Copyright Ownership

Copyrightable material is created by College personnel.

Was the work created in the performance of a project covered by a research agreement between the College and an outside party? See attached examples a) through f).

Yes

Ownership to the Board of Governors

No

Board of Governors’ right of ownership in employee’s work occurs automatically upon creation of the work

Ownership of creator

Is work within Scope of Employment?

Yes

Ownership to creator

No

Was work ordered or commissioned by CCRI?

Yes

Is work within 1 & 4  

Ownership to creator

No

Is work within 2,3,5,6,7  

Ownership of creator

2,3,5,6,7***

Is there a written agreement giving the Board of Governors ownership?

Yes

Ownership to the Board of Governors

No

Is there a written agreement declaring the work a work-for-hire?

Yes

Ownership will initially vest in the creator.

No

Ownership to creator

Is there a written agreement giving creator the ownership?

Yes

Ownership to creator

No

Is work within 1 & 4  

Work-for-hire

2,3,5,6,7***

Work-for-hire

Is work within 2,3,5,6,7***  

Ownership of creator

Was the work created in the performance of a project covered by a research agreement between the College and an outside party? See attached examples a) through f).

Ownership of creator

Was work ordered or commissioned by CCRI?

Yes

Ownership to the Board of Governors

No

Is work within 1 & 4  

Ownership to creator

Yes

Ownership to creator

No

Is there a written transfer of ownership to the Board of Governors?

Yes

Ownership to the Board of Governors

No

Ownership to creator

Ownership to creator

** Lecturer notes, articles, books, and other publications created by faculty members are not considered within scope of employment for purposes of this Policy unless there is a written agreement between the College and the faculty member that a specific publication will be considered a work within the scope of employment. Curriculum materials as set out in 4.5 are considered within the scope of employment.
NOTE:
In order to qualify as an agreement, the agreement must be specific. That is, it must address the specific work for which it is intended. It is preferably a separate written and signed agreement covering the book or music score, for example. It can be a part of an agreement between the individual and the dean signed at the beginning of the semester, but the written agreement defined in this policy must then be a separate article of the dean's agreement addressing the specific copyrightable work.