

# REGULATION

<b>SPDOC No:</b> 07-14	<b>Effective Date:</b> October 7, 2007	<b>Index Reference:</b> Patents, Inventions, Copyrights	<b>Regulation Number:</b>  <b>1.05</b>
<b>Issued By:</b> Executive	<b>Rule Reference:</b> Rules: 1-13 (Patents and Inventions) 1-14 (Copyrights)		<b>Replaces:</b> Reg. 1.05 (CS-6940, March 18, 2001)
<b>Authority:</b>	Regulations are issued by the State Personnel Director under authority granted in the Michigan Constitution and the Michigan Civil Service Commission Rules. Regulations are subordinate to the Commission Rules.		
<b>Subject:</b>	<b>PATENTS, INVENTIONS, AND COPYRIGHTS</b>		

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### 1. PURPOSE

This regulation (1) defines the property rights for patents and inventions and copyrights, and (2) defines agency responsibility.

### 2. CIVIL SERVICE COMMISSION RULE REFERENCE

Note: This Section 2 reprints only selected Commission Rules for quick reference by the reader. Additional Rules (that are not reprinted below) may apply. The complete, current version of the Rules can be found at [www.michigan.gov/mdcs](http://www.michigan.gov/mdcs).

#### ***Rule 1-13 Patents and Inventions***

##### ***1-13.1 Employee Rights***

*The property rights in a patent on an invention created by a classified employee are subject to contract entered into by the state administrative board as provided by law. The employee's compensation is 15 percent of the net royalties that may result from the invention. The compensation provisions of this rule are not negotiable. However, any dispute concerning the employee's property rights relative to the state's property rights in such an invention is grievable.*

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## ***Rule 1-14 Copyrights***

### ***1-14.1 Employee Rights***

*The property rights in a copyright that subsists in a work created by a classified employee as an author-employee belong to the state and are subject to contract entered into by the state administrative board as provided by law. The author-employee's compensation is 15 percent of the net royalties from written licenses or transfers to third parties by the state of Michigan that may result from a work, but only when the state or agency has obtained a certificate of copyright. The compensation provisions of this rule are not negotiable. However, any dispute concerning the author-employee's property rights relative to the state's property rights in such a copyright is grievable.*

\* \* \*

## **3. STANDARDS**

- A.** The property rights of a classified employee in a patent on an invention that the employee created are subject to contract entered into by the state administrative board as provided by law.
- B.** The property rights of a classified employee in a copyright which subsists in a work created by the employee as an author-employee belong to the state and are subject to contract entered into by the state administrative board as provided by law.
- C.** The primary responsibility for patent and copyright activities is assumed by agency management.
- D.** Civil Service staff shall offer guidance, advice, and coordinating service to agencies and serve as a liaison with the State Administrative Board on patents, inventions, and copyrights.

## **CONTACT**

Questions regarding this regulation should be directed to the Office of the General Counsel, Civil Service Commission, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909; or by telephone, at 517-373-3024.