

NORTHLAND COMMUNITY & TECHNICAL COLLEGE

3230P PATENT INQUIRY

Part 1. Purpose. This procedure implements the Intellectual Property policy and provides a consistent process for Northland Community and Technical College and the system office to have inventions evaluated for potential patents.

Part 2. Applicability. This procedure applies to potential patents in which Northland or the system office may have an ownership interest.

Part 3. Definitions.

Subpart A. Invention. An invention or discovery is any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof.

Subpart B. Intellectual Property Coordinator. The Intellectual Property Coordinator is the person appointed at Northland who administers Board Policy 3.26 Intellectual Property, oversees 3.27 Copyrights and any related procedures.

Subpart C. Inventor. An inventor refers to the creator of an invention that may be patentable.

Subpart D. Patent. A patent is a grant made by a government that confers upon the creator of an invention the sole right to make, use, and sell that invention for a set period of time in exchange for disclosure of the invention.

Subpart E. Patent Inquiry. A patent inquiry is the process used by an inventor within the system to determine if an invention is patentable and if the college is interested in pursuing potential patents.

Part 4. Procedure. Northland shall complete and submit an invention disclosure form and supporting documents to the system office when requesting a review of an invention for potential patents.

Step 1. The Inventor informs the Intellectual Property Coordinator about the invention and completes and submits an Invention Disclosure form to the Intellectual Property Coordinator.

Step 2. The College Intellectual Property Coordinator assists the inventor with the Invention Disclosure form as needed and submits completed form to System Director for Intellectual Property.

Step 3. The System Director for Intellectual Property:

- a. Reviews Invention Disclosure Form and supporting documents for possible intellectual property issues, discusses invention with inventor, and creates report;
- b. Submits report, Invention Disclosure form and supporting documents to system Legal Counsel with recommendation on whether further review is warranted. A copy of the report is sent to the Intellectual Property Coordinator and Inventor;
- c. Provides timely updates to stakeholders during the patent inquiry process.

Step 4. System Legal Counsel reviews report and supporting documents and determines if further review is warranted by a patent attorney. Private patent counsel may only be retained through the Minnesota Attorney General's Office when system colleges and universities are pursuing patents.

Step 5. The College:

- a. In consultation with the system Legal Counsel, makes final decision as to whether or not to pursue patent(s), based on patent attorney's recommendation, monetary considerations, and other factors;
- b. Communicates decision to pursue or not pursue potential patents to System Director of Intellectual Property. If potential patents are pursued then patent attorney is retained to prosecute patent application.

Step 6. The System Director for Intellectual Property shall communicate the college's final decision to stakeholders.

Part 5. Individual's Pursuit of Potential Patents. If Northland or the system is not interested in pursuing potential patents now or in the future (e.g. filing would be premature at this time) in jointly owned inventions, joint owners shall be informed of this decision. If the inventor decides to pursue potential patents at his or her own expense, he or she shall notify the college president.

Date of Implementation:

Date of Adoption:

Date & Subject of Revisions:

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