3280. Ownership of inventions. The university shall be entitled to own, or to participate in the ownership of, and to place in the custody of the foundation to the extent of such ownership, any invention, on the following conditions: (a) The university shall be entitled to own the entire right, title and interest in and to any invention in category A, in any instance in which such invention is conceived in the course of performance of customary or assigned duties of the employee inventor or inventors, or in which the invention emerges from any research, development or other program of the university, or is conceived or developed wholly or partly at the expense of the university, or with the aid of its equipment, facilities or personnel. In each such instance, the employee inventor shall be deemed to be obligated, by reason of his employment by the university, to disclose his invention fully and promptly to an authorized executive of the university; to assign to the university the entire right, title and interest in and to each invention in category A; to execute instruments of assignment to that effect; to execute such proper patent applications on such invention as may be requested by an authorized executive of the university, and to give all reasonable aid in the prosecution of such patent applications and the procurement of patents thereon; (b) the university shall have the rights defined in subsection (a) of this section with respect to inventions in category B, to the extent to which an employee has or employees have disposable interests therein; and to the same extent the employee or employees shall he obligated as defined in said subsection (a); (c) the university shall have no right to inventions in category C, except as may be otherwise provided in contracts, express or implied, between the university or the foundation and those entitled to the control of inventions in category C.

3281. Employees to share in proceeds. Each employee who conceives any invention and discharges his obligations to the university as hereinbefore provided shall be entitled to share in any net proceeds that may be derived from the assignment, grant, license or other disposal of such invention. The amount of such net proceeds shall be computed by, or with approval of, the board, with reasonable promptness after collection thereof, and after deducting from gross proceeds such costs and expenses as may be reasonably allocated to the particular invention or discovery. A minimum of twenty per cent of the amount of such net proceeds shall be paid to an employee who solely conceived or made the invention, and shall be paid in shares to two or more employees who jointly made the invention in such respective proportions as the board may determine. The board in its discretion may increase the amount by which any employee or employees may participate in such net proceeds.

3282. Disagreements; procedure. Disagreements as to the allocation of any invention to one of said categories, or as to the obligations of any employee or due performance thereof, or as to participation of any employee in net proceeds, or as to rights or obligations with reference to inventions in any category, shall be disposed of as follows: (a) By voluntary arbitration of all relevant issues, if the disagreeing parties approve and agree to be bound by the decision upon such arbitration; (b) by compulsory arbitration if that be provided for in any applicable contract between the disagreeing parties; (c) by recourse to courts of appropriate jurisdiction within the state if arbitration cannot be resorted to under either subsection (a) or (b) of this section.

3283. Regulations for arbitration. The board is authorized to establish and regulate, equitably in the public interest, such measures as the board may deem necessary for the purposes of such arbitration, and to make contracts for compulsory arbitratiou, in the name of the university or of the foundation.

3284. Regulations; enforcement. The board is authorized to make and enforce regulations to govern the operations of the university and the foundation in accordance with the provisions of sections 3278 to 3285, inclusive.

3285. Rights as to products of authorship. The provisions of sections 3278 to 3285, inclusive, shall not entitle the university or the foundation to claim any literary, artistic, musical or other product of authorship covered by actual or potential copyright under the laws of the United States; but the university and the foundation shall each be authorized to make and enforce any contract, expressed or implied, which it may make with reference to any such subject matter.

Patent management agencies: the University of Connecticut Research Foundation, created in 1945 by the Connecticut General Assembly to handle patents in trust for the use of the University, and also Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University and placed in the custody of the Foundation, the inventor shares in the net proceeds derived from the assignment, in the discretion of the University Board of Trustees, to the extent of a minimum of 20% of such net proceeds.

UNIVERSITY OF HARTFORD

Hartford 1, Connecticut

No formalized research or patent policy; as a general practice each situation is considered on an individual basis, with sponsored research conducted through a Division of Research; employees, including students, of the University engaged in such research are required to sign a patent waiver agreement.

Patent management agency: Research Corporation, both for the University and for inventors by voluntary assignment of their inventions, under a patent development agreement with Hillyer College, a recently merged unit of the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

WESLEYAN UNIVERSITY

Middletown, Connecticut

No formalized research or patent policy; as a general practice the University observes a laissez-faire attitude, except with respect to government-sponsored research which is subject to the contractual provisions arranged by the College Administrator of Government Research, including the execution of patent agreements by those engaged in such research.

Patent management agency: Research Corporation, both for the University and for the inventors by voluntary assignment of their inventions, under a patent development agreement with the University; inventors retain exclusive rights in their inventions unless, in special cases, they are required to assign the inventions to the University; with respect to government-sponsored research the inventors are awarded a specific share of the proceeds from the sale or exploitation of patents obtained on inventions which the Government permits the University to retain and which are patented and handled through Research Corporation.

YALE UNIVERSITY

New Haven, Connecticut

Formalized research and patent policy, originally adopted 14 May 1938 and last revised 8 February 1958 by the Yale Corporation; applicable on a university-wide basis to all persons associated with the University:

I. Objectives. The purpose of University research is to advance knowledge in the various fields of learning. Incidental to such research, inventions may be made which, in the interests of the public, the University and the inventor, ought to be patented.

The purposes of Yale's patent policy, which is intended to cover all persons associated with the University, include the following:

1. To adopt procedures for determining which inventions ought to be patented.

2. To establish a method for obtaining patents expeditiously, without cost to the inventor.

3. To assure a management of such patents which will be consonant with the University's obligations to the public.

4. To provide for payment to the inventor of an appropriate share of the patent receipts and for dedication of the University's share to the support of future scientific research within the University.

II. Administration. The primary responsibility for administration of this policy shall rest with a standing Committee on Patents appointed by the President.

In general it is not the policy of the University to hold title to patents. The University has made an arrangement with Research Corporation, a nonprofit foundation which distributes its total income as grants-in-aid of research to colleges, universities and scientific institutions, under which this corporation will carry out the patenting and commercializing of inventions assigned to and accepted by it. Research Corporation will do this without charge to the inventor, will pay to the inventor a share of the gross income which it receives from the invention and will divide the balances, after any special expenses in connection with the patent have been met, equally between the University and Research Corporation.

All moneys coming to the University from patents under the arrangements covered by this policy shall be held as a Fund for the Promotion of Scientific Research and through appropriate committees of representatives of the faculty and of the administration, appointed by the President, shall be administered for the benefit of scientific research in the University.

When an invention of any person associated with the University results from research conducted under University auspices or with the use of facilities under the control of the University, the inventor shall report the fact to the Committee on Patents.

The Committee on Patents shall decide whether the invention shall be submitted to Research Corporation to be processed in accordance with the University's agreement with it. If the Committee decides in the affirmative and Research Corporation is willing to accept the patent under the terms of the agreement, the inventor shall assign the patent to Research Corporation and the Committee shall, unless there are unusual equities, direct Research Corporation to pay 15% of the gross income from the patent to the inventor or inventors.

In unusual cases, the Committee may wish to recommend to the Yale Corporation other arrangements for handling the patent. In such an event, the percentages of receipts from the patent which shall be paid to the inventor and to the University shall be determined through negotiations between the inventor and the Committee on Patents.

If the Committee decides that patenting of the invention is not contrary to University policy, but if neither Research Corporation under its agreement with the University nor the University through other arrangements is willing to undertake such patenting, the University shall have no further interest in the invention and the inventor shall be free to handle or dispose of his invention as he wishes.

Inventions resulting from research neither conducted under University auspices nor involving the use of facilities uuder the control of the University shall be the exclusive property of the inventor. He may, however, if he wishes, submit his invention to the Committee on Patents for handling in accordance with the foregoing procedures. In such a case the percentages of the receipts from the patent which shall be paid to the inventor and to the University shall be decided through negotiations between the inventor and the Committee.

All persons associated with the University are free to seek the advice and assistance of the Committee on Patents.

III. Relations with Sponsors of Research. The terms of proposed grants from, or contracts with, outside organizations or agencies respecting rights to patents developed as a result of research conducted under such grants or contracts, or with facilities provided by any such outside organization or agency, must be approved by the Committee on Patents and if so approved shall be binding upon all members of the faculty, staff and employees of the University conducting such research or utilizing such facilities and shall supersede the provisions of Sections I and II hereof to the extent they are inconsistent therewith.

All proposed agreements with sponsors regarding patents shall be submitted to the Treasurer of the University for consideration by the Committee on Patents.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor ordinarily receives 15% of the gross income from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF DELAWARE

Newark, Delaware

Formalized research and patent policy, originally adopted 3 June 1950 and revised 14 April 1958 by the Board of Trustees of the University; applicable on a university-wide basis, including research conducted by or under the auspices of the University of Delaware Research Foundation, successor to the Haskell Research Foundation, a separately incorporated nonprofit organization established 5 April 1949, which supports research by faculty using the facilities of the University:

> In the event of inventions by members of the University or staff or by students, it is recommended that the University of Delaware Research Foundation, Inc. be utilized in patent prosecution, protection and exploitation. Information respecting the invention should be provided the chairman of the Faculty Research Committee, who will transmit it to the University of Delaware Research Foundation, Inc. for consideration. In the case of any invention which the Foundation elects to prosecute, the Foundation will assume all costs and, if income results, will provide royalties to the inventor according to Foundation practice, which is understood to be 15% of net proceeds. This procedure is advantageous in that it relieves the inventor of the effort, time and expense involved in obtaining and exploiting a patent and eliminates any difficulties in evaluating the relative contribution of the University facilites to the invention.
>
> An alternative procedure may be followed by any inventor who prefers to prosecute the patent action himself instead of utilizing the Foundation. In such case, however, the equity owing to contributions of the University and others must be considered; therefore, it is mandatory for the inventor to provide full information respecting the invention to the chairman of the Committee on Research. Representatives of the Committee on Research will then negotiate with the inventor as to the equities in the invention and arrange for proper distribution of costs and of possible income.
>
> It is understood that special conditions may apply in the case of research projects supported under contracts. In general, no special patent privileges are granted to sponsors of research except in providing for royalty-free, irrevocable, nonexclusive licenses and, in case of government agencies, all foreign rights.

Patent management agency: the University of Delaware Research Foundation; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the Foundation, the inventor receives 15% of the net income derived from the sale or exploitation of any patents obtained on the invention.

AMERICAN UNIVERSITY

Washington 16, D. C.

No formalized research or patent policy, although the formulation of such a policy is currently under consideration; at present each situation is handled on an individual basis. No patent management agency.

CATHOLIC UNIVERSITY OF AMERICA

Washington 17, D. C.

No formalized research or patent policy; as a general practice each situation is considered on an individual basis, the University waiving all patent rights to the inventor or, in sponsored research, to the sponsor; sponsored research is conducted under the administrative direction of a Coordinator of Research in accordance with prescribed procedures and every faculty member engaged in such research is required to execute a patent waiver agreement to conform to the terms of the research contract.

No patent management agency; as indicated above, the University is not interested in acquiring patent rights; when, in accordance with the terms of a sponsored research contract, an invention is assigned to the sponsor, provision is made for the inventor to receive an inventor's fee of $100 for each patent application he executes and a similar amount for each divisional application.

GALLAUDET COLLEGE

Washington 2, D. C.

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude; all research conducted at the College is under the advisory, but not administrative direction of a Committee on Research composed of faculty members trained in research on aspects of deafness, the principal concern of the College. No patent management agency.

GEORGETOWN UNIVERSITY

Washington 7, D. C.

Formalized research and patent policy, adopted 1 July 1954 by the President and Directors of Georgetown College; sponsored research is conducted in accordance with prescribed procedures under the administrative jurisdiction of a faculty Committee on Research; applicable on a university-wide basis to faculty, staff members and other employees of the University:

> Faculty, staff members and employees of Georgetown University (hereinafter referred to as staff members) shall participate in the fruits of scientific research under the following principles:
>
> I. Georgetown University acquires ownership in all inventions made by a staff member provided such invention was made:

(a) during a special research assignment given to a staff member pursuant to a research contract of the University or otherwise;

(b) in utilization of the facilities, equipment, funds or other contributions of the University;

(c) and provided that the University has not entered into a research grant contract with express provisions to the contrary.

II. At the request of Georgetown University any member of the University staff who developed an invention under paragraph I shall be required to execute the papers required for making application for patents in the United States and abroad and for assignment of such patent applications or patents to Georgetown University. The expenses of the patent proceedings undertaken pursuant to this section are to be paid by the University.

III. Georgetown University may dispose of its rights obtained under paragraphs I and II as follows:

(a) by selling or licensing such rights with the concurrence of the inventor;

(b) by opening such rights for public use, if principles of charity or public policy, in the determination of the University, so demand;

(c) by releasing such rights to the inventor, provided he repays expenses already made in accordance with paragraph II;

(d) by including such rights in a research contract with a third party under which such rights are, either in advance or subsequently, assigned or licensed to the third party or otherwise.

IV. The member of the staff shall be paid one half of the net income resulting to the University under paragraph II (a) after deduction of all expenses incurred under paragraph II.

If disposition is made under paragraph III (d), Georgetown University will do its best, in the interest of its staff members, to facilitate their participation in the income either directly from the third party or through participation in the income of the University.

V. The members of the staff of Georgetown University are expected to cooperate in the following way:

(a) they will maintain clear records from which the development of research and of inventions can be proven;

(b) they will report to Georgetown University or its departments whenever, in their opinion, an invention, patentable or not, was made;

(c) they will assist the patent attorney designated by Georgetown University in the prosecution of the patent application;

(d) they will assist Georgetown University in its attempts to dispose of the rights resulting from inventions or patents;

(e) these obligations enumerated here remain effective even after the staff member shall leave the University.

Georgetown University will give all reasonable opportunity to the staff members to help in getting the most equitable arrangement in the interest of Georgetown University and the inventor.

VI. Any dispute arising from the application of these principles shall be arbitrated in accordance with the procedure prescribed by the American Arbitration Association. The award rendered by the arbitrator shall be final and binding on both parties.

VII. The conditions enumerated herein shall become a part of each contract of employment with the staff members.

VIII. Notwithstanding the above provisions, the University may elect, with the concurrence of the inventor, to contract with a patent management firm, mutually acceptable, for such services in relation to patent application and prosecution as such organization offers.

No patent management agency other than the President and Directors of Georgetown College; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives 50% of the net income derived from the sale or exploitation of any patents obtained on the invention.

GEORGE WASHINGTON UNIVERSITY

Washington 6, D.C.

No formalized research or patent policy, although the formulation of such a policy is currently under consideration; as a general practice each situation is at present handled on an individual basis; research at the University is coordinated under a Dean for Sponsored Research, including particularly all sponsored research which is conducted in accordance with prescribed procedures and subject to the terms of the research contract.

Patent management agency: Research Corporation under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives not to exceed 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

HOWARD UNIVERSITY

Washington 1, D. C.

No formalized research or patent policy, although the formulation of such a policy is currently under consideration by the Board of Trustees of the University; as a general practice each situation is at present handled on an individual basis; sponsored research is conducted under a Committee on Administration of Research in accordance with prescribed procedures; any employee of the University who desires to patent or otherwise protect an item developed with the use of University facilities is required to obtain administrative authorization. No patent management agency but the University is disposed to utilize the facilities of Research Corporation.

FLORIDA SOUTHERN COLLEGE

Lakeland, Florida

No formalized research or patent policy; as a generally accepted practice patents obtained on inventions resulting from sponsored research are assigned to the College and the inventor receives 50% of any income derived from the sale or exploitation of his invention. No patent management agency other than the Board of Trustees of the College.

FLORIDA STATE UNIVERSITY

Tallahassee, Florida

Formalized research and patent policy, approved 25 July 1944 by the Board of Commissioners of State Institutions of the State of Florida and adopted 14 August 1944 by the University Board of Control, which is identical with the policy of the University of Florida, originally adopted 5 June 1924 and amended 14 August 1944 and September 1950 (see University of Florida on page 84 for policy statement); sponsored research is conducted subject to the terms of the research contract and each faculty member or other employee of the University participating in such research is required to execute a patent waiver agreement; applicable on a university-wide basis to faculty members and other employees of the University and also graduate students.

Patent management agency: Research Corporation or a similar nonprofit organization, on behalf of the Board of Commissioners of State Institutions of the State of Florida; as indicated in the University of Florida policy statement below, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation or a similar organization, the inventor receives not less than 15% of the gross income derived from the sale of exploitation of any patents obtained on the invention or, if the invention is handled by the University itself, not less than 25% of the net income accruing to the University.

JACKSONVILLE UNIVERSITY

Jacksonville, Florida

No formalized research or patent policy; as a general practice the University observes a laissez-faire attitude but all sponsored research is subject to the approval of the Vice President and Dean of the University, who acts as Director of Research. No patent management agency.

ROLLINS COLLEGE

Winter Park, Florida

No formalized research or patent policy; an institutional self-study currently in progress may result in the formulation of a policy; as a general practice sponsored research is conducted in accordance with contractual stipulations. No patent management agency.

STETSON UNIVERSITY

DeLand, Florida

No formalized research and patent policy; a Faculty Senate committee is currently studying the matter with a view to recommending a policy to the Board of Trustees of the University. No patent management agency.

