
ASSEMBLY BILL NO. 2—ASSEMBLYMAN OCEGUERA

PREFILED JANUARY 27, 2003

Referred to Committee on Commerce and Labor

SUMMARY—Limits right of employer to own certain intellectual property developed by employee. (BDR 52-365)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to intellectual property; limiting the right of an employer to own certain intellectual property developed by an employee; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 600.500 is hereby amended to read as follows:
2 600.500 Except as otherwise provided by express written
3 agreement, an employer is the sole owner of any patentable
4 invention or trade secret developed by his employee *if*:
5 **1. The employer has:**
6 **(a) *Provided written notice to the employee of the intent of the***
7 ***employer to claim sole ownership pursuant to this section of any***
8 ***patentable invention or trade secret developed by the employee;***
9 ***and***
10 **(b) *Obtained written acknowledgment from the employee that***
11 ***the employee has received the written notice required by this***
12 ***section.***
13 **2. The patentable invention or trade secret:**
14 **(a) *Is developed after the employer:***
15 **(1) *Provides the written notice required by this section; and***
16 **(2) *Obtains the written acknowledgment required by this***
17 ***section;***



1 **(b) Is developed** during the course of the *employee's*
2 employment ~~that relates~~ *by the employer; and*
3 **(c) Relates** directly to work performed *by the employee* during
4 the course of ~~the employment.~~ *his employment by the employer.*
5 **Sec. 2.** The amendatory provisions of this act do not apply to
6 any patentable invention or trade secret developed before October 1,
7 2003.

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