

## Administrative Order



**Administrative Order No.:** 7-12

**Title:** Employee Patent Rights

**Ordered:** 3/4/1986

**Effective:** 3/4/1986

### **AUTHORITY:**

Section 4.02 of the Metropolitan Dade County Charter.

### **SUPERSEDES:**

This Administrative Order supersedes previous Administrative Order 7-12, entitled County Policy Regarding Employee Patent Rights, effective March 11, 1970.

### **POLICY:**

It is the policy of the County to actively encourage and promote, whenever possible, improvement in County operations. To that end, the County has developed an Employee Suggestion Program (A.O.7-8) which recognizes and remunerates employees whose suggestions benefit the County.

When a new idea is eligible to be patented or copyrighted it is incumbent upon the County to strike a delicate balance, on a case by case basis, between the interests and rights of the County and its taxpayers and those of the employee inventor. In an attempt to motivate employees in their pursuit of such innovations, the County shall, whenever possible, relinquish its right to said patents and copyrights in the favor of the employee with the single reservation that the County or any of its agents shall have full and free use of the invention for all County related purposes. An exception to this policy shall be in those situations where an employee has been specifically given the assignment of developing a concept or item. In these cases, the employee's efforts shall be considered part of his/her normal job responsibilities and any copyright or patent which results from said effort shall be considered the sole property of the County.

### **PROCEDURES:**

Employees who wish to apply for patents or copyrights on items which were developed in connection with their employment, shall notify their department director, in writing, prior to submitting an application. This notification shall clearly describe the

nature of the intended patent or copyright and the extent to which a) it was developed in connection with County employment and b) County equipment, materials, funds, resources or property were used. The department director shall review the information and prepare and submit a recommendation to the Employee Suggestion Committee for disposition of the matter.

The Committee shall make the final determination of the extent, if any, of County interest and notify the employee of its decision. Additionally, the Employee Suggestion Committee may make an award as authorized by A.O. 7-8, if appropriate.

In no case shall the County be required to assist in the process of applying for a patent or copyright.

This Administrative Order is hereby submitted to the Board of County Commissioners of Dade County, Florida.

Sergio Pereira

County Manager