UNIVERSITY OF FLORIDA

Gainesville, Florida

Formalized research and patent policy, originally adopted 5 June 1924 by the University Board of Control and amended 14 August 1944, to vest title in any patents in the Board of Commissioners of State Institutions of the State of Florida in conformance to state law, and again on 21 September 1950, to provide for an agreement between the Board of Commissioners and Research Corporation whereby the latter may manage patentable material developed at the University; sponsored research is conducted subject to the terms of the research contract and each faculty member participating in such research is required to execute a patent waiver agreement; administered by the Research Council of the University and applicable on a university-wide basis to faculty members and other employees of the University and also to graduate students:

> Investigations financed wholly by the University. All workers on such projects are under contract with the Board of Control whereby, at the option of the Research Council, they may be required to patent their respective inventions and/or discoveries and assign the same to the Board of Commissioners of State Institutions of the State of Florida for the use and benefit of the State, in which event the University pays the cost of obtaining such patents.
>
> Investigations financed partly by the University in material requirements or personnel service, the remainder being contributed by an organization of industrial or other character, or by an individual not connected with the University. Projects of this type are undertaken only in accordance with the execution of a written agreement made prior to the actual initiation of such project. Each contract stipulates patent and publication rights.
>
> Investigations financed wholly by an organization of industrial or other character, or by an individual not employed by the University. In this case the research is prosecuted under a contract stating the rights and ownership of patents which may result from such research.
>
> Investigations performed by an employee of the University at his own expense and on his own time. This type of investigation logically divides into two parts:
>
> > Type A. When a discovery or invention is made outside of the field in which the discoverer or inventor is employed by the University, the results of such research are obviously the private property of the investigator.
> >
> > Type B. When the discovery or invention is made in the field in which the investigator is employed by the University, the investigator presents to the
> >
> > Research Council an outline of the project and the conditions under which it was done. The Council then recommends a suitable policy for handling the material with respect to patent rights.
>
> The University reserves the right to enter into contracts with recognized patent management and development agencies for the purposes of patent application,

patent development and patent management. In such cases, the terms of the contract provide for a distribution of proceeds from the disposal of the patent between the contracting parties and the discoverer or inventor, but in no case are the proceeds allotted to the discoverer or inventor less than 15% of the gross proceeds except as modified by specific recommendations. If the patent is handled directly by the University, the share allotted to the discoverer is not less than 25% of the net proceeds except as modified above. In the event the material involved in the patent comes from research done on dissertations or in connection with dissertation problems, the amount allotted to the discoverers is divided two-thirds to the faculty member who has directed the research and one-third to the graduate students who helped with the work.

The Research Council and the University act with dispatch in making recommendations and clearance with the patent development and management contractor. In general, a decision as to whether the University and/or its patent development and management contractor will prosecute the patent will be made within 120 days from the date the discovery is announced to the Research Council. In the event the University does not undertake to pay the cost of obtaining a patent, then all rights to the invention are the property of the inventor. At any stage of making the patent application or in the development of a patent secured, the University can withdraw and return the material to the inventor in which case it is his property and none of the costs incurred by the University or on its behalf shall be assessed against the inventor.

All University profits derived from patents go to a Research Fund to be administered for the further promotion of research.

Patent management agency: Research Corporation on behalf of the Board of Commissioners of State Institutions of the State of Florida to whom patents developed at the University are assigned; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, under the patent development agreement with Research Corporation, the inventor receives not less than 15% of the gross income derived from the sale or exploitation of patents obtained on his invention; if a patent is handled by the University itself, the inventor receives not less than 25% of the net income accruing to the University; if the material involved in the patent comes from research done on a graduate student's dissertation or in connection with dissertation problems, the amount allotted to the inventors is divided two-thirds to the faculty members who directed the research and one-third to the graduate students who helped with the work.

UNIVERSITY OF MIAMI

Coral Gables 46, Florida

Formalized research and patent policy, adopted 29 December 1949 by the Board of Trustees of the University; applicable on a university-wide basis:

1. (a) Any member of the faculty or staff of the University of Miami who has made a valuable discovery or invention which he considers patentable shall bring such discovery or invention to the attention of the Patent Committee hereinafter described which shall determine whether and to what extent the University has an interest in the discovery or invention.

(b) A discovery or invention, whether or not subject to patent, developed as a direct result of the regular duties of the faculty or staff member, or as a result of a program of research financed wholly or in part by University funds or by

funds under the control of the University, shall be the exclusive property of the University, to be administered in accordance with the recommendation of the Patent Committee.

(c) A discovery or invention developed by a faculty or staff member, on his own time and at his own expense, along lines not related to any University program of research, or to which the University is committed, and to the production and development of which the University has contributed nothing substantial in funds, space, facilities or time of a staff member, shall be the exclusive property of the inventor.

(d) All other discoveries and inventions shall be subject to review and determination of equities by the Patent Committee.

2. (a) The Board of Trustees of the University of Miami hereby authorizes the President to appoint a University of Miami Patent Committee, consisting of seven members of the faculty and administrative staff of the University and two members of the Board of Trustees, said committee to report to him its findings on all matters bearing on patentable research or on patents offered by gift, devise, purchase, ownership or assignment to the University, regardless of their potential or actual place of origin.

(b) It shall be the responsibility of this committee:

(1) To receive and act upon reports of inventions from members of the staff and others.

(2) To determine ownership, dates of conception, disclosure, and reduction to practice in respect to (1) above.

(3) To determine equities of the University, inventor, co-inventor and other parties.

(4) To recommend the extent of inventor participation in financial returns.

(5) To report its findings within six months of disclosure of the invention.

3. The President of the University shall determine the manner in which patents which become the property of the University shall be managed and exploited.

Patent management agency: Research Corporation; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, in accordance with the patent development agreement with Research Corporation, the inventor receives an amount not to exceed 15% of the income received from the sale or exploitation of patents obtained on an invention assigned to Research Corporation.

UNIVERSITY OF SOUTH FLORIDA

Tampa 4, Florida

Formalized research and patent policy, adopted 15 October 1955 by the University Board of Control, which is identical with the policy of the University of Florida, originally adopted 5 June 1924 and amended 14 August 1944 and 21 September 1950 (see University of Florida on page 84 for policy statement); sponsored research is conducted subject to the terms of the research contract and each faculty member or other employee of the University participating in such research is required to execute a patent waiver agreement; administered by the Research Council of the University and applicable on a university-wide basis to faculty members and other employees of the University and also graduate students.

No patent management agency other than the Board of Commissioners of State Institutions of the State of Florida, which may utilize the patent development facilities of Research Corporation or a similar nonprofit organization; as indicated in the University of Florida policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation or a similar organization, the inventor receives not less than 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention or, if the invention is handled by the University itself, not less than 25% of the net income accruing to the University.

Georgia

ATLANTA UNIVERSITY

Atlanta, Georgia

No formalized research or patent policy; as a general practice the University observes a laissez-faire attitude and individual faculty members are not limited in their attempts to patent their research findings. No patent management agency.

EMORY UNIVERSITY

Atlanta 22, Georgia

No formalized research or patent policy, although consideration has been given to the formulation of such a policy; at present the University handles each situation on an individual basis. No patent management agency.

GEORGIA INSTITUTE OF TECHNOLOGY

Atlanta, Georgia

No formalized research or patent policy, except with respect to research financed through the Engineering Experiment Station or the Georgia Tech Research Institute including sponsored research; staff members engaged in such research are required, under an established policy approved by the Board of Regents of the University System of Georgia, to assign title to their inventions and discoveries to a patent-holding entity; under their employment contract such employees may, at the option of the Georgia Tech Research Institute, be required to patent their inventions and to assign them to the Georgia Tech Research Institute, a separately incorporated nonprofit organization, established 13 April 1937 as the Industrial Development Council (name changed 5 February 1946) to implement the utilization of the research facilities of the Georgia Institute of Technology by outside agencies and to provide a corporate depository for patents.

Patent management agency: the Georgia Tech Research Institute; the equities of inventors in their inventions are recognized and, when an invention is assigned to the Research Institute, the inventor receives 33⅓% of the net income derived from the sale or exploitation of patents obtained on the invention, except as otherwise provided under the specific terms of a research agreement.

MEDICAL COLLEGE OF GEORGIA

Augusta, Georgia

No formalized research or patent policy, although one is currently being formulated in collaboration with officials of the University System of Georgia; at present each situation is handled on an individual basis. No patent management agency.

UNIVERSITY OF GEORGIA

Athens, Georgia

Formalized research and patent policy, adopted in February 1956 by the Regents of the University System of Georgia; sponsored research at the University, except in the College of Agriculture, is handled through a Director of General Research; applicable on a university-wide basis, except for the College of Agriculture:

1. A Fund for the Promotion of Research shall be established by the University of Georgia. In it shall be deposited all monies received by the University from financially profitable patents granted for inventions made by members of its staff or student body, as herewith provided.

2. A Patent Committee of the Faculty, to consist of five persons, shall be appointed by the President. Additional members may be temporarily added by the Chairman at any time to consider a particular invention if their advice is needed.

3. If and when the Fund for the Promotion of Research reaches such a size as to make it desirable to do so, another committee to consist of three persons appointed by the President shall be created to consider and recommend grants of money in support of research on the campus and the creation of research fellowships, both to be financed from this fund.

4. Except as otherwise stated, no inventor shall be compelled to submit an invention to the Patent Committee or allow the Research Corporation of New York to apply for a patent on it and commercialize the patent. If an inventor does desire to take advantage of the facilities herein outlined, such action shall be purely voluntary. If he wishes to apply for a patent at his own expense and to sell such patent, or an interest in the same or otherwise use it in such a way as to yield financial returns to himself, he shall be free to do so, but he must then pay into the Fund for the Promotion of Research 10% of all monies received by him from his invention in recognition of the fact that the University laboratory and other space and equipment, together with library facilities, were doubtless used in developing the invention.

5. The Patent Committee may recommend to the President that the contribution of the aforementioned 10% of gross earnings to the Fund be waived or reduced if it seems evident to it that University facilities and time were not used in developing an invention or were used to such a slight extent that a 10% contribution might be considered exhorbitant.

6. If the University Patent Committee decides that an invention is meritorious and probably new and, if the process or article is such as may probably be marketed profitably or if it seems desirable to make the invention available to industry and the public on a reasonable basis, it will submit the invention to the Research Corporation of New York. If the Corporation accepts the invention,

the inventor will assign all his rights therein to the Research Corporation which will pay for having a search of the Patent Office records made. If the invention is found to be patentable, the Research Corporation will pay all the expense of procuring a patent or patents, including the expense of marketing the invention, except foreign patents and any litigations concerning any patent, which is subject to approval of the University in writing prior to any commitment.

7. The Research Corporation will pay to the inventor 15% of the gross income accruing from his invention.

8. The Research Corporation will pay to the University, to be placed in the Fund for the Promotion of Research, 50% of the net profits accruing from the invention after the inventor has received his portion and after all expenses incurred by Research Corporation in connection with an invention have been refunded to it; thereafter, the University shall receive 50% of the net profits.

9. If an employee of the University, either on full or part time, develops an invention as a result of research work for which he is paid by the University, on University time, the inventor must submit his invention to the Patent Committee and assign it to Research Corporation, if both the Committee and Corporation approve.

10. Should some person, group of persons, firm or organization pay in whole or in part for the investigation of some problem at the University and should an invention be developed as a result of such a cooperative enterprise, then the ownership of the patent shall be determined by the terms of the agreement entered into between the University and such cooperating person, group of persons, firm or organization.

11. If the Patent Committee or the Research Corporation reports adversely on any invention or if no report is received by the inventor within ninety days of the date the invention is submitted to the Patent Committee, the inventor shall be free to handle it as seems best to him.

Patent management agency: Research Corporation, both for the University and for the inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income accruing from the sale or exploitation of patents obtained on the invention.

Hawaii

UNIVERSITY OF HAWAII

Honolulu 14, Hawaii

Formalizd patent policy, adopted 19 October 1945 by the Board of Regents of the University and incorporated in the by-laws of the University; applicable on a university-wide basis:

> Patents and copyrights resulting from work for which the employee has been paid by the University shall, at the request of the Board (of Regents), be assigned to the University. The Board may at its discretion claim all or part of such royalties resulting from patents and copyrights.

No patent management agency other than the University Board of Regents. As indicated in the policy statement above, the Board of Regents recognizes the equities of the inventor in his invention and may, at its discretion and on the recommendation of the President of the University, leave or allocate to the inventor or author all or part of royalties obtained from the sale or exploitation of patents.

Idaho

THE COLLEGE OF IDAHO

Caldwell, Idaho

No formalized research or patent policy; as a general practice each case is handled on an individual basis. No patent management agency.

IDAHO STATE COLLEGE

Pocatello, Idaho

No formalized research or patent policy, although some consideration has been given to the formulation of a policy; if patent questions should arise, the policy of the University of Idaho (see below) would be extended to cover the situation. No patent management agency, except that a patent development agreement would probably be made with Research Corporation.

UNIVERSITY OF IDAHO

Moscow, Idaho

Formalized research and patent policy, approved 18 April 1947 by the Board of Regents of the University and revised 1 April 1948; applicable on a university-wide basis to faculty and to students:

> 1. All iuventions or other subject matter capable of protection by patents made by any present employee of the University of Idaho who accepts this patent policy and so indicates to the Board of Regents of the University of Idaho in writing, and pertaining to the subject matter of any development initiated and financed by the University of Idaho or those acting in its behalf, shall be the property

of the University. Persons engaged subsequent to the date of approval of this policy are required to adhere to its provisions.

2. All inventions, or other subject matter capable of protection under the patent laws, made by any employee of the University of Idaho in the course of a special development and directly relating to the subject of the development under contract with a private concern, shall be the property of the private concern, unless otherwise specified in said contract.

3. All inventions, or other subject matter capable of protection under the patent laws, made by any employee of the University of Idaho outside the scope of sections 1 and 2, so far as the University is concerned, shall be the property of the inventor.

4. A student who holds a staff appointment by the Board of Regents is considered an employee of the University and Sections 1, 2 and 3 apply. In cases where the development is made by a student who is not holding a staff appointment (but who may be employed on irregular help or be the recipient of a scholarship or other aid) and who is utilizing for research only a reasonable amount of space and facilities, it shall be considered that the University is not contributing to the research inasmuch as it is considered that such space or facilities are provided for by the payment of student fees or their equivalent; except, that a student employed on irregular help to work on a special development for the University, Foundation, or under contract with a private concern shall be bound by sections 1 and 2 above. The rights of a student under this section include the right to assign or otherwise dispose of these rights.

Patent management agencies: the University of Idaho Research Foundation, a separately incorporated nonprofit organization established 3 June 1949 to protect the interests of the inventor, the University and the public in inventions made by members of the University staff, and also Research Corporation under a patent development agreement with the Foundation; the equities of inventors in their inventions are recognized and, in accordance with the agreement with Research Corporation, the inventor receives 25% of the gross income derived from the sale or exploitation of patents obtained on his invention.

AUGUSTANA COLLEGE

Rock Island, Illinois

No formalized research or patent policy, either for the College or for the Augustana Research Foundation, which is primarily a research laboratory, established 5 May 1947 as a separately incorporated nonprofit research organization, affiliated with and utilizing the staff and facilities of the College; patentable discoveries growing out of sponsored research are subject to the terms of the research contract and are usually assigned to the sponsor. No patent management agency.

CHICAGO COLLEGE OF OSTEOPATHY

Chicago 15, Illinois

No formalized research or patent policy, although the formulation of such a policy is contemplated; for the present the College has adopted the following practice:

> Any invention first conceived and actually reduced to practice in the course of work conducted by a full time faculty member employed by the institution or assisted by a grant in aid or by a fellowship shall promptly and fully report the invention to the administration and where applicable to the granting agency so that the vested interests in the invention may be protected.
>
> The determination of whether or not patent protection shall be obtained and to the rights in the invention of the school and granting agency shall be determined by the guide lines of the grantor and the institutional policy with respect to full time faculty.

No patent management agency other than the Board of Trustees of the College.

CHICAGO MEDICAL SCHOOL

Chicago 12, Illinois

No formalized research or patent policy; as a general practice each situation is handled on an individual basis. Patent management agency: the Chicago Medical School Research Foundation, a separately incorporated nonprofit organization established 18 October 1948 to manage a patent assigned to the School; the equities of inventors in their inventions are recognized and, when an invention is assigned to the Foundation, the inventor receives 15% of the net income derived from the sale or exploitation of patents obtained on the invention.

DEPAUL UNIVERSITY

Chicago 4, Illinois

No formalized research or patent policy; as a general practice each situation is handled on an individual basis and, with respect to sponsored research, is subject to the approval of the President of the University. No patent management agency.

ILLINOIS INSTITUTE OF TECHNOLOGY

Chicago 16, Illinois

No formalized research or patent policy, although consideration has been given to the formulation of such a policy; as a general practice each situation is considered on an individual basis; in sponsored research patent and publication rights are retained by the Institute, unless specific contractual arrangements to the contrary are made; sponsored research of an applied nature is in general referred to the Armour Research Foundation, a separately incorporated nonprofit research organization affiliated with the Institute, established 6 April 1936 to provide research and experimental engineering services to industry and government. No patent management agency other than the Board of Trustees of the Institute; the equities of inventors in their inventions are recognized and, when an invention is assigned to the Institute, the inventor shares in the net income to the Institute from the sale or exploitation of any patents obtained on the invention, the percentage he receives determined by the Institute on an individual basis in the light of the circumstances in each situation.

