

08.200 Rights and Obligations

was hired specifically to produce the work or an employee who was assigned to produce the work as part of his or her job duties.

4. Offers of Intellectual Property.
 - a. If an individual chooses to offer the System Administration

System Administration or an Institution may elect to release its rights to intellectual property to the creator or release its rights to a third party for commercialization, with the following provisions:

- a. A perpetual, royalty-free license to use the intellectual property, and any corresponding patents or copyrights, for research, education, or service purposes shall be retained by the System Administration or Institution.
- b. The System Administration or Institution shall receive a share of all proceeds generated from commercialization of the intellectual property after the creator has recovered documented out-of-pocket costs for obtaining legal protection for the invention or copyrightable work, the amount of such share to be negotiated at the time of the release.
- c. If the intellectual property is released to the creator, any other interest which he or she might otherwise be entitled to in regard to the System Administration or Institution's share of proceeds derived from the intellectual property must be explicitly declined.

08.203 Policy Regarding Compensation. When the System Administration or an Institution elects to protect intellectual property in its name, the System Administration or the Institution may award to the creator a reasonable share, as defined by the System Administration's or the Institution's policy, of net proceeds from royalties or other income or value after deduction of the directly assignable costs of patenting, marketing, licensing, and protection of intellectual property rights.

08.204 Obligations to Sponsors. The Chancellor for the System Administration and the President of each Institution shall coordinate reporting requirements and other obligations to research sponsors regarding inventions or economically significant tangible research property developed under a research contract or grant including, but not limited to,

obligations to the U.S. government pursuant to 37 CFR Part 401 with the appropriate System Administration or Institution offices.

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