 The publication, instructional material, software application, invention or creation does not relate directly to the business of the district or its actual or demonstrably anticipated research or development, or which does not result from any work performed by the employee for the district.

2.2 In addition to the stipulations outlined above, District 196 employees must sign necessary documents and perform necessary acts to secure the school district's rights relating to such publications, instructional materials, software applications, inventions or creations, including domestic and foreign patents and copyrights.

2.3 District 196 reserves the right to all or a portion of any financial gains by the employee as a result of the above-mentioned activities.

Reference: - 17 U.S.C. § 101 *et seq.* (Copyrights)
- Minnesota Statute 181.78, Agreements; Terms Relating to Inventions