LOYOLA UNIVERSITY

Chicago 11, Illinois

Formalized research and patent policy, adopted in 1950 by the Board of Trustees of the University and contained in the employment contract between the University and its faculty members; applicable on a university-wide basis:

> In consideration of his employment by the University the appointee agrees, upon request of the University, to assign to the University or its nominee all right, title and interest which the appointee may have or claim in any patentable discovery made or developed by him in the course of his employment by the University or with the use of University facilities. Such assignment shall be made upon terms and conditions mutually acceptable to the University (or its nominee) and the appointee.
>
> If the parties are unable to agree, any and all issues in dispute shall be resolved by a board of arbitration, one member to be chosen by each party in interest and the third member by the other two. The decision of a majority of the board shall be final and binding on all interested parties, but the jurisdiction of the board shall extend only to the resolution of disputed issues relating to the proposed agreement. The reasonable expenses of arbitration shall be borne by the University.
>
> It is understood and agreed that the University shall have a reasonable time after disclosure of the discovery to elect whether it will require the above assignment. If the University fails so to elect, the appointee may make arrangements with outside parties for the development and exploitation of the discovery; but such arrangements must have the written approval of the University.
>
> It is further understood and agreed that the provisions of this paragraph are subject to the terms and conditions of any special agreement entered into or to be entered into between the parties hereto, or the University individually, and a third party with respect to any existing or future grant-in-aid.

Patent management agency: Research Corporation under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the

inventor receives a share of the gross income derived from the sale or exploitation of any patents obtained on the invention, as determined by mutual agreement in each case.

MONMOUTH COLLEGE

Monmouth, Illinois

No formalized research and patent policy, although the formulation of such a policy is currently under consideration; at present each situation is handled on an individual basis. No patent management agency.

NORTHWESTERN UNIVERSITY

Evanston, Illinois

Formalized research and patent policy, originally adopted 1 October 1947 by the Executive Committee of the Board of Trustees of the University and revised 11 December 1961 on recommendation of a faculty Patents Committee; applicable on a university-wide basis to faculty members and research workers, including graduate students, both of the units of the University located in Evanston and of the Medical School located in Chicago:

1. Patentable discoveries sometimes result from research performed at the University. It is the desire of the University to be as helpful as possible in protecting the patent rights of the faculty and researchers, including graduate students, to the fullest extent compatible with the public interest and the rights of the University. To this end the University has set up a faculty Patents Committee with a patent law consultant available. All patentable inventions and discoveries made in the course of research done under University auspices or with University facilities shall be disclosed to this Committee.

2. To facilitate the obtaining of patents on inventions or discoveries, the University will offer assistance to the researcher in the following alternatives, at his option:

   (a) Access to the faculty Patents Committee and recourse to the services of the staff patent law consultant;

   (b) Recourse to the services of the Research Corporation, as described in paragraph 8 hereof; or

   (c) Opportunity (at researcher's expense) to consult with any attorney of the researcher's choice and take any other steps deemed advisable toward obtaining and developing a patent. Division of the proceeds, however, should be in accord with this general University policy on patents.

3. All net income derived from patents will be used for the benefit of the researcher and University research funds. One-half of the net proceeds will be paid to the researcher personally, or as he directs, and the remainder will be used by the University for research. Special consideration will be given to the department in which the patent arose.

4. The faculty Patents Committee shall be composed of from five to seven members appointed by the President of the University and shall meet at the call of the Chairman as often as matters require review. Close liaison shall be established with, and the decisions of the faculty Patents Committee shall be reported to and

reviewed by, the Trustees Committee on Patents. The chairman of each appropriate department shall designate a member of each department who shall take the initiative in consulting with researchers as to the desirability of patenting discoveries.

5. Members of the faculty shall be free to make their own agreements respecting patent rights arising out of consulting contracts for services outside the University, and these shall be governed solely by the mutual understanding of the parties thereto. The dean of the appropriate school and the Dean of Faculties shall be notified of all patents attributable to such agreements by the researcher involved.

6. Research resulting from contracts with or grants from commercial firms shall be conducted only under written arrangements which guarantee to the University complete freedom of publication of the results of such research and title to any patents covering the same. Although a commercial firm shall not have patent rights arising from research at the University, the University will, on the request of any sponsor of such research, consent to the grant to such sponsor of an irrevocable non-exclusive free license to the use of any patents or patent rights arising out of such research. Patent rights arising out of government contracts are also subject by contract to an irrevocable non-exclusive free license to the use of patents resulting from such contracted research by the United States Government.

7. If patentable discoveries arise during the course of research in which the faculty Patents Committee determines that the University has no interest, the discoverers or inventors thereof shall be promptly so notified and the University shall release any interest which it may have in such discoveries.

8. The agreement by the Research Corporation and the Northwestern University provides that, on all discoveries or prospective inventions submitted to it, the Research Corporation will make a report to the University and the inventor as to the patentability and commercial feasibility of the particular invention or discovery without cost, either to the inventor or to the University, and in the event they proceed to patent items determined to be patentable and commercially feasible, the Research Corporation will bear all the cost involved in patenting, developing and licensing the patents and net proceeds will be divided one-half to the Research Corporation and the other half in accordance with paragraph three hereof. The Research Corporation is a nonprofit corporation serving many universities in this capacity and all of its funds over and above necessary expenses are allocated to grants and awards for research at educational institutions.

9. The policy herein declared may be changed or discontinued at any time by action of the Board of Trustees appropriately taken. Such change or discontinuance, however, shall not affect any rights accrued hereunder prior thereto.

Patent management agency: Research Corporation under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 50% of the net income accruing to the University from the sale or exploitation of any patents obtained on the invention.

PRINCIPIA COLLEGE

Elsah, Illinois

No formalized research or patent policy; each case is handled individually on its merits in such manner that the College shares to some extent in any financial benefits derived from patents. No patent management agency.

QUINCY COLLEGE

Quincy, Illinois

No formalized research or patent policy; as a general practice the College observes a laissez-faire or hands-off attitude. No patent management agency.

SOUTHERN ILLINOIS UNIVERSITY

Carbondale, Illinois

Formalized research and patent policy, adopted 23 September 1954 by the Board of Trustees of the University; applicable on a university-wide basis, effective 1 July 1954:

A. Independent research. Research conducted by a staff member on his own time and at his own expense shall be termed independent research.

1. No claims or restrictions shall be placed by the University on any copyrights, patents, patent rights or discoveries obtained as the result of independent research.

2. The individual researcher, however, may voluntarily assign all or part of his claim to the results of such research to the University.

B. University sponsored research. Research conducted by a staff member with the help of the University, either in the form of a grant or grants or in time assigned to research, or both, shall be termed University sponsored research.

1. If University aid does not exceed $1,500 in a fiscal year, or a cumulative total of $5,000, for an individual's research, either in actual funds or in salary for assigned time or in both together, the University will not be considered as having established a right to share in the results.

2. In the results of research aided by the University beyond the amounts specified above and in results obtained when research is part of the regular duties and responsibilities of the staff member the University and the researcher shall share equally, unless an agreement in writing shall specify otherwise. Individual participants in such a University sponsored program shall be considered to have agreed to that principle.

3. The University, or its designated agent, shall assume full responsibility for obtaining a patent or copyright, and for protecting and promoting the property rights inherent in such patents and copyrights, for inventions and developments arising from University sponsored research. Such inventions and developments shall be used to produce the greatest benefit to the University and the public.

4. Staff members shall have the responsibility of reporting to the proper University authorities any invention or development coming from University sponsored research which should be protected by patent or copyright.

5. When an agreement delineating individual and University rights, claims and responsibilities is made, it shall be made in writing before application for a patent or copyright resulting from University sponsored research is submitted to the United States Government.

6. Any controversy or claim arising out of or relating to this statement of policy or an agreement between an individual researcher and the University delineating individual and University rights, claims and responsibilities, or the breach thereof, shall be settled by arbitration in accordance with the rules, then obtaining, of the American Arbitration Association and judgment upon the award rendered may be entered in the highest court of the forum, state or national, having jurisdiction.

C. Externally sponsored research. Research contracts between the University and other agencies shall state clearly the obligations and rights of the University and of the cooperating agency and the procedure to be followed in case patentable discoveries or materials subject to copyright grow out of the research. In each case the University shall be free to negotiate with the sponsoring agency, so far as patent and copyright rights are concerned. (The custody and expenditure of all funds involved in externally sponsored research shall be under the jurisdiction of the Business Manager of the University, who shall be responsible for filing fiscal reports as required by the contract. Supervision of the purposes of the contract shall be the responsibility of the Dean of the Graduate School. Any such contract shall be approved by both the Dean of the Graduate School and the Business Manager before becoming effective.)

Patent management agency: the Southern Illinois University Foundation, a separately incorporated nonprofit organization established 16 November 1942, with respect to any inventions or patents thereon assigned to the University, either voluntarily or in accordance with the terms of the policy or a research contract; as indicated in the policy statement above, the equities of inventors in their inventions are recognized, unless prescribed by the terms of a research contract; when an invention is assigned to the Foundation, the inventor and the University share equally in the income derived from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF CHICAGO

Chicago 37, Illinois

Formalized research and patent policy, adopted in July 1943 and amended 6 December 1954 by the Board of Trustees of the University and incorporated as Statute 21 in the University Statutes; sponsored research is conducted in accordance with prescribed procedures; applicable on a university-wide basis:

The basic policies of the University of Chicago include complete freedom of research and the unrestricted dissemination of information. Research done primarily in anticipation of profit is incompatible with the aims of the University. The University recognizes that in the course of its research activities ideas or processes may be developed from which patents should be obtained for the benefit and protection of the public interest. It reserves the right, through contract or otherwise, to make appropriate disposition of patents based upon work done within its laboratories or with the aid of its facilities.

Neither the University nor any members of its staff shall retain ownership, management or licensing responsibilities for patents resulting from research or other activities carried out at the University or with the aid of its facilities. Any patents based upon research at the University must be assigned to some organization independent of the University which is deemed able and willing to accept and administer patents. The conditions governing such assignments are to be determined by the University administration in consultation with the inventor, and shall be not in conflict with the basic policies of the University or with its obligation to uphold professional ethics.

When research projects receive substantial aid through grants from industrial organizations, the University will furnish relevant research reports to the grantors and may assign patents to them, by prior or subsequent arrangement, but will retain the rights to publication of results. The University will not permit its name or names of members of its staff to be used in advertising.

Patent management procedure: patents may be taken on new discoveries and inventions resulting from research at the University but must be assigned, with or without provision for financial return to the University or members of its staff, either to sponsors of contract research or grantees, to the Government or to Research Corporation or other organization designated by the University or the inventor or else placed in the public domain by dedication, under conditions determined by the University administration in consultation with the inventors.

UNIVERSITY OF ILLINOIS

Urbana-Champaign, Illinois

Formalized research and patent policy, originally adopted 10 March 1936 by the Board of Trustees of the University and, as subsequently revised, contained in the University of Illinois Statutes as approved 16 January 1957 and in the general rules concerning University organization and procedure as approved 17 December 1957; sponsored research is conducted under the administrative coordination of the Agricultural Experiment Station for the College of Agriculture, the Engineering Experiment Station for the College of Engineering and the University Research Board for all other units of the University; applicable on a university-wide basis, including the Chicago Professional Schools and the undergraduate division located in Chicago:

> The principle is recognized that the results of experimental work carried on by or under the direction of the members of the staff of the University and having the expense thereof paid from University funds or from funds under the control of the University belong to the University and should be used and controlled in ways to produce the greatest benefit to the University and to the public.
>
> Any member of the staff of the University who has made an invention as the direct result of his regular duties on University time and at University expense may be required to patent his invention and to assign the patent to the University, the expenses connected therewith to be borne by the University.
>
> The above shall not be construed to include questions of ownership in copyrights on books or inventions made by members of the staff outside of their regular duties and at their owu expense.
>
> Any discovery or invention (1) which is the result of research carried on by or under the direction of any employee of the University and having the costs thereof paid from University funds or from funds under the control of or administered by the University, or (2) which is made by any employee of the University as a direct result of his duties with the University or (3) which has been developed in whole or in part by the utilization of University resources or facilities belongs to the University and shall be used and controlled in ways to produce the greatest benefit to the University and to the public.
>
> Such discovery or invention must be submitted to the University Patent Committee for study as to disposition and recommendation to the President and Board of Trustees. The University Patent Committee, a subcommittee of the University Research Board, is appointed by the President to examine and study discoveries and inventions made by employees of the University in which the University may have an interest.
>
> The Board of Trustees may direct tbat such discovery or invention be:
>
> (1) Released outright to the discoverer or inventor.

(2) Retained by the University in its own right or transferred to the University of Illinois Foundation for commercial development.

(3) Released to the individual or agency sponsoring the research under which the invention or discovery was made, if such action is required under the terms of the research contract with such agency or individual, or is required hy law or if the interests of the University and the public so indicate.

The discoverer or inventor may be required to apply for a patent and assign his interest therein. In unusual situations, when in the judgment of the Patent Committee immediate filing of an application for a patent is necessary to protect the interests of the University, the Committee may act to accomplish this prior to the report and recommendation to the Board of Trustees.

In the event that income is received by the University or the University of Illinois Foundation from any patent assigned in accordance with the preceding paragraph, all cost of procuring and administering such patent shall first be paid from such income. A proper share of the remaining net income shall be paid to the inventor or discoverer. This share is to be determined solely by the Board of Trustees, after considering the recommendations of the President and the University Patent Committee.

Contracts or grants from ontside sponsors which carry the provision that the sponsoring agency may determine the disposition of patentable discoveries developed thereunder may be accepted by the University, when required by federal statute or the established policies of the sponsoring agency, and when that agency is governmental or nonprofit in character, and when the action of the University in waiving its rights to such discoveries is determined to be clearly in the public interest.

Generally, if patentable discoveries result from research sponsored by an agency outside the University, preferential treatment in the use of any resulting patent may be accorded that agency.

The foregoing stated patent policy shall not be construed to include the ownership of copyrights or of inventions or discoveries made by employees of the University entirely outside of their duties with the University and without the use of University facilities, resources or financial support.

Patent management agency: the Board of Trustees of the University or, on behalf of the Trustees, the University of Illinois Foundation, a separately incorporated nonprofit organization established 9 August 1935; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University or to the Foundation, the inventor receives a share, usually 10 to 15% (in unusual cases as much as 25% and in rare cases more) of the net income derived from the sale or exploitation of any patents obtained on the invention, as determined by the Board of Trustees on recommendation of the President and the University Patent Committee.

WESTERN ILLINOIS UNIVERSITY

Macomb, Illinois

Formalized research and patent policy, formulated by the University Research Council and adopted 5 January 1962 by the Illinois State Teachers College Board; applicable on a university-wide basis effective September 1962:

1. Patentable discoveries resulting from the work of a faculty member who has received no special financial support from the University for the work shall remain the exclusive property of the individual. Payment of salary for normal academic work and use of facilities normally available in the teaching departments and within the University shall not form the basis of a claim of equity by the University.

2. Patentable discoveries resulting from work for which the individual has received special financial support from the University will be submitted to the research council. Upon action by the research council, the discovery should be submitted to a nonprofit patent management corporation with whom the University should have a previous agreement concerning patent development and management. Such agreement should include a clear statement and recognition of the individual's equity in the commercialization of the patent. If the discovery is not accepted by the patent management corporation for patent development or commercialization, then it should be returned as the exclusive property of the individual.

3. Patentable discoveries resulting from work supported by government agencies and nonprofit research foundations should, in general, be treated according to 2 above. Grants-in-aid-of-research from such sources usually do not cover the entire costs of the research and the University, in accepting contracts or agreements for such research, in reality becomes obligated for support of the work. This should not be construed, however, to mean that the University would not accept agreements with such agencies that require special provisions concerning patent rights.

4. Discoveries resulting from work supported completely by an outside party, with necessary provisions made for all indirect costs and overhead, shall be handled by prior agreement between the investigator and the supporting party, and the University shall have no claim to the discovery.

5. Any funds made available to the University by the commercial development of discoveries made under 2 and 3 above shall be used by the University exclusively for support of further research within the University.

6. The University will not permit its name nor the official positions of its faculty to be used in advertising or promotion of commercial developments resulting from research conducted at the University.

No patent management agency, although the University may utilize the facilities of a nonprofit patent management organization; as indicated in the policy statement above, the equities of inventors in their inventions are recognized.

BALL STATE TEACHERS COLLEGE

Muncie, Indiana

No formalized research or patent policy; the Bureau of Research is responsible for the coordination of all sponsored research; the College reserves the publication rights in the results of such research. No patent management agency.

BUTLER UNIVERSITY

Indianapolis, Indiana

No formalized research or patent policy; under action taken by the Board of Trustees of the University on 16 April 1956 all extramurally supported research conducted or supervised by University personnel is subject to approval by a committee appointed by the President and selected from the broad areas of the sciences. No patent management agency.

DEPAUW UNIVERSITY

Greencastle, Indiana

No formalized research or patent policy; each situation is handled on an individual basis and sponsored research grants and contracts are subject to approval by the President or Dean of the University. No patent management agency.

EVANSVILLE COLLEGE

Evansville 4, Indiana

No formalized research or patent policy; as a general practice each situation is handled individually on its merits. No patent management agency.

FRANKLIN COLLEGE

Franklin, Indiana

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency; inventions and patentable discoveries are left to the inventor and the only claim the College makes against any income realized from the sale or exploitation of patents obtained on an invention is reimbursement of charges for rental of equipment, space and College labor involved in the patent development or subsequent productive work.

INDIANA UNIVERSITY

Bloomington, Indiana

No formalized research or patent policy, although such a policy is currently in process of development; as a general practice each situation is at present handled on an individual basis, including sponsored research conducted under arrangements made by the Indiana University Foundation, a separately incorporated

organization established 15 June 1926, which utilizes University personnel and facilities under a contract between the University and the Foundation; sponsored research contracts may provide reservation of patent rights to the sponsor and sharing of royalty income with the inventor.

