APPENDIX P
PATENT AND COPYRIGHT POLICY

It is the desire of the Faculty, Administration, and Board of Trustees of Christian Brothers University to establish a policy regarding copyrights and patents which will protect the rights of all faculty, staff, and students (herein referred to as "originators"). We wish to ensure that such origins are protected, while at the same time ensuring just compensation to the University for any support of these efforts. It is especially to be hoped that the terms of this Policy shall encourage originators not only to pursue profitable professional endeavors, but also to share these profits voluntarily with the University.

1. Normally copyrightable materials and patentable inventions and processes developed by originators working or studying at Christian Brothers University, whether on their own time or during the course of their university-related duties, shall remain wholly their own property. This is particularly pertinent in the case of one-time developments as opposed to continuing processes.

2. Course materials, including but not limited to course web pages and web supplements developed by faculty members of Christian Brothers University shall remain the property of the members with the provision that materials developed while working at CBU may be used without charge by any other CBU faculty members when teaching at CBU. Exceptions to this policy should be made in writing with the Vice President for Academics.

3. Under certain conditions, the University may be entitled to share in the profits generated by originators from copyrights and patents, e.g., if such activity is sponsored by the University through a specific agreement for that purpose, in which case the terms of the agreement shall govern the determination of ownership. Suggested terms of such agreements include the following:

a. The University may request 10% of net profits over $50,000 when earned from copyrights or patents resulting from activity of an originator while on sabbatical leave.

b. The University may request a share of profits if the University expended funds (e.g., release-time salary, operating budget, special funds) specifically for the purpose of allowing the originator to develop the profit-generating project. Such sharing should not ordinarily exceed 30% of net profits up to full reimbursement of the amount funded and 10% thereafter.

c. If no specific funds are allocated by the University but the originator makes substantial use of University facilities and/or time normally devoted to university-related duties during the development of the profit-generating project, the University may request 10% of the net profits as a condition for permitting such activities to continue.

4. If copyrightable materials and patentable inventions or processes are developed in the course of an agreement (e.g., a research grant) between the originator and some outside agency, the terms of such agreement shall determine ownership of rights to the proceeds. If no ownership claim is asserted by the outside agency, the originator shall retain complete ownership of rights, unless the University has made prior stipulations with the originator during negotiations with the granting agency, as in Number 3.

5. All arrangements referred to in Numbers 3 and 4 should be made between the originator and the Vice President for Academics. It should also be noted that originators may surrender their interests in their developments and/or share their proceeds beyond those suggested in Number 3; any arrangements to that effect should also be made through the Vice President for Academics.

6. The University will honor past intellectual property rights and compensation agreements relating to online and hybrid courses developed before May 15, 2009. After this date, the University will compensate instructors who develop new online or hybrid courses in accordance with a schedule agreed upon by the administration and the Faculty Assembly.

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