

**GBT-R Professional Publishing**

8/23/12

**RATIONALE/OBJECTIVE:**

The Cobb County School District (District) recognizes that the District and its employees and students strive to adhere to copyright, patent and other intellectual property laws of the United States and related court decisions.

The use of copyrighted materials is separately addressed in Administrative Rule IFBG-R (Internet Acceptable Use) and Administrative Rule IFBC-R (Media Programs). Neither the Cobb County Board of Education nor the District shall assume responsibility for actions of District employees or students in violation of the above-mentioned laws.

**RULE:****A. COPYRIGHT:**

Under copyright law, any material prepared by an employee within the scope of his or her employment is called a "work made for hire." For District employees, this means that any materials an employee creates within the scope of employment at the District are "works made for hire" and belong to the District, unless ownership is transferred by the District to the employee in writing.

**B. PATENT:**

Under patent law, the patent rights to an invention of a District employee created within the scope of employment may, depending upon the circumstances, belong to the District or may allow the District to obtain a non-exclusive, perpetual, worldwide, royalty-free license ("shop right") to use the invention.

Adopted: 8/12/81

Revised: 4/28/83; 8/8/84; 7/28/94; 1/24/02

Reviewed: 8/28/02

Reclassified an Administrative Rule: 9/1/04

Revised: 4/12/06; 5/25/06

Revised and recoded: 8/23/12 (Previously coded as Administrative Rule EGAD)

## Legal Reference

O.C.G.A. 20-02-0947

17 USC 101

17 USC 201(b)

LBOEs cannot enter into contracts not authorized by existing law

Copyright Definitions

Ownership of copyright