Patent management agencies: the Indiana University Foundation and also Research Corporation under a patent development agreement with the Foundation; the equities of inventors in their inventions are recognized and, when an invention is assigned to the Foundation or Research Corporation, the inventor receives a share of the gross income derived from the sale or exploitation of patents obtained on the invention.

PURDUE UNIVERSITY

Lafayette, Indiana

Formalized research and patent policy, originally adopted 12 June 1948 by the Board of Trustees of the University, amended 16 April 1952 and revised 1 November 1955; applicable on a university-wide basis to both staff members and students of the University, including sponsored research handled by the Purdue Research Foundation, a separately incorporated nonprofit organization established 30 December 1930 as an outgrowth of an all-university Department of Research Relations established in 1928 by the Board of Trustees of the University:

> I. Principle of ownership. Technical information, discoveries, inventions, industrial values and patents resulting from research or investigation conducted by staff members or students of the University, on its time or with its facilities, are the property of the University and shall be assigned to the University or its designee.
>
> In the event investigation results in discoveries or inventions which according to common usage may be patented, the University reserves the right to protect such inventions by patent application, implicitly governing its action with due regard to the protection of the rights of the University and the interests of the employee inventor, the sponsor and the student or investigator who has carried out the research contributory thereto, either as a thesis or as an assigned research project. The University shall own right, title and interest in such patents, reserving the right to direct the assignment thereof to others.
>
> II. Equities of participating parties. It is the policy of Purdue University, with reference to all creative endeavors of its staff members and students conducted on its time or with its facilities, to recognize the interests of the University, the staff member, student, sponsor and other cooperating or participating agencies. It is recognized that patents or inventions might arise from research conducted on several different bases as noted below.
>
> > (1) Investigations financed wholly by the University, that is, sponsored by the University and carried out by public funds and by persons paid by the University. The principle of ownership is stated in paragraph I above. Should a patent or discovery which is assigned to the University or its designee bring in a net return in excess of the cost of obtaining such patent, the payment of a just compensation to the discoverer or inventor shall be paid from the net proceeds. In general, just compensation shall be considered to be 33⅓% of such net proceeds.
> >
> > If the invention is a joint discovery arising from research done on theses or dissertations or in connection with thesis or dissertation problems, the

amount allotted shall be divided 50% to the faculty member who has directed the research and 50% to the graduate student or students who have helped with the work.

(2) Investigations financed wholly or partially by governmental, industrial, philanthropic or other organizations or by an individual not employed by the University. In this case the research shall be prosecuted under a contract or written agreement stating the rights and ownership of patents which may result from the research. Before work is started on a program covered by such an agreement or contract the principal investigator shall be advised of his specific rights thereunder and the principal investigator shall be responsible to advise his co-workers of their rights. In general, it shall be the policy to approximate the same conditions as prevail in paragraph II (1) above.

(3) Investigations performed by an employee of the University wholly or partly on his own time and at his own expense. Such cases shall be brought to the attention of the President of the University. The President, with the aid of such advice as he may seek, shall determine whether the invention is of Type A, Type B or Type C.

Type A. When a discovery is made wholly at the expense of the individual, without the use of University facilities and outside the normal field of the individual's employment, the results of such research are the private property of the investigator.

Type B. When a discovery is made partly at the expense of the individual, with the use of University facilities or in the normal field of the individual's employment, the procedure shall be the same as in paragraph II (1) above, except that, in general, just compensation shall be considered to be 50% of the net proceeds.

Type C. When a discovery is made by an individual acting as a consultant, the following procedure shall apply. University regulations require that staff members obtain authority to act as consultants by request to the President of the University. If patents may be involved in the course of the consulting service, this subject must be covered in the request to do the work. If the individual is asked to sign an agreement covering patent matters as part of the consulting arrangement, a copy of that agreement must be attached to and become a part of the request to perform the consulting work. The President may give permission to assign patents resulting from consulting work to other than the University or its designee by approving the request to perform the consulting services (provided the work is done without the use of University equipment or facilities).

(4) At the time that arrangements are made to apply for a patent in accordance with sections (1), (2) or (3) Type A or Type B above a specific agreement shall be prepared covering the just compensation to the discoverer or inventor.

(5) In any event, the Board of Trustees of Purdue University must and does reserve the right to administer such equities consistent with the public interest as determined by said Board from time to time.

Patent management agencies: the Purdue Research Foundation and also Research Corporation under a patent development agreement with the Foundation, both for the University and for inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the

Foundation or to Research Corporation, the inventor receives 33⅓% or 50% of the net income derived from the sale or exploitation of any patents obtained on the invention, as specified in section II of the policy statement above.

ROSE POLYTECHNIC INSTITUTE

Terre Haute, Indiana

No formalized research or patent policy, although the formulation of such a policy is currently in process of development; as a general practice each situation is at present handled on an individual basis. Patent management agency: Research Corporation under a patent development agreement with the Institute; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives not more than 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

SAINT JOSEPH'S COLLEGE

Rensselaer, Indiana

No formalized research or patent policy, although the formulation of such a policy is currently in process; as a general practice each situation is at present handled on an individual basis. No patent management agency.

UNIVERSITY OF NOTRE DAME

Notre Dame, Indiana

Formalized research and patent policy, adopted 1 May 1953 as recommended to the Administration by the Advisory Council for Science and Engineering of the University; currently under review for the purpose of bringing it up-to-date; applicable on a university-wide basis to faculty and students:

I. Policy governing the patent relationships to the University of faculty members, scientific and technical personnel and students

1. The University recognizes the right of faculty members, scientific and technical personnel and students to obtain patent rights for any patentable discovery or invention issuing out of University-supported research and to arrange as they think desirable for the disposition of these rights.

2. This freedom to obtain patent rights does not extend to discoveries or inventions relating to public and individual health nor to those which are made in pursuit of research sponsored by private or governmental agency and for which the University is under obligation to the sponsors. In these cases every discovery or invention must be reported promptly to the Patent Committee of the University which will proceed in accordance with the policy set forth hereinafter.

3. The Patent Committee of the University shall be appointed by the President under the chairmanship of the Vice President in Charge of Business Affairs.

4. The duties of the Patent Committee are:

a. To decide as promptly as possible whether it is probable that each reported invention is patentable. In reaching its decision the Committee shall have the right to seek scientific, technical and legal advice from outside.

b. To initiate the obtaining of patents in accordance with the policy governing patent relationships of the University to other organizations.

c. To determine for purposes of patent authorship and royalty distribution the contribution of each inventor where more than one inventor is responsible for an invention or discovery.

5. The University, through its Patent Committee, is prepared to assist faculty members, scientific and technical personnel and students who wish to bring to it discoveries or inventions issuing out of University-supported research, the assistance to be given in accordance with the policy set forth hereinafter.

6. If the University has patent rights as provided in paragraph 2 above or if the University is requested to assist as provided in paragraph 5 above and if an invention or discovery is judged patentable and worthy by the Patent Committee, the inventor or inventors will agree, without charge to the University but at its expense, to execute and deliver to the University all documents necessary to apply for, secure and maintain patent protection throughout the world for such invention or discovery and to vest the entire right, title and interest therein and thereto in the University, with the understanding that if no patent application is filed by the University, or its agent or assignee, for such invention or discovery within one year from the date of its disclosure to the Patent Committee, all rights to such invention or discovery will, on written request, be revested in the inventor or inventors. Furthermore, if no arrangement has been made for commercial development within two years from the date of the issuance of the patent, the inventor or inventors may request in writing a return of the patent rights. If the University has not entered into a commercial agrement within six months from the receipt of this written request, the full patent rights shall then revert to the inventor or inventors on reimbursement to the University of expenses incurred in obtaining the patent.

7. When an invention or discovery is judged by the Patent Committee not to be patentable or worthy, it shall be returned to the inventor or inventors as promptly as possible.

8. From the date on which disclosure of an invention or discovery is made to the Patent Committee, the inventor or inventors agree not to disclose or publish, or authorize anyone else to disclose or publish, any secret or confidential knowledge pertinent to such invention or discovery without written authorization of the University until such time as the patentable nature of the invention or discovery is decided and, where this decision is positive, until such time as patent application has been filed with the Patent Office.

9. For any patent assigned to the University, the University agrees to the following scale of distribution of any annual income which may accrue to the University from royalties or other sources, less direct expenses incurred by the University in securing and maintaining the patent:

a. The inventor or inventors to receive 50% of annual net income up to $15,000.00

b. The inventor or inventors to receive 10% of all annual net income over $15,000.00

10. In the event of any disagreement between the University and inventor or inventors, an arbitration board shall be appointed which will consist of two members chosen by the University, two members chosen by the inventor or inventors and one member chosen by mutual agreement. All members must be chosen within fifteen days after the University has chosen its two members. The decision of the arbitration board shall be final.

11. Acceptance of this policy by a faculty member shall be effected through the signing of his University contract.

12. Acceptance of this policy by scientific and technical personnel and by students shall be effected by a special agreement.

II. Policy governing the patent relationships of the University to other organizations

1. For inventions or discoveries issuing out of University-supported research and vested in the University in accordance with paragraph 6 of Section I, the University may, subject to the provisions of paragraph 9 of Section I, retain, license or assign such patent rights. When such patent rights are assigned to commercial or industrial organizations, there shall be ordinarily in the agreement provision for the licensing of others under these patents on the basis of reasonable royalties and terms. When the University retains patent rights, it shall be further determined whether licensees are to be granted nonexclusive or exclusive license under the patents. If exclusive license is granted, it shall be ordinarily subject to cancellation or to time limit with the University reserving the right to renew or not to renew the exclusive license. The time period in which the exclusive licensee must reduce the patent to practice or forfeit the license shall also be determined, as well as royalty rates and minimum annual income to the University.

2. For inventions or discoveries issuing out of privately sponsored research, it shall be determined in the initial contract whether the University shall retain patent rights or assign them to the sponsor subject to mutually satisfactory conditions. When the University retains patent rights, the same provisions in regard to nonexclusive or exclusive license, cancellation of exclusive license, etc. as set forth in paragraph 1 immediately above shall be written into the agreement.

3. For inventions or discoveries issuing out of Government-sponsored research, the patent policy of the University will necessarily conform to the patent policy clause of the contract covering the research.

4. In all cases the University reserves the right to publish the results of its research and any qualifications to this right shall be expressly determined in the contract covering private or Government-sponsored research.

5. All net income to the University received from patents shall be used to further the academic and scientific work of the University.

No patent management agency other than the Advisory Council for Science and Engineering and the Board of Trustees of the University, both acting in an advisory capacity; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives a specified share of the net income obtained from the sale or exploitation of any patents obtained on the invention.

VALPARAISO UNIVERSITY

Valparaiso, Indiana

No formalized research or patent policy, although the formulation of a policy is currently under study by a committee; at present each situation is handled on an individual basis. No patent management agency, but negotiations are in progress with Research Corporation.

COE COLLEGE

Cedar Rapids, Iowa

No formalized research or patent policy; as a general practice each situation is considered on an individual basis by the administration of the College. No patent management agency.

DRAKE UNIVERSITY

Des Moines 11, Iowa

No formalized research or patent policy; as a general practice each situation is handled on an individual basis; contractual research is conducted under a memorandum of agreement mutually acceptable to the University, the participants in the research and the sponsoring organization. No patent management agency.

GRINNELL COLLEGE

Grinnell, Iowa

No formalized research or patent policy; as a general practice each situation is handled on an individual basis. Patent management agency: Research Corporation under a patent development agreement with the College; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 30% of the net income derived from the sale or exploitation of any patents obtained on the invention.

IOWA STATE UNIVERSITY

Ames, Iowa

Formalized research and patent policy, originally adopted 1 November 1934 by the Iowa State Board of Regents and amended 1 November 1938 and 1 November 1950; sponsored research is conducted in accordance with the research contracts entered into and subject to the approval of the President of the University before the research is undertaken and inventions resulting from such research are subject to the terms of the research contracts; applicable on a university-wide basis and administered by a faculty Patent Committee:

> 1. It is recognized that inventions and discoveries that are the outgrowth of the research of members of the staff of Iowa State University are seldom the results of the efforts of a single individnal. On the coutrary it is usually true that many individuals contribute to a project at various stages of its development and that the inventor utilizes information developed by others in reaching the culmination of his project. Thus the research that is the basis of an invention arising in this manner usually employs funds that have been contributed by the state and ideas that have been contributed by many individuals.

2. It is desirable to insure the control for the benefit of the public of the inventions that grow out of the scheduled work of members of the staff. Publication alone does not always accomplish that because the University publications are scrutinized closely by industrial research organizations and published University research results may become the basis of patents held by others. The only feasible method of controlling such inventions appears to be by means of patents held by the University or an agency established by it and administered so as to safeguard all interests.

3. In view of the foregoing the policy has been established at Iowa State University of securing patents to be controlled by the University, or an agency established by it, on inventions that are the outgrowth of the research work of members of the staff, when that is believed to be for the best interest of the state. It is not the purpose to secure patents merely because there appears to be the possibility of revenue accruing, nor is the research program to be directed away from fundamental research into development work in the hope of securing valuable patents.

4. Administrative officers of the various divisions, stations and departments are expected to report to the President, or a committee set up by him, inventions and discoveries that come to their attention and are believed to be sufficiently important to be patented. Any member of the staff may submit an invention or discovery to his administrative superior for consideration for patenting, or administrative officers may suggest to a staff member that he submit an invention or a discovery to be considered for patenting.

5. The agency established by the University is to administer the patents which have been assigned to said agency, either by dedicating the patent to the public or by licensing its use, whichever is believed will best serve the public interest. In case the use of the patent is licensed the terms of the license shall be fixed so as to safeguard adequately the interest of the state.

6. Inventions and discoveries that are the outgrowth of research conducted at Iowa State University in cooperation with industrial corporations may also be patented, but in that case the ownership of the patent, the licensing basis and the details of the control of the use of prospective patents are to be fixed by an agreement entered into with the cooperating agency before the research is undertaken. In all such cases the University shall reserve the right of publication of the results of the research and any agreement with reference to patents in such cooperative arrangements shall have in view the public interest. All such agreements shall conform to the Statement of Principles Relating to the Negotiation and Acceptance of Research Contracts promulgated by the Business Office of the University on March 6, 1950.

7. When a member of the staff has assigned a patent to the University or an agency established by it the said staff member will receive a bonus in a sum equal to 15% of the net receipts from the licensing of the patent, such bonus to be paid annually as accrued, accompanied by a detailed statement of receipts and expenditures on account of the licensing of that patent. Net receipts will be interpreted to mean receipts after the expenses of securing and licensing the patent have been earned and the current year's costs of administering the patent have been deducted from the receipts from licensing and in addition, a reserve of not to exceed 5% of the gross receipts has been set aside in a litigation fund. In no case shall the current year's costs of administration be less than 10% of gross receipts.

8. The desirability of securing a patent on a particular invention or discovery is to be investigated by a committee on patents set up by the President. The committee will consist of five members appointed by the President on such a basis

that normally not more than two new members will be appointed in any year after the first. This board will determine whether the invention or discovery should be patented in order to safeguard the interests of the University and the public, taking into account among other things the relation of the invention to agriculture and the other industries in the state and a possible relation to the life and health of the people of the state.

9. The Iowa State University Research Foundation, Inc. is the agency provided by the University to which members of the staff may assign patents and similar properties which are directly or indirectly the outgrowth of research upon which said staff members have been engaged while in the employ of the University. The expenses of the Iowa State University Research Foundation, Inc. are paid from the receipts from the licensing of patents and in the event that these are insufficient, it may employ other funds that may be made available to it.

10. It is to be the policy of the Research Foundation to employ the net earnings from patents exclusively for the promotion of research at Iowa State University. It will allocate from such funds to specific research projects only upon the recommendation of the President or his authorized representative. Upon recommendation of the President or his authorized representative all, or a portion, of the net earnings from patents in any year will be employed to accumulate an endowment fund, the earnings of which are to be used to promote research at Iowa State University.

11. This statement of policy is not to be construed to mean that a member of the staff is expected to assign to the University either the patent on an invention which has been developed upon the staff member's own initiative and time and has no direct relation to any of the research work upon which he has been engaged for the University or the copyright on his book manuscripts or other literary or artistic productions. In such cases a patent or copyright may be secured and held by the inventor or writer. It is furthermore contemplated that if in any case it is deemed inexpedient for the University or its authorized agency to hold the patent on an invention or discovery of a staff member, it will then be permissible for the staff member himself to secure a patent and to license or dispose of the same.

12. When the exigencies of a particular case require that copyrights or trademarks be secured to protect publications or products that are the outgrowth of the work of the University, these shall be handled in the same general manner as inventions that are to be patented.

Patent management agency: the Iowa State University Research Foundation, an incorporated nonprofit organization established 13 October 1938; the equities of inventors in their inventions are recognized and, as indicated in the policy statement above, a bonus equal to 15% of the net income derived from the sale or exploitation of any patents obtained on an invention assigned to the Foundation is paid to the inventor.

PARSONS COLLEGE

Fairfield, Iowa

No formalized research or patent policy, although currently under study by the College Faculty Development Committee; sponsored research is handled through the director of development. No patent management agency; at present the College observes a laissez-faire or hands-off attitude with respect to inventions and patents.

STATE UNIVERSITY OF IOWA

Iowa City, Iowa

Formalized research and patent policy, adopted 15 March 1949 by the Iowa State Board of Education (now the Iowa State Board of Regents); currently under review and revision; applicable on a university-wide basis to both faculty and students:

1. University patent committees. The policy of the University in respect to patents shall be administered by two committees, subject to approval from time to time of the President and the Iowa State Board of Education. The two following committees shall be appointed by the President:

(a) The General Patent Committee. It shall consist of representatives of various colleges and departments of the University that may be concerned with patent affairs so that the problems and points of view of these various colleges and departments may be represented and that effective liaison between them and the Committee may be maintained.

