

Article 18

Inventions and Works

18.3 Works.

B. University-Supported Efforts.

(3). Instructional technology works. Where the University and an employee sign a letter or memorandum of agreement between the University and an employee at least six (6) weeks before the semester, with reasonable terms governing the disposition of rights for works developed with appreciable university support for the purpose of assisting or enhancing the employee's instructional assignment and meeting the definition of instructional technology in Article 9.9A, both parties shall be governed by that agreement, provided that both parties shall be able to revoke said approval within seven (7) days of signing the letter or memorandum of agreement. Where there is no letter or memorandum of agreement signed at least six (6) weeks before the relevant assignment, the work produced with appreciable university support for the purpose of assisting or enhancing the employee's instructional assignment and meeting the definition of instructional technology in Article 9.9A may not be used by either party outside the University for any compensation, or at the University when the employee has no compensated assignment from the University, without the written permission of both the employee and the University. Employees may not be required to sign a letter or memorandum of agreement regarding instructional technology works. The University shall take no action of any kind against an employee for the employee's decision not to sign such a letter or memorandum of agreement.

18.6 Alternatives to copyright and patents. The parties recognize that the invention of alternative rights arrangements through Creative Commons and the open-source movement requires consideration of the public interest when employees creating a work or invention prefer an alternative to copyright or patent. The parties agree to form a joint committee in 2010-11 of two appointees of the UFF and two appointees of the University to consider contractual language that would meet each party's interests in modifying Article 18 to address the public interest when employees creating a work or invention prefer an alternative to copyright or patent.