(b) A smaller Business Management Committee shall be appointed from members of the General Patent Committee.

2. Faculty or staff inventions. When a member of the faculty or staff of the University, including post-doctoral research employees or fellows, in the course of his academic or staff activities makes an invention, he may consult with the General Patent Committee about the issuance of a patent, either through the chairman of the Committee, or the representative of his department on the committee, if there is one. If he desires to have the matter handled in accordance with the following section of this statement of policy, the committee will proceed in accordance with the same. If the methods therein set forth or procedure would in any case involve undue delay in the securing of protection, the inventor may file an application for patent on his own responsibility with the U. S. Patent Office. In case he files such application without previously arranging with the General Patent Committee, however, he shall at the earliest possible time thereafter report the matter in full to it.

Any member of the University faculty or staff shall be free to bring any patentable invention of his to the attention of the General Patent Committee for action under the following section hereof, whether it has clearly resulted from his academic activities or otherwise.

If a member of the University faculty or staff desires to obtain a patent on his own responsibility, he may file an application for the same whether he has consulted the General Patent Committee or not, but he will be expected to furnish promptly to the General Patent Committee a copy of any such application and a copy of the patent when issued. The Committee may raise the question whether the University has an equity in the proceeds of any invention. It is expected that the determination of the character and the amount of University's equity shall take into account the use of University materials and facilities and the relationship of the invention to his regular employment. It is expected that the same procedure will be followed in connection with any other question arising out of the patent policies.

3. Student inventions. When a student registered in the University receives credit toward any degree for work resulting in an invention, such invention and all patent rights thereto shall become the property of the University and any income accruing to the University from the same shall be used to promote education and research. Provided, however, if any prospective student before regis-

tration shall disclose to the head of the department in which he desires to register the previous conception of a potentially patentable invention, such department head, prior to registration of such student but not afterwards, may with the approval of the General Patent Committee enter into a written contract making provision for reservation of some equitable fractional ownership of such patent to said student. A copy of every such contract shall be promptly delivered to the chairman of the General Patent Committee of the University.

4. Procedure of committees upon notification of invention. When a question of patenting a particular invention is brought to the attention of the General Patent Committee, the said committee will decide upon the soundness of the scientific basis of the invention and upon the advisability of patenting according to the University policy. If the General Patent Committee reaches a negative conclusion, it will turn the matter back to the inventor to handle as he sees fit. If the General Patent Committee reaches a positive conclusion or is in doubt, it will refer the matter to the Business Management Committee for patents to ascertain its opinion. If the Business Management Committee is unwilling to proceed, the General Patent Committee will decide whether the matter shall be turned back to the inventor or other steps taken. If the Business Management Committee desires to accept responsibility for applying for a patent and developing commercial possibilities of the invention, it will suggest to the inventor that he assign the invention to the State of Iowa for the use and benefit of the State University of Iowa, and proceed with the same.

5. Grants for research projects. In accepting a grant from any business organization for the purpose of research, it shall be the intent of the University that the grant shall be used for the training of men and the extension of the boundaries of knowledge and not primarily for the solution of specific industrial problems in which such business corporation may be interested. All agreements concerning inventions and patents contained in such transactions at the University shall be set forth in written form and shall be ineffective until submitted by the General Patent Committee to the President and approved by the Iowa State Board of Education.

If such a grant is accepted from an industrial or business corporation for the purpose of research in accordance with the above paragraph, it shall be expressly agreed that, should an invention result from the research, the University and the inventor will handle such invention in accordance with the preceding section hereof and with the further understanding that if an invention is patented in accordance with such section, the corporation making the grant will have special consideration. In case the corporation desires a specific definition of such special consideration, the method to be used in establishing the same shall be agreed upon in writing at the time the grant is made.

If such business corporation sponsor prefers to proceed in a manner other than that stated in section 4 above, the Patent Committee will discuss such proposal with the corporation and submit it to the Iowa State Board of Education as aforesaid.

To the extent that they are applicable, the same policies and procedures may be followed in relation to U. S. Government grants for research, provided, however, grants may be accepted from the U. S. Government on the basis of any contract or conditions imposed by it, if not regarded as contrary to the best interests of the University.

6. Fellowships. It shall be understood that the foregoing policies with respect to grants for research from business corporations shall not be applicable to fellowships made available to the University by similar organizations. The holders of such fellowships who are working for university credit shall be subject to the same regulations and restrictions as members of the University student body

which appear in the foregoing at section 3, but companies providing fellowships, if they request the same, may be granted rights and privileges similar to those granted to sponsors providing grants for research.

7. Expenditures of funds derived from patent income. Any funds which may be received by the University as a result of this patent policy shall be available to be used at the discretion of the President of the University for furthering research and scholarships in the University and for payment of awards to be made by the President with the understanding that preferential consideration shall be given to the needs of particular fields of research which gave rise to any patents the income from which may be concerned.

Patent management agency: the Iowa State Board of Regents in behalf of the University; as indicated in the policy statement above, the equities of the inventors in their inventions are recognized and, on the recommendation of the General Patent Committee of the University and with the approval of the Iowa State Board of Regents, the inventors may, at the discretion of the President of the University, share in funds received from the sale or exploitation of patents on their inventions; such funds may also be used for furthering research and scholarships in the University and for payment of awards.

UNIVERSITY OF DUBUQUE

Dubuque, Iowa

No formalized research or patent policy; as a general practice, under a resolution of the Board of Directors of the University, all research at the University is coordinated by the Dean of the College of Liberal Arts and patent rights in inventions are left to the inventors, except in sponsored research when proscribed by the terms of a research contract. No patent management agency.

WARTBURG COLLEGE

Waverly, Iowa

No formalized research or patent policy; research activities at the College are coordinated, evaluated and approved by a faculty committee on research; patent rights resulting for such research are left to the individual inventor, provided he has fulfilled all obligations under contractual research and, if an invention or product of monetary value results from research supported by a grant from the committee, the inventor is expected to reimburse the committee in the full amount of the grant. No patent management agency.

KANSAS STATE UNIVERSITY

Manhattan, Kansas

Formalized research and patent policy, originally adopted 31 October 1941 and amended 21 October 1948 and 16 September 1960 by the Kansas State Board of Regents; applicable on a university-wide basis and administered by a faculty Advisory Committee:

> All patents obtained on inventions resulting from University sponsored research shall be assigned to a corporation (hereinafter called the Foundation), independent of the University but composed of alumni of the University and other qualified individuals and created for the purpose of obtaining patents on inventions, receiving gifts, administering or disposing of such patents and promoting research at Kansas State University by every proper means; and that the following regulations are adopted as the University policy with respect to patenting inventions:
>
> 1. Anyone who believes that an invention resulting from a research project sponsored by the University should be patented shall present the matter to an Advisory Committee consisting of faculty members, appointed by the President of the University, which will recommend whether or not the Foundation should prosecute a patent application on the invention.
>
> 2. If the Advisory Committee should decide that the invention does not warrant patenting by the Foundation, the inventor will be free to patent it himself. In such a case, however, the University does not relinquish its right to publish any of the data obtained in the research project.
>
> 3. When any revenue is obtained from the sale of any patent or from royalties, license fees or other charges based on any patent, not less than 15% of the gross income shall be paid to the patentee.
>
> 4. The remainder of any profits mentioned in Article 3 shall be used to finance the activities of the Foundation and to sponsor further research in the University, except that a portion of such funds may be retained by the Foundation as a reserve for meeting future expenses.
>
> 5. In the case of cooperative research sponsored in part by an outside corporation or individual, a written contract shall be made between the University and the cooperating agency. This contract should include a statement of policy substantially equivalent to that outlined below:
>
> > It is agreed by the parties to this contract that all results of experimental work, including inventions, carried on under the direction of the scientific staff of the University, belong to the University and to the public and shall be used and controlled so as to produce the greatest benefit to the public. It is understood and agreed that if patentable inventions grow out of the investigation and such inventions have commercial value, the cooperating agency shall receive preferential consideration as a prospective licensee, with a view to compensating said cooperating agency in part for the assistance rendered in the investigation. It is further agreed that the name of Kansas State University shall not be used by the cooperating agency in any advertisement, whether with regard to the cooperative agreement or any other related matter.
>
> 6. In the case of a research project where all costs including overhead, salary of investigator, reasonable rent on the use of equipment, etc., are paid by an outside

party, said party shall be entitled to have all the patents assigned to him. Even so, the University will reserve the right to publish all data of fundamental value to science and technology.

7. Changes in the above patent policies may be made by Kansas State University to conform to the requirements of the United States Government when contracting with the United States Government or a Federal government agency.

Patent management agency: Research Corporation on behalf of the Kansas State University Research Foundation, a separately incorporated nonprofit organization established 12 September 1942 to promote research at the University and to represent the University in all patent matters; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives not less than 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF KANSAS

Lawrence, Kansas

Formalized research and patent policy, adopted 11 June 1943 by the Kansas State Board of Regents; applicable on a university-wide basis and administered by a faculty Advisory Committee:

Any member of the staff who believes that an invention resulting from a research project sponsored by the University should be patented shall present the matter to an Advisory Committee, consisting of faculty members appointed by the Chancellor. The committee will recommend whether or not the Endowment Association should prosecute a patent application on the invention.

If the Advisory Committee should decide that the invention does not warrant patenting by the Endowment Association, the inventor will be free to patent it himself. In snch a case, however, the University does not relinquish its position that the results of any research should be freely available to the public.

In the event that any sum over and above the cost of obtaining a patent should be obtained by the Endowment Association, a fair share of the profits (at least 15%) shall be paid to the inventor.

The remainder of any profits mentioned ahove shall he used to finance the activities of the Endowment Association and to sponsor further research at the University, except that a portion of such funds may be retained by the Endowment Association as a reserve for meeting future expenses.

In the case of cooperative research sponsored in part by an outside corporation or individual, a written contract shall be made between the University and the cooperating agency. This contract should include a statement of policy substantially equivalent to that outlined below:

It is agreed by the parties to this contract that all results of experimental work, including inventions, carried on under the direction of the scientific staff of the University, belong to the University and to the public and shall be used and controlled so as to produce the greatest benefit to the public. It is understood and agreed that if patentable inventions grow out of the investigation and such inventions have commercial value, the cooperating agency shall receive preferential consideration as a prospective licensee, with a view to compensating said cooperative agency in part for the assistance rendered in the investigation.

It is further agreed that the name of the University of Kansas shall not be

used by the cooperating agency in any advertisement, whether with regard to the ccoperative agreement or any other related matter.

In the case of a research project where all costs including reasonable overhead, salary of iuvestigator, rent ou the use of special equipment, etc., are paid by an outside party, said party shall be entitled to have all the patent assigned to him. Even so, the University may reserve the right to publish all material of fundamental value to science and technology, and must reserve such right when the research serves as the basis for a student's doctoral dissertation.

Patent management agency: the Kansas University Endowment Association, a separately incorporated nonprofit organization established in 1894 and authorized by the Kansas State Board of Regents to represent the University in all patent matters; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the Endowment Association, the inventor receives at least 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF WICHITA

Wichita 8, Kansas

No formalized research or patent policy, although the formulation of such a policy is currently under consideration by a committee appointed by the President of the University; at present each situation is handled on an individual basis. No patent management agency other than the Board of Regents of the University.

Kentucky

CENTRE COLLEGE OF KENTUCKY

Danville, Kentucky

No formalized research or patent policy; as a general practice each situation is considered on an individual basis by the administration of the College. No patent management agency.

UNIVERSITY OF KENTUCKY

Lexington, Kentucky

Formalized research and patent policy, adopted 3 June 1947 by the Board of Trustees of the University; applicable on a university-wide basis:

I. General policy in regard to patents resulting from research

As a general policy, patent rights resulting from research using staff, materials, equipment and facilities of the University shall be owned and controlled by the University.

II. Policy on relation between the University and a sponsor in regard to patents resulting from research

1. Except as hereinafter specified, patent rights resulting from sponsored research shall be owned and controlled by the University. However, a nonexclusive license (shopright) may be granted without charge to the person, institution or organization which has cooperated in the research.

2. Where the research or development work undertaken by the University is a continuation of research previously initiated by the cooperating person, institution or organization, or where the research done at the University requires further development for commercial application or where for other reasons the public interest will be better served thereby, an exclusive license for a reasonable time may be granted to the person, institution or organization cooperating in the research, upon terms agreed to by the parties to the contract and the further assurance that the benefit of the discovery will become available to the public.

3. In special cases patent rights may be assigned, wholly or in part, to the cooperating person, institution or organization which has paid all the cost of the research plus an additional sum which shall not be less than 10% of the total cost of the work done. The assignment shall provide that in the event the discovery or invention has not been developed or reasonably used within a stated time, which shall be reasonable under the circumstances, the assigned rights shall revert to the University.

4. The University favors the publication of research. However, it will agree to use its best effort to prevent disclosure of facts or data furnished by the sponsors of research or the premature publication of the results of research; but nothing in such agreements shall prevent the publication of research findings after application for a patent based on them has been made or after a reasonable time following the completion of the research.

5. Contracts with sponsors shall preclude any reference to the University in advertising or other publicity without prior authorization in writing.

6. Where the research is done in cooperation with a public agency or institution, the agreement may provide for a total or partial assignment of all patent rights resulting from the research without any provision in regard to the development or use of the discovery or invention.

III. Policy on relation between the University and a member of its staff in regard to patents resulting from research

1. The policy of the University in relation to a member of its staff having an interest in a patentable discovery requires that the staff member shall assign his patent rights to the University but shall have an interest in the patent and share in the returns.

2. The interests of the University and a member or members of its staff shall be determined by a standing Committee on Patents appointed by the President of the University. The staff member shall be present or represented in the deliberations on his case, but the decision of the Committee shall be final and shall determine the interests of the parties in accordance with the following general principles:

a. If the Committee finds that the research leading to the discovery made by a member of the staff was not related to his employment and was not the result of the use of University materials, equipment, facilities or time, the University shall have no interest in the discovery or patent.

b. If the Committee finds that one or more of these conditions is not true, the University shall have an interest in the discovery and the staff member will assign his patent rights to the University, but he shall have an interest in the patent and share in the returns as determined by the Committee.

c. In determining the interest of the parties, the Committee shall consider whether the University paid or did not pay for the time spent in the research which led to the patentable discovery. It shall consider the extent to which University materials, equipment and facilities were used in the work, the extent to which discovery was due to advice and assistance of other members of the staff and students of the University and the relation between the discovery and the regular duties and work of the staff member.

3. Every member of the University staff is under obligation to report to the Committee on Patents any idea or discovery which he believes to be of patentable value, and the Committee shall make recommendations to the President of the University. The staff member is not obligated to apply for a patent thereon unless the expense is borne by the University or its assignee, but he agrees to cooperate in facilitating such application and to assign his patent rights to the University, or as it may designate, but he shall have an interest in the patent and share in the returns as the Committee on Patents may determine. Nothing herein shall be construed as obligating the University to incur any expense in regard to any patent or application therefor.

4. In the event that the University does not, in a reasonable time, act upon a staff member's report of a "patentable" discovery, he is free to apply for this patent himself and shall own all rights pertaining to it.

5. In case of sponsored research, the contract between the University and the sponsor shall be binding on the responsible members of the staff working on the project the same as if each were a party to that agreement. The respective interests of the University and staff members shall be adjusted on the basis of the right which the University has in any patentable discovery so that each staff member's interest shall be an equitable portion of the University's interest and not of the entire patent right.

6. In entering into an agreement on sponsored research the University will be careful that staff members selected for work on sponsored research are willing to accept the assignment and agree to carry out the obligations assumed under the contract between the University and the sponsor.

7. No member of the University staff shall devote more than one-fourth of his time to sponsored research for which he receives remuneration directly or indirectly from the sponsor unless his employment and compensation by the University be proportionately decreased. The fact that any member of the staff has received or is receiving compensation for approved sponsored research will not be considered as limiting or affecting future increases in salary or as being in any way detrimental to his employment status.

IV. Policy on use of patent rights owned by the University

The University will transfer and assign any rights which it may have in any discovery or patent to the Kentucky Research Foundation as its agent operating in conformity with the above policies, for the purpose of having any proceeds or profits from the use of a patent used for the furtherance of research at the University of Kentucky.

Patent management agency: the Kentucky Research Foundation, a separately incorporated but affiliated nonprofit organization established 17 May 1945; the equities of inventors in their inventions are recognized and, as indicated in the policy statement, the inventor shares in any returns from the sale or exploitation of patents obtained on his invention, as determined by the University Committee on Patents.

UNIVERSITY OF LOUISVILLE

Louisville 8, Kentucky

Formalized research and patent policy, adopted 25 September 1939 by the Board of Trustees of the University and administered by the University Administrative Board of Patents; applicable on a university-wide basis, except with respect to sponsored research conducted by the University of Louisville Institute of Industrial Research, a separately incorporated nonprofit organization established 18 December 1944, such research being subject to the terms of the research contract and the patent waiver agreement required of those engaged in such research projects:

I. Administration of patents and incomes therefrom, if any.

(1) There shall be a University of Louisville Administrative Board of Patents to consist of the President, the Business Manager of the University and not to exceed five persons to be appointed by the Board of Trustees each for a term of three years upon the recommendation of the President, these five persons to be either trustees of the University, administrative officers, members of the teaching staff or alumni.

(2) This Board shall have authority, subject to the direction and control of the Board of Trustees, to accept for and on behalf of the University by assignment or otherwise, either directly or through trustees or holding corporations, patent applications, royalties, licenses or gifts therein governing discoveries, inventions or processes, when produced by members of the staff of the University by use of University laboratories or otherwise.

(3) The Board of Patents shall be also empowered to make charges on such terms and in such way as it may approve, for the use, manufacture, sale or other disposition thereof or the rights therein, with power, subject always to the approval of the Board of Trustees, to arrange for the use or division of the proceeds thereof.

(4) The Board of Patents may not authorize any charge or other obligation upon the funds of the University or incur any liability without previous authority of the Board of Trustees.

(5) The Board of Patents shall make an annual report to the President.

II. Conditions which should attend the inventions or discoveries made by members of the staff of the University. The following regulations shall not be considered to include questions of ownership of inventions or discoveries made by members of the staff of the University outside their regular duties and at their own expense.

(1) Any member of the staff of the University of Louisville who has made a valuable discovery, invention, or who has developed material which should be copyrighted as a result of his duties in the University, may be required to patent this discovery or invention, or copyright the patent, the expense to be borne by the University.

(2) Application for a patent to cover such discovery or invention shall be made in such cases as are recommended by the University of Louisville Administrative Board of Patents and approved by the Board of Trustees of the University of Louisville.

(3) If and when a patent is issued, the patentee shall assign the patent to the Board of Trustees of the University of Louisville.

(4) A patent thus assigned shall be administered by the University of Louisville Administrative Board of Patents in such manner as it may determine, provided that if the patent is sold or royalty for its use is received, one half of the money thus realized by the University shall be paid to the patentee and the other half assigned to the University.

(5) If the discovery or invention is developed in connection with a cooperative investigation and a patent thereon is secured in accordance with the preceding regulations, the cooperative agency shall first be afforded the opportunity to purchase or lease the patent rights or in other manner be shown preferential treatment in recognition of its financial assistance in the conduct of the investigation.

Patent management agencies: the University Administrative Board of Patents on behalf of the Board of Trustees of the University, to whom the inventions are assigned, and the University of Louisville Institute of Industrial Research under the terms of the patent waiver agreement executed by members of its own staff and of the University faculty engaged in research under the auspices of the Institute; except with respect to sponsored research, which is subject to patent waiver agreements signed by those engaged on such research projects, the equities of inventors in their inventions are recognized, as indicated in the policy statement; when an invention is assigned to the University, the inventor receives one half of the money realized by the University from the sale or exploitation of patents obtained on the invention.

Louisiana

LOUISIANA COLLEGE

Pineville, Louisiana

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency.

LOUISIANA POLYTECHNIC INSTITUTE

Ruston, Louisiana

No formalized research and patent policy, although currently under study by a committee representing all of the Louisiana colleges under the supervision of the State Board of Education; at present research results are preferably published, except when new discoveries are deemed patentable. Patent management agency: Research Corporation; the equities of inventors in their inventions are recognized and, as provided in the patent development agreement with Research Corporation, the inventor receives a share of the income derived from the sale or exploitation of his invention.

LOUISIANA STATE UNIVERSITY

Baton Rouge, Louisiana

Formalized research and patent policy, adopted 26 May 1958 by the Board of

Supervisors of the University; applicable on a university-wide basis to both faculty and staff:

> General policies. The principle is recognized that the results of experimental work carried on by or under the direction of the faculty and staff of the University and having funds under the control of the University (with the exception as indicated below) belong to the University and the public and should be used and controlled in ways to produce the greatest benefit to the University and the public.
>
> When grants are received from the United States Government under the conditions that the title to any patentable discoveries shall be in the name of the United States Government or one of its agencies, it shall be assumed that adequate protection of the public interest is assured.
>
> Conditions of assignment to University. Members of the University faculty having made patentable discoveries and inventions (in whole or in part) on University time and using University facilities shall assign said patent to the University, when in the judgment of the University a patent should be sought. In case the University declines to bear the expense connected with taking out a patent, the discoverer or inventor may take out the patent and control it himself. The procedure to be followed for protecting such interests depends upon the character of the patentable discovery and invention and each case is to be decided upon its own merits.
>
> Agreement with University. The individual assigning patentable discoveries and inventions to the Board of Supervisors shall do so upon the conditions of the agreement with the Board for the obtaining and exploitation of patents. Such agreement shall provide for an appropriate share of the patent royalties, if any, to be paid to the inventor.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention; when an invention is assigned to the University, the inventor receives a share of the income as specified in his individnal agreement with the Board of Supervisors.

LOYOLA UNIVERSITY

New Orleans 18, Louisiana

No formalized research or patent policy, although the formulation of such a policy has been under consideration on a university-wide basis, including the New Orleans College of Pharmacy; sponsored research is subject to the approval of a Research Grants Committee. No patent management agency.

SOUTHERN UNIVERSITY

Baton Rouge, Louisiana

No formalized research or patent policy; as a general practice all research activities at the University are cleared through a University research committee whose recommendations are subject to approval by the President of the University. No patent management agency.

TULANE UNIVERSITY

New Orleans 18, Louisiana

No formalized research or patent policy, although the formulation of such a policy is under consideration; at present the general practice, with respect to research financed by grants awarded through the University Council on Research, is to return to the research fund any income up to the amount of the grant that may be received from patentable devices or processes or as royalties on books; in the School of Medicine it is the consensus of the executive faculty of the School that professional ethics would be violated if either the inventor or the School derived financial profits from patentable discoveries or inventions; applicable on a university-wide basis, including Newcomb College. No patent management agency, although consideration has been given to utilizing the facilities of Research Corporation.

UNIVERSITY OF SOUTHWESTERN LOUISIANA

Lafayette, Louisiana

No formalized research or patent policy, although the formulation of such a policy is currently under study. No patent management agency, but the University is planning to enter into a patent development agreement with Research Corporation.

XAVIER UNIVERSITY

New Orleans 25, Louisiana

No formalized research or patent policy; as a general practice each situation is handled on an individual basis. No patent management agency; by mutual agreement proceeds from patents are divided on a fifty-fifty basis between the University and the inventor.

UNIVERSITY OF MAINE

Orono, Maine

Formalized research and patent policy, originally adopted 23 May 1942 and amended 16 September 1959 by the Board of Trustees of the University; applicable on a university-wide basis, including research conducted under the Department of Industrial Cooperation, an uuincorporated nonprofit division of the University established in 1945 by the President of the University to coordinate an expanded program of industrial service and administer the research activities of the University:

1. Personal or private research. The University desires to encourage its faculty and staff members in the pursuit of their personal research interests with a minimum of restrictions.

The results of research performed by a staff member on his own time and at his own expense are the exclusive property of the investigator. He shall retain full patent rights to such discoveries and inventions and have complete freedom to dispose of them as he deems proper. In order to be assured of his full rights, he shall clear his rights to the invention or discovery through the Head of his Department, his Dean or Director, and the Chairman of the Patent Committee.

The employee, who is considering a patent, may wish to utilize the resources of Research Corporation which serves the University in its patent developments. More information concerning this non-profit organization is given under section 2.

2. Research supported by University funds. The results of research financed by public funds, and performed by University employees as part of their official duties aud responsibilities, shall be considered as public information and in most cases will be provided to the public without charge. These research findings usually are made available to the public in the form of University publications, scientific journals or press releases.

There are, however, infrequent occasions when discoveries or inventions financed by the University should be patented in order to provide patent control and to insure that the discovery will be used in the public interest.

In cases where patent protection appears to be desirable, Research Corporation serves as the University's patent management agent. Research Corporation is a nonprofit organization, established in 1912, which handles patentable discoveries and inventions for many colleges and universities and also for faculty and staff members. Any net earnings of the Corporation are provided as grants-in-aid for the support of scientific research.

Research Corporation will handle the patent management of such patentable discoveries and inventions as the University may offer to the Corporation and which the Corporation believes have patentable possibilities. Research Corporation assumes financial responsibility for all expeuses of filing and prosecuting patent applications. The income derived from such a patent in any preceding calendar year shall be divided as follows: (1) 15% of gross income shall be paid to the iuventor and (2), after payments to the inventor and retention by Research Corporation of amounts necessary to reimburse it for unusual expenses, such as the filing of foreign patents and court litigation, the sum remaining of all moneys shall be divided equally between the University and Research Corporation.

Under this plan, the University and the inventor are relieved of all patent and

administrative problems involved in protecting the public interest, and in commercialization of inventions.

3. Research sponsored by outside agencies. Where research with University facilities is sponsored and financed by outside agencies, the contract or memorandum of agreement may specify that the sponsor retain the ownership and control of patent rights. In the absence of such specific designation, any patent rights resulting from such research shall remain with the University. In this latter case all inventions resulting from such sponsored research shall be referred to the chairman of the Patent Committee for evaluation and disposition by Research Corporation.

4. University Patent Committee. A University Patent Committee consisting of seven members shall be appointed by the President of the University, who shall also designate its chairman. This Committee shall consist of the Director of the Agricultural Experiment Station ex officio, the Director of the Technology Experiment Station ex officio, a representative of the University Administration and four members of the University Faculty, who shall serve for a five-year term.

The primary duties of the Committee shall be (1) to formulate patent policy, (2) to recommend allocations of patent income received by the University and (3) to resolve questions of patent equity which may arise between the inventor and the University.

The chairman of the Committee shall represent the University in all patent matters and shall act as liaison between the inventor and Research Corporation. All patentable inventions resulting from research conducted on University time or with University facilities shall be referred to the chairman of the Committee by the inventor's respective dean or director. If it seems desirable to the University and to Research Corporation to proceed in obtaining a patent, the inventor shall make assignment of all patent rights to Research Corporation.

5. Use of income received by the University from patents. The income received by the University from patents shall be placed in a special fund for furthering University research. Applications for research grants from this fund shall be submitted to the chairman of the Committee through the respective dean or director. Following review by the Patent Committee, its recommendations concerning applications shall be submitted to the President for approval. In approving applications, the Committee generally will give preference to continuing research projects in those fields from which patent income has been derived.

Copyrights by University Faculty. It is the privilege of members of the faculty and staff to write articles, pamphlets and books, to contract with publishers for publication, to copyright their product and to receive royalties resulting from sales, where the initiative came from the individual, where the product was the result of his independent labors and where the University was not responsible for opinions presented.

Patent management agency: Research Corporation on behalf of the University and of inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation by the University, the inventor receives 15% of the gross income derived from the sale or exploitation of patents obtained on the invention.

THE JOHNS HOPKINS UNIVERSITY

Baltimore 18, Maryland

Formalized research and patent policy, adopted 31 May 1948 by the Board of Trustees of the University; applicable on a university-wide basis, including sponsored research conducted at the University under the administrative supervision of the Institute for Cooperative Research and government sponsored research conducted at the Applied Physics Laboratory, located in Silver Spring, Maryland, a nonprofit division of the University originally established in May 1942 as a special laboratory to handle a research project for the Government:

A. Statement of patent policy. The statement of a University Patent Policy is designed to clarify the relations of (1) the University; (2) the inventor; (3) any public or private sponsor of the University research with respect to discoveries and inventions made by members of the University staff.

B. General objectives of University. The general objectives of the University include (1) encouragement of research; (2) providing for the publication of scientific discoveries; (3) permitting the utilization of new discoveries in the public interest.

C. Ownership of patents. The ownership and administration of patents by the University is believed undesirable. Except for discoveries made in the course of sponsored research and those affecting the public health, members of the University staff are free to determine whether or not to apply for patents on new discoveries made in the course of University research. However, the University will expect that before making any patent application, the inventor will consult the President of the University. The resolution of the Advisory Board of the Medical Faculty adopted in April 1933, that it is undesirable for a member of that faculty to take out a patent upon any invention or discovery affecting the public health, is approved with the understanding that there may be special cases where the public interest will best be served by patent control.

D. Assistance to inventors. Advice to those desiring to obtain patents is available in the office of the President. For example, the facilities of the Research Corporation or some other similar nonprofit organization may be recommended to University inventors with the expectation that satisfactory arrangements will be made directly between the inventor and such organization.

E. University revenue from patents. Consistent with its general policy, the University makes no claim to royalties derived from patents growing out of University research. Gifts made to the University from proceeds of patented inventions will be submitted to the Trustees for acceptance, as in the case of other gifts.

F. Patents from Government-spousored research. The University will make such arrangements with its staff as may be necessary to obtain and assign to the government patents on discoveries made in the course of government-sponsored research in the event that the sponsor so desires. Special cases may arise requiring different treatment where a member of the University staff or his assignee already holds patents in a particular field.

G. Patents from privately-sponsored research. Where research is undertaken by the University for private sponsors under contract arrangement, University staff members will take all steps requested by the sponsor to obtain aud assign to the sponsor patents on discoveries arising out of the sponsored research in accordance with the sponsoring agreement.

H. Publication. The right of publication of the results of research will be protected to the fullest extent possible, consistent with the rights of Government and the agreements with private sponsors.

Patent management agency: Research Corporation, both for the University and for inventors by voluntary assignment of their inventions, or some other similar nonprofit organization; as indicated in the policy statement, the ownership and administration of patents by the University are considered undesirable; except for discoveries and inventions made in the course of sponsored research, which are subject to the terms of the research contract, and those affecting public health, inventors are left free to determine the disposition to be made of their inventions.

LOYOLA COLLEGE

Baltimore 10, Maryland

No formalized research or patent policy; as a general practice each situation is considered on an individual basis by the administration of the College with the assistance of a Committee on Research. No patent management agency.

UNIVERSITY OF MARYLAND

College Park, Maryland

Formalized research and patent policy, approved by the Faculty Senate and adopted 29 January 1960 by the Board of Regents of the University; applicable on a university-wide basis, including the School of Medicine and other units of the University located in Baltimore:

Faculty, staff and graduate students who participate either alone or in association with others in inventions or discoveries are required to disclose promptly such inventions or discoveries to the President provided that University time, facilities or materials were used in connection therewith. Time, facilities or materials paid for from funds administered by the University shall be considered as University time, facilities and materials regardless of whether the funds arise from Federal or State appropriations, student fees, donations, grants, contracts or other sources.

The University has an interest in all inventions and discoveries disclosed to it as required above, except where the invention or discovery results from personal research, in which case the invention or discovery shall be the sole property of the inventor. Personal research includes research not related to any special University research program and for which the University makes no special contribution of time, facilities or materials. The payment of a salary and the provision of a normal academic environment in which to work is not to be construed as giving the University any financial equity in personal research. The name of the University may not be used in connection with inventions in which the University has no interest without prior written permission.

The University recognizes that the evaluation of inventions and discoveries and the administration, development and processing of patents involves substantial time and expense and requires talents and experience not ordinarily found in its staff; therefore, in most cases it expects to contract with outsiders for these services. It may, at its sole discretion, enter into a contract or contracts with an

outside organization covering specific inventions or discoveries believed to be patentable and patents developed therefrom or covering all such inventions, discoveries and patents in which the University has an interest.

In the event that income accrues from the administration of a patent or invention in which the University has an interest, the inventor or inventors will receive 15% of the gross income from the patent subject to the exceptions set forth below. To the extent consistent with State and University budget policies, any income which the University may receive from inventions will be dedicated to research with not less than 50% of such income designated for research in the department or college with which the inventor is affiliated.

Under the terms of certain contracts and agreements between the University and various agencies of government, private and public corporations and private interests, the University is or may be required to assign all patent rights to the contracting party. The University retains the right to enter into such agreements whenever such action is considered to be in its best interest.

The President shall appoint a University Patent Committee. Upon the request of the President, this Committee will assist him in patent matters including the determination of whether or not the University has an interest in a specific invention or discovery. The inventor or a representative designated by him shall be a non-voting member of the Patent Committee when it is considering a particular invention. The University Patent Committee may advise with faculty, staff and students on patent questions or on specific inventions or discoveries.

An invention resulting from personal research may be offered to the University and, if accepted, the University will administer such invention in accordance with this patent policy, the inventor receiving such income as may be specifically agreed upon in writing.

Faculty, staff and graduate students are required to execute promptly all contracts, assignments, waivers or other legal documents necessary to invest in the University or its assignees any or all rights to inventions or patents whenever such action is required in order to carry out the provisions of this patent policy.

Disputes on patent matters, including the interpretation of this patent policy, shall be referred to the President and the Board of Regents for resolution.

Patent management agencies: the Board of Regents of the University and also Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

AMHERST COLLEGE

Amherst, Massachusetts

No formalized research or patent policy; as a general practice each situation is handled on an individual basis. Patent management agency: Research Corporation under a patent development agreement with the College; the equities of inventors in their inventions are recognized in accordance with the agreement with Research Corporation.

BOSTON COLLEGE

Chestnut Hill 67, Massachusetts

No formalized research or patent policy; as a general practice each situation is handled on an individual basis. No patent management agency.

BOSTON UNIVERSITY

Boston 15, Massachusetts

No formalized research or patent policy, although the formulation of such a policy is currently under consideration; at present the general practice with respect to sponsored research is covered by the following provisions of the patent waiver agreement, adopted 15 August 1949 by the Board of Trustees of the University, which is signed by those assigned to work on sponsored research projects:

> In my employment on a sponsored research program in Boston University, I recognize that research projects are assigned to me and guidance given by such individuals as the President of the University may from time to time designate.
>
> I recognize also that in the course of my employment on sponsored research in Boston University I may receive confidential information regarding the work to which I am assigned and regarding research projects in which other employees are engaged.
>
> I recognize further that the making of inventions and discoveries may be an important part of the work for which I am employed.
>
> I recognize that facilities, equipment and materials are furnished by and belong to the University or the sponsors of the research programs.
>
> I understand, moreover, that Boston University may be, and in the case of the United States Government contracts is, bound by agreement with the sponsor to transfer certain patent rights to the sponsor.
>
> In consideration of my continued employment in Boston University and for other good and valuable consideration, I agree as follows:
>
> > 1. To disclose to such individuals as the President of the University may designate, any and all inventions which, during my employment on sponsored research in the University, I have made or I may make in the future, relating to subject of such sponsored research.
> >
> > 2. To give all reasonable assistance in preparing descriptions, illustrations and patent applications for all such inventions, it being understood that the necessary cost and expense in connection therewith will be paid by others than myself.

3. To execute the patent applications referred to above, the expense of such patent applications to be borne by others.

4. To assign to Boston University the entire right, title and interest in and to any and all inventions which, during my employment on sponsored research programs in Boston University, I have made or I may make relating to subjects of sponsored work being carried on in said University, the expense of such assignments to be borne by others.

5. To execute any documents which may be necessary adequately to protect such inventions and to perfect title therein in Boston University, the expense of such documents to be borne by others.

6. To guard carefully and keep secret from unauthorized persons all confidential information concerning work on sponsored research programs at Boston University.

No patent management agency other than the Board of Trustees of the University.

CLARK UNIVERSITY

Worcester 10, Massachusetts

No formalized research or patent policy, but such a policy is currently being formulated; only those sponsored research projects are accepted which are related to problems in which faculty members are concerned and the University reserves the right to publish the results. No patent management agency.

COLLEGE OF THE HOLY CROSS

Worcester, Massachusetts

No formalized research or patent policy, although the formulation of such a policy by the Committee on Research is currently in process; at present each situation is handled on an individual basis. No patent management agency.

HARVARD UNIVERSITY

Cambridge 38, Massachusetts

No formalized research or patent policy, except with respect to patents on discoveries or inventions concerned with therapeutics and public health; such a policy was adopted 28 May 1934 by the President and Fellows of Harvard College, on recommendation of the Faculties of Arts and Sciences, Medicine, Public Health and Engineering, as a university-wide policy, dealing with the subject matter of the research rather than the site of its performance:

> No patents primarily concerned with therapeutics or public health may be taken out by any member of the University, except with the consent of the President and Fellows; nor will such patents be taken out by the University itself except for dedication to the public. The President and Fellows will provide legal advice to any member of the University who desires steps to be taken to prevent the patenting by others of such discoveries or inventions.
>
> In cases as to which it may be deemed necessary to take out a patent and dedicate it to the public in order to prevent others from obtaining a patent for their own benefit, members of the University are asked to report to the dean of the

appropriate faculty any such discovery or invention made by them, with a recommendation as to whether an application for patent should be filed, in order that, if necessary, steps may be taken to obtain and dedicate the patent.

Sponsored research is coordinated and administered through the Office for Research Contracts and each employee engaged in such research is required to execute a patent waiver agreement so that the University may fulfill the terms of the research contract.

No patent management agency, as the University is not interested in patents except on discoveries and inventions concerned with therapeutics or public health; would be disposed to utilize facilities of Research Corporation if necessary.

LOWELL TECHNOLOGICAL INSTITUTE

Lowell, Massachusetts

Formalized research and patent policy, adopted 18 August 1950 and embodied in the invention agreement signed by all faculty members of the Institute who devote time to the research activities of the Lowell Technological Institute Research Foundation, a separately incorporated nonprofit organization established 16 August 1950 to administer sponsored research at the Institute:

> I realize that it is or may be my duty or privilege to devote some of my time to research, and that the facilities, funds and equipment of the Lowell Technological Institute or the Lowell Technological Institute Research Foundation, which I may be permitted to use and enjoy, may aid me substantially in prosecuting research and in conceiving or devising discoveries and patentable inventions.
>
> In consideration of my employment by the Foundation and/or of the salary, or financial aid paid to me by said Foundation, and for the purpose of definitely settling any question or possible controversy which may arise as to the ownership of any patent which may be granted to me hereafter, I hereby agree that, in the event that I shall conceive, devise or work out any discovery or invention in the course of my employment or financially aided research by or through the use of facilities and equipment of the Institute or Foundation, the same shall, at the option of the Foundation, be and become the property of the said Foundation under the following terms and conditions:
>
> 1. I will disclose any such discovery or invention freely and fully to the President of the Institute or the Executive Director of the Foundation.
>
> 2. I recognize that if I have previously conceived an invention, but have not yet actually made it work (whether or not a patent application has been obtained), this agreement may obligate me, if the invention is utilized or made to work in the course of my work for the Foundation, to assign the invention to the Foundation or its designate. I therefore have communicated all the facts relevant to these matters to the President of the Institute and the Executive Director of the Research Foundation before signing this agreement.
>
> 3. Upon any such disclosure the Foundation shall have the right and option to take over such discovery or invention or to decline to take over the same. This right and option shall terminate, however, if the Foundation shall fail or neglect to give me notice in writing of its intention to take over such discovery or invention within a period of ninety days after I have notified the Foundation in writing of my desire that a decision be made in the matter.
>
> 4. If the Foundation shall exercise its option to take over such discovery or invention, I will, at its request but at the expense of the Foundation, make proper

application for patent of the same and will assist in every way in preparing such application and in the proceedings toward obtaining such patent.

5. Upon request of the Foundation, I will assign such application or any patent issued on the same, to the Foundation, with full and complete rights, powers and privileges of ownership, in trust, nevertheless for the following purposes:

(a) The Foundation shall have full power and authority to issue licenses under the same and to fix and collect royalties for the use of the same; to use the same for its own purposes; to sell or assign the same in whole or in part, and, in general, to deal with the same at its own ahsolute discretion.

(b) The Foundation shall pay to me, at least quarterly, a share of the net proceeds (if any) of the earuings or yield of such patent arising from any source, whether from license fees, royalties, or from sale, said share to be commensurated with my contribution as determined by the Board of Directors of said Foundation. If such invention should have been developed by me in collaboration with or with the assistance of any other person or persons, who have entered into agreements with the Institute or the Foundation similar to this, the proportionate share of the returns to each of said inventors shall be determined by the Board of Directors of the Foundation.

(c) The Foundation shall use the balance of such net proceeds or all of said net proceeds, in its discretion, for the furtherance of research at the Institute and for the payment of overhead and expenses connected with such research, including the cost of securing, protecting, disposing of or dealing with any patent developed by such research or by any person who has entered into an agreement similar to this or for such other purposes as are permitted by law or the Rules and Regulations of the Institute.

6. All notice to be given by me hereunder may be given to the President of the Institute or the Executive Director of the Foundation.

Patent management agency: the Lowell Technological Institute Research Foundation; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the Foundation, the inventor will receive a share of the net proceeds from the sale or exploitation of any patents obtained on the invention, his share commensurate with his contribution as determined by the Board of Directors of the Foundation.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

Cambridge 39, Massachusetts

Formalized research and patent policy, originally adopted 5 April 1932 by the Executive Committee of the Corporation, with the approval of the Faculty Council, and revised 28 April 1952; applicable on an institute-wide basis to both staff members and students, including research conducted under contracts negotiated by the Division of Sponsored Research, an unincorporated nonprofit unit of the Institute established in 1920 and operating under the Vice President for Research Administration:

Relations with Staff and Students

1. The Institute shall have the sole right to determine the disposition of inventions and other developments by staff and students resulting from a program of research supported wholly or in part by funds administered by the Institute,

and such disposition shall be in a manner which, in its opinion, will be in the best interests of the Institute, the public and the inventors. In cases not specifically controlled by contract or agreement, the Institute will seek the advice of the faculty, through the Committee on Inventions and Copyrights.

2. Inventions or other developments produced by a staff member or student along lines not related to any Institute program of research with which the individual may be connected and to the production and development of which the Institute contributes no special funds, space or facilities shall be the exclusive property of the individual producing the invention or development. The Institute will not construe the payment of salary or the provision of normal academic environment as constituting grounds for equity by the Institute in such invention.

3. Students who receive no financial aid from funds administered by the Institute and who are not connected with any Institute program of sponsored research shall have full rights in any invention which they may make. The acceptance of scholarship or fellowship awards in no way alters these rights since such awards are gifts to the recipients with no restrictions except that theses may have to be in specified fields. If, in addition, a student receives financial aid for thesis expenses or utilizes laboratories and equipment which are partly or wholly financed by special funds, he must relinquish his rights in inventions to the extent that the Institute is obligated to those who give financial aid for its educational and research program.

Staff members who are also part-time students shall be considered staff members insofar as disposition of patentable inventions is concerned.

4. Although the policy set forth in (1) is believed to constitute a sufficient understanding of relations between the Institute and the staff in respect to Institute research programs, the Government and some industrial sponsors may require formal agreements between the Institute and those connected with sponsored projects. The Institute may therefore require anyone who wishes to participate in such projects to enter into a formal agreement to assign inventions to the Institute.

5. Any staff member who is connected with a sponsored research program and who also is engaged in consulting work or in business should use care in determining that patent clauses in his agreements are not in conflict with the patent policy of the Institute or with Institute commitments in sponsored projects. The Institute shall have the ultimate right to resolve any conflict or potential conflict of interests arising from outside activities of staff members.

6. It is recognized that many special cases will arise which are not specifically covered by the foregoing. Such special cases may be submitted to the Chairman of the Patent Management Committee, who will endeavor to resolve them in accordance with the Institute's basic policy, and will, when necessary, refer them to the appropriate committee for action.

7. The Institute recognizes the traditional academic freedom of its staff and students in matters of publication and copyright. However, where commitments of a contractual nature to a sponsor require, the Institute shall have the right to determine the disposition of copyrights under a policy similar to that set forth for inventions in section 1 above.

Relations with Government and Industry

8. The Institute's patent and copyright commitments on sponsored projects are determined by the particular contracts under which the work is performed. The Institute will endeavor to negotiate contracts on such terms as will further the Institute's basic aims in patent and copyright matters.

9. When under a Government contract the Institute has the option of acquiring

patent rights on an invention made in the course of work on the project, the Institute will in general take such rights only when it appears that its basic aims would be furthered by such action. In other cases the rights will be waived to the Government for such actions as the Government considers proper. The Institute, because of obligations under its contracts, will ordinarily be unable to entertain any request that the inventors be entitled to acquire personal ownership of inventions made on Government-sponsored projects.

10. In cases where a contract is made through the Division of Sponsored Research with an industrial sponsor and with definite provisions for payment by the sponsor of all expenses connected therewith, including overhead, the sponsor may be granted exclusive rights for a limited term in an invention, but such exclusive rights shall be limited to his own field of activity.

11. Donors of funds for grants-in-aid, or under the Industrial Liaison Program, shall be entitled to a nonexclusive license under any patents that the Institute may acquire as a result of work to which the funds are eligible to be applied, such licenses to be on terms to be negotiated. This provision does not apply to fellowship or scholarship funds which may be awarded from grants-in-aid or Industrial Liaison funds, since students accepting such awards retain all of the normal student patent rights.

12. The Institute reserves the right to exercise its equity in an invention only when it considers that to do so will further the basic aims of its patent policy.

Patent management agency: Research Corporation, both for the Institute and for the inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized, the determination in each case being made by a faculty Committee on Inventions and Copyrights appointed by the President of the Institute; when an invention is assigned to Research Corporation, the inventor receives a proportion, usually 12%, of the gross income received from the sale or exploitation of any patents obtained on the invention.

NEW BEDFORD INSTITUTE OF TECHNOLOGY

New Bedford, Massachusetts

No formalized research or patent policy; as a general practice each situation is considered on an individual basis; sponsored research is handled through the Research Foundation of the New Bedford Institute of Technology, an unincorporated unit of the Institute established in 1958 under an act of the state legislature, which also acts as patent management agency for the Institute.

NORTHEASTERN UNIVERSITY

Boston 15, Massachusetts

Formalized research and patent policy, adopted in January 1952 by the Faculty and Executive Council of the University; employees of the University engaged in any combination of study, research and teaching are subject to the provisions of the patent policy stated below; it is the policy of the University that no employee of the University shall profit from any invention or discovery made at the University or in connection with its activities which may affect the health or welfare of individuals or of the public; applicable on a university-wide basis to both faculty and students:

1. If the work in connection with the invention is done on the inventor's time and with a relatively small amount of the University's space, equipment, supplies or time of its employees, such an invention shall be the sole property of the inventor. The inventor, however, may refer the invention to the Committee on Patents to be handled under the policy set forth in 2 below.

2. If the inventor is working under a University grant, the patent resulting from such work shall be the property of the University and the Committee on Patents shall recommend to the Executive Council of the University the amount of income to be shared by the inventor and by the University from the Research Corporation.

3. If the inventor is working under a grant-in-aid with no patent restrictions, the Committee on Patents shall be governed by the policy set forth in 2 above with the additional provision that the foundation responsible for the grant-in-aid shall be entitled to a royalty-free nonexclusive license of the patent, if it so desires.

4. If the invention results from a research project sponsored by a profit-making corporation with no patent stipulation, the Committee on Patents shall be governed by the policy set forth in 2 above.

5. If the inventor is engaged under a government-sponsored research contract and the provisions of the contract permit, the Committee on Patents shall be governed by the policy set forth in 2 above.

6. If the invention results from a consulting agreement made between the inventor and a profit-making corporation and in connection with which no patent agreement exists, the Committee on Patents shall be governed by the policies set forth in 1 and 2 above, depending upon the contribution by the University of the amount of space, equipment, supplies or time of employees to the invention.

7. If the invention results from research by a student who is paying tuition and who utilizes in connection with the research only a reasonable amount of University space, equipment, supplies or time of employees, it shall be considered that the University is not contributing to the research inasmuch as it is considered that the University facilities are provided by the tuition payment.

8. If the invention results from research by a student receiving scholarship aid, the acceptance of such scholarship aid shall not be considered as changing the status of the student in regard to title to inventions since such scholarship funds have been provided primarily for the assistance of outstanding students and are, in general, administered by rather than contributed by the University. The rights of the student under this section include the right to assign or otherwise dispose of these rights.

9. The Committee on Patents also has the responsibility to review and to make recommendations to the Executive Council of the University regarding any inventions, discoveries, and patents regarding same, not covered in the statement of policies set forth above, but growing out of research activities at Northeastern University.

Patent management agency: Research Corporation; the equities of inventors in their inventions are recognized, as indicated in the policy statement above, and as provided in the patent development agreement with Research Corporation, the inventor receives a specified share of the income derived from the sale or exploitation of his invention.

RADCLIFFE COLLEGE

Cambridge 38, Massachusetts

Because of the affiliation of the two institutions, the Harvard Faculty of Arts and Sciences is the faculty of the College; scientific research services at the College are cared for through the University and the research and patent policies of Harvard University apply.

SPRINGFIELD COLLEGE

Springfield 9, Massachusetts

No formalized research or patent policy; as a general practice each situation is considered on an individual basis; sponsored research is administered by a Co-ordinator of Research under procedures approved by the Council of Academic Affairs of the College. No patent management agency.

TUFTS UNIVERSITY

Medford 55, Massachusetts

Formalized research and patent policy, adopted 1 December 1948 by the Board of Trustees of the University; all research at the University, including sponsored research, is administratively centralized under a Research Coordinator; applicable on a university-wide basis to members of the faculty, staff, students and other employees of the University, including the Schools of Medicine and Dental Medicine located in Boston:

1. Inventions or other developments, whether or not subject to patent, which result from research financed wholly by Tufts University shall be the exclusive property of the University and the University shall be entitled to all benefits and rights accruing from such inventions or developments and may acquire the title to any patents based thereon. It shall hold and administer these rights for the ultimate benefit of the public. If, after a reasonable period, the University does not choose to acquire rights to inventions or developments arising in this manner, these rights or a part of them shall revert to the individuals who made the inventions or developments.

2. The results of research performed by staff members on their own time and at their own expense are the exclusive property of the investigator.

3. In the case of sponsored research which finances all expenses connected with the investigations, including overhead, the sponsor may be entitled to exclusive rights or to a limited term license in patentable invention in his own field of activity only.

4. In cases where the costs of development are borne both by Tufts University and some other person or agency, or by foundation or grants to the University, it shall be considered that the equities are divided in proportion to the contributions. Each case shall be subject to special agreement in the absence of which the University shall retain the title if the University has made any substantial contribution by the provision of facilities or in any other way.

5. In the case of research sponsored by the United States Government, Tufts University will give the Government a nonexclusive, irrevocable, royalty-free license for government use of any patent to which the University acquires title or otherwise as required by any contract with the Government.

6. Any invention or development financed by Tufts University or by funds over which the University has control shall be made known to the President and the Research Coordinator who will keep the Trustees of the University informed. Special arrangements concerning patent rights can be entered into by agreement between the Trustees of Tufts University and an individual investigator or group of investigators.

7. An advisory committee of seven individuals representing Trustees, faculty and administration, and appointed by the President of the University, shall be subject to call for consultation on any question arising in relation to patents or patent policy.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives not more than 15% of the gross income derived from the sale or exploitation of patents obtained on the invention, the exact amount to be determined on the recommendation of the Advisory Committee.

UNIVERSITY OF MASSACHUSETTS

Amherst, Massachusetts

No formalized research or patent policy, although the formulation of such a policy currently is in process by a committee of the Board of Trustees of the University, as well as the development of a research foundation; as a general practice each situation is at present considered on an individual basis. Patent management agency: Research Corporation under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives a share of the gross income derived from the sale or exploitation of any patents obtained on the invention.

WILLIAMS COLLEGE

Williamstown, Massachusetts

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency but disposed to utilize the facilities of Research Corporation; the equities of inventors in their inventions would be recognized in accordance with arrangements made with Research Corporation.

WOODS HOLE OCEANOGRAPHIC INSTITUTION

Woods Hole, Massachusetts

No formalized research or patent policy, but the formulation of such a policy is currently under review by a Patent Committee. No patent management agency; the equities of inventors in their inventions are recognized and, when an invention is assigned to the Institution, the inventor shares with the Institution in the net income derived from the sale or exploitation of any patents obtained on the invention.

WORCESTER POLYTECHNIC INSTITUTE

Worcester 9, Massachusetts

Formalized research and patent policy, adopted 17 March 1960 by the Faculty of the Institute; applicable on an institute-wide basis:

> A faculty member who develops an invention primarily on his own time without use of Institute facilities or with only nominal use of them is entitled to patent the invention and receive the benefits from it. A member of the faculty who develops an invention while undertaking research work financed by the Institute should discuss with the Dean of the Faculty and the President the matter of equities and rights on such invention. Generally speaking, the policy of the Institute is liberal with respect to granting full or partial rights to the individual in such circumstances, but each case must be considered on its individual merits. In sponsored research programs, where the research work is financed by a company, the government or a foundation, the terms of contractual agreement with the sponsoring organization will prevail in matters of patent rights. In the absence of any agreement, it is generally understood that such rights will accrue to the sponsoring organization unless the organization consents to waive such rights.
>
> Since it is in the interest of a faculty member who devotes a substantial amount of time to a research project to publish the results thereof, sponsored research projects which deny the faculty member publication rights are, generally speaking, discouraged. Exceptions are made in the case of research projects of a restricted nature where military secrecy is involved.

No patent management agency other than the Board of Trustees of the Institute; as indicated in the policy statement above, the equities of inventors in their inventions are recognized.

ALBION COLLEGE

Albion, Michigan

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude, except that research for pecuniary return shall be based upon an understanding with the authorities of the College and that recipients of fellowship awards sponsored by the College will share with the College any income resulting therefrom, not to exceed the amount of the award. No patent management agency.

CALVIN COLLEGE

Grand Rapids 6, Michigan

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency.

CENTRAL MICHIGAN UNIVERSITY

Mount Pleasant, Michigan

No formalized research or patent policy; as a general practice each situation is considered on an individual basis; sponsored research is handled under procedures developed by the University Research Committee. No patent management agency.

DETROIT INSTITUTE OF TECHNOLOGY

Detroit 26, Michigan

No formalized research or patent policy, but the formulation of such a policy by a faculty Committee on Research Policy is currently in process; at present the Institute observes a laissez-faire or hands-off attitude. No patent management agency.

GENERAL MOTORS INSTITUTE

Flint 2, Michigan

As all the faculty, staff and students of the Institute are employees of General Motors Corporation, of which the Institute is a wholly owned subsidiary, they are subject to the Corporation's research and patent policy, which in all appropriate cases requires assignment to the Corporation of all patent rights in their inventions in the field of the Corporation's interest.

MARYGROVE COLLEGE

Detroit 21, Michigan

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude. No patent management agency.

MICHIGAN COLLEGE OF MINING AND TECHNOLOGY

Houghton, Michigan

Formalized research and patent policy, adopted 20 August 1940 by the Board of Control of the College and embodied in the following patent agreement signed by every research and teaching employee when accepting a position at the College; currently in process of revision; inventions growing out of sponsored research are subject to the terms of the research contract under which they are usually assigned to the sponsor; applicable on a college-wide basis:

I realize that it is or may be my duty or privilege to devote some of my time to research, and that the facilities and equipment of the College which I will be permitted to use and enjoy may greatly aid me in prosecuting research and in conceiving or devising discoveries and patentable inventions.

In consideration of my employment by the College and of the salary to be paid me by said College and for the purpose of definitely settling any question or possible controversy which may arise as to the ownership of any patent which may be granted to me hereafter, I hereby agree that, in the event that I shall conceive, devise or work out any discovery or invention in the course of my employment, by or through the use of the facilities and equipment of the College, the same shall at the option of the College be and become the property of the College under the following terms and conditions:

1. I will disclose any such discovery or invention freely and fully to the President or other proper officer of the College.

2. Upon any such disclosure the College shall have the right and option to take over such discovery or invention or to decline to take over the same. This right and option shall terminate, however, if the College shall fail or neglect to give me notice in writing of its intention to take over such discovery or invention within a period of ninety days after I have notified the College in writing of my desire that the College make its decision in the matter.

3. If the College shall exercise its option to take over such discovery or invention, I will at its request but at the expense of the College make proper application for patent of the same and will assist in every way in preparing such application and in the proceedings toward obtaining such patent.

4. Upon request of the College I will assign such application or any patent issued on the same to the Board of Control of the College, with full and complete rights, powers and privileges of ownership, in trust nevertheless, for the following purposes:

(a) The College shall have full power and authority to issue licenses under the same and to fix and collect royalties for the use of the same, to use the same for its own purposes, to sell or assign the same in whole or in part and in general to deal with the same at its own absolute discretion.

(b) The College shall pay to me, at least quarterly, 15% of the net proceeds of the earnings or yield of such patent arising from any source, whether from license fees, royalties or from sale. If such invention shall have been developed by me in collaboration with, or with the assistance of any other person or persons who have entered into agreements with the College similar to this and are entitled to participate in the proceeds of such invention, the payments hereunder shall be made to me and such other persons in such proportionate shares as we may agree upon, it being understood and agreed that the aggregate of the payments to all persons shall not exceed 15% of the net proceeds of any one invention.

(c) The College shall use the balance of such net proceeds, after paying the 15% hereinbefore mentioned, for the furtherance of research at said College and for the payment of overhead and expenses connected with such research, including the cost of securing, protecting, disposing of or dealing with any patent developed by such research or by any person who has entered into an agreement similar to this.

5. All notice to be given by me hereunder may be given to the President or the Chairman of its Board of Control.

No patent management agency other than the Board of Control of the College; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the College, the inventor receives 15% of the net proceeds from the sale or exploitation of patents obtained on the invention.

MICHIGAN STATE UNIVERSITY

East Lansing, Michigan

No formalized research or patent policy; as a general practice each situation is considered on an individual basis; sponsored research and patent matters are handled through the Office of Research Development in accordance with prescribed procedures approved 2 May 1962 by the Graduate Council of the University and subject to the terms of the research grants and contracts.

Patent management agency: Research Corporation, both for the University and for inventors by voluntary assignment of their inventions, under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation or patents are otherwise processed without expense to the University, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention plus the first $1,000 received by the University, in accordance with the policy adopted 28 October 1960 by the Board of Trustees of the University.

UNIVERSITY OF DETROIT

Detroit 21, Michigan

Formalized research and patent policy, approved 1 April 1949 by the President of the University and revised 7 January 1951 on recommendation of the University Research Council and approval of the University Committee on Research; sponsored research is administered through the Research Institute of Science and Engineering, an unincorporated division of the University established in July 1955; applicable on a university-wide basis:

> In case of research sponsored by the University, any discovery should be reported to the University officials concerned. If the University does not notify the discoverer within thirty days of its intent to secure its legal rights to profit, the discoverer may then proceed in accordance with his own desires and will enjoy complete possession of any of the fruits of discovery.
>
> Where the University sponsors a research project by bearing all of the cost the inventor will receive 15% of the gross returns from any invention which results and the University and any agents which it may employ for purposes of patent

management will retain 85% of the gross returns and will pay all costs of patenting and management. At the discretion of the University the inventor may, in special cases, receive more or less than 15% of the gross return from an invention.

In case part of the cost is borne by the University and part of the cost is borne by some external agency, agreement should be made in advance as to the disposal of all fruits of the investigation and the manner of disposal. Discoveries of possible financial gains, other than patents, should be given disposal in a manner to conform to the policies recommended for the handling of patentable material.

The discovery of commercially valuable information in a research investigation, the cost of which is borne by an outside agency, will be promptly and fully reported to the sponsor by the research director of that project. The University authorities should have no responsibility in this connection except in a case of dereliction of duty. It thereafter becomes the responsibility of the sponsor to proceed to secure any rights.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned by the University to Research Corporation, the inventor receives 15%, or in special case more or less than 15%, of the gross income derived from the sale or exploitation of the invention.

UNIVERSITY OF MICHIGAN

Ann Arbor 3, Michigan

Formalized research and patent policy, adopted in 1944 by the Board of Regents of the University; applicable on a university-wide basis, including sponsored research conducted under the administrative direction of an Office of Research Administration:

Unless otherwise specifically provided by the Board of Regents, properties acquired by the University in connection with and for the prosecution of research projects carried on by members of the University staff shall belong to the University.

Unless otherwise specifically provided by action of the Board of Regents or by contract entered into under the authority of the Board, patents issued in connection with research projects and all royalties or profits derived therefrom shall belong to the University.

As a general practice, each situation is considered on an individual basis and sponsored research is conducted in accordance with the terms of the research contract; in industrially sponsored research the sponsor may acquire full ownership of any inventions resulting from the research upon payment to the University of 15% of the total cost of the project as a patents fee and payment to the inventor of $100 as an inventor's fee.

Patent management agencies: Michigan Research Foundation, a separately incorporated nonprofit organization established 12 April 1956, and also Research Corporation, under patent development agreements with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to the Foundation or to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

WAYNE STATE UNIVERSITY

Detroit 2, Michigan

No formalized research or patent policy, although the formulation of such a policy is currently under consideration; as a general practice, each situation is at present handled on an individual basis in accordance with prescribed procedures under the general administrative direction of the Vice President for Graduate Studies and Research, with specific responsibility for contractual obligations in sponsored research which is coordinated through the Office of Research Administration and is conducted in accordance with the terms of research contracts mutually satisfactory to all parties concerned.

Patent management agency: Research Corporation under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives a share of the gross income derived from the sale or exploitation of any patents obtained on the invention, as mutually arranged in each case.

WESTERN MICHIGAN UNIVERSITY

Kalamazoo, Michigan

No formalized research or patent policy; on contractual research patentable results are assigned to the sponsor. No patent management agency.

Minnesota

CARLETON COLLEGE

Northfield, Minnesota

No formalized research or patent policy; as a general practice each situation is considered on an individual basis. No patent management agency.

GUSTAVUS ADOLPHUS COLLEGE

St. Peter, Minnesota

No formalized research or patent policy; as a general practice research, both by faculty and by students, is subject to review by the academic administration. No patent management agency.

ST. OLAF COLLEGE

Northfield, Minnesota

Formalized research and patent policy, adopted in August 1954 by the Board of Regents of the College and embodied in the following agreement signed by members of the departments of chemistry and physics; applicable on a college-wide basis:

1. Any potentially patentable ideas previously conceived by the undersigned, to be excluded from this agreement, will be tabulated and notarized on separate appended sheet.

2. The inventions concerned are all those in the field of research not considered in 1 above or 4 below.

3. Inventions in fields unrelated to the field of research are excluded from the agreement provided their development is the activity of the inventor aside from his employment at the College.

4. Research conducted by the undersigned or contracted research (such as that sponsored and owned by an industrial firm) is excluded. The head of the department, in conjunction with the administration of the College, will determine the propriety of the undersigned individual accepting and contracting for such sponsored research projects. The work shall be performed under such agreement, as may be hereinafter agreed upon between the parties.

(a) Any contract with the Army or Navy of the United States or any departmental or governmental subdivision of the United States shall include the provisions of this contract insofar as they are lawful and any patentable inventions coming out of any research done under such contract shall be assigned to the College, with the further provision that the individual research inventor may participate in the earnings of such invention to the maximum allowance under this contract, provided that the same is lawful, and if not, then to the maximum amonnt permitted by law.

5. Periodically (at least twice a year) the staff of the department of the undersigned will review research to determine if patentable inventions have occurred. It is the responsibility of the undersigned that such reviews be considered. Neglect to present the items will negate the time factor under 6 (b) and the College will retain its full portion of the income in the event of litigation as provided under 8.

6. Developments of interest (selected in 5) will be written in the form of a brief patent memorandum describing the nature, scope and possibilities of the invention. This memorandum will be submitted promptly through the departmental head to the business manager of St. Olaf for evaluation by designated members of the Board of Regents or persons appointed by them to evaluate the ideas.

(a) If an invention is to be patented, the College will arrange for filing the patent application and will provide the funds for preparation and prosecution of the application. The College, if it elects to do so, may arrange with outside agencies for this purpose. The patent will be assigned to the College or in turn assigned by the College to another agency.

(b) If the College does not desire to patent the development, it must within six months (or longer, if mutually agreeable) reject the development and release it to the undersigned individual. In this event the undersigned is free to arrange for patenting the development at his own expense.

(c) The undersigned will aid the College in the prosecntion of the patent application.

7. The undersigned agrees to keep permanent and useful records of his research and conceptions. These records are available for the use of the College at all times.

8. If the undersigned leaves the employ of the College:

(a) It is agreed that all ideas and developments conceived or reduced to practice according to this contract remain the property of the College un-

less released according to 6 above. Neglect to call the invention to the attention of the College is considered under 5 above.

(b) He will obtain his portion of the income as described under 9(a) below, for the duration of the patent and any continuations thereof.

9. Royalties and income from the invention: It is expected that the College will attempt an arrangement directly or through another agency to use the invention to earn income from royalties, licenses, etc. This net income will be divided as follows:

(a) 25% of net income after payment of all expenses will be paid to the inventor. In case of multiple inventorship, this 25% will be divided amongst the inventors as they decide.

(b) 20% of such net income after payment of all expenses will be paid the department of the undersigned for such purposes as its staff determines for the benefit of the department. Such utilization, in case of question, is subject to approval by the administration of the College.

(c) The balance of the income is for the use of the College as a whole as determined by the Board of Regents.

10. Any factor not considered above will be decided on ethical grounds between the College, the concerned departments and the inventor(s). Due respect will be given to the rights of all parties and, in case no decision can be reached, questions will be resolved in the interest of the College.

11. If any provision proves unworkable, changes can be made if mutually satisfactory to the College and the inventor.

12. The party of the second part agrees that all of his obligations under this contract shall inure to the benefit of the————————department and of St. Olaf College or its assigns.

13. The undersigned agrees that while he is a teacher at St. Olaf College he will engage in industrial consultation work only under the following regulations:

(a) That such consultation work shall be approved in writing by the department or divisional head of the College administration.

(b) That developments made as a result of the consulting contract shall be excluded from coverage under this agreement unless the development is the property of the undersigned instead of being the property of the industrial concern employing the consultant.

14. Any disputes arising under this agreement which cannot be settled and compromised by the parties themselves shall be submitted to arbitration. Each party shall appoint one arbitrator within ten days after one party shall have served upon the other written notice of his intention to have the dispute arbitrated, and if the arbitrators so selected cannot agree upon a third arbitrator within thirty days after notice of intention of either party to arbitrate shall be given, then he shall be appointed by the senior judge of the District Court for Rice County, Minnesota. The decision of the arbitrators shall be final and binding upon all the parties hereto and their successors, heirs and assigns.

No patent management agency except the Board of Regents of the College, who may designate an outside agency to act in its behalf; as indicated in the policy statement above, the equities of the inventors in their inventions are recognized and, when an invention is assigned to the College, the inventor receives 25% of the net income derived from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF MINNESOTA

Minneapolis 14, Minnesota

Formalized research and patent policy, adopted 13 April 1962 by the Board of Regents of the University, supplementing earlier policies with respect to sponsored research adopted 5 November 1938 and 19 January 1943, and encompassing both sponsored and non-sponsored research; sponsored research is conducted in accordance with prescribed procedures under the terms of the research contract and faculty members, students and other employees of the University engaged in such research are required to execute patent waiver agreements; applicable on a university-wide basis to all members of the University staff:

> Patents are administered by a Patent Committee of five members appointed by the President of the University and consisting of the Vice President for Business Administration and four faculty members whose scientific backgrounds broadly cover the various technical disciplines of the University. It is the responsibility of the Patent Committee to carry out the following functions:
>
> > (1) Formulation or modification of patent policy for recommendation to the Board of Regents.
> >
> > (2) Reviewal of inventions that arise at the University to determine feasibility of patenting and to file applications thereon.
> >
> > (3) Reviewal and recommendation to the Regents of licenses and other agreements relating to patents to be entered into by the University.
> >
> > (4) Hearing of disputes involving patents.
> >
> > (5) Pass upon requests for research funds to be allotted from royalty income.
>
> The Board of Regents avow that an obligation exists to make available to the University for patenting all inventions that arise under University time, with University facilities or under sponsored research administered by the University. The University recognizes an inventor's equity in the invention and shares royalties in the following manner:
>
> > (1) Where University time, funds or facilities have been used in the conduct of research and an invention has resulted, the division of royalties shall be 25% to the staff inventor and 75% to the University, patenting and licensing costs first being recaptured.
> >
> > (2) Where no University funds, time or facilities have been used to bring a completed invention into being, but the inventor, whether or not a member of the University staff, desires that the University take title to the invention and manage the patent, the division of royalties shall be 50% to the inventor and 50% to the University, patenting and licensing costs first being recaptured.
> >
> > (3) In special situations other than those described above, the division of royalties will be negotiated to fall within the limits set forth in paragraphs (1) and (2). (A possible situation, as an example, would be one in which a completed invention as described in (2) is offered to the University, which invention requires use of University facilities for testing or experimental purposes.)

No patent management agency other than the Patent Committee on behalf of the Board of Regents of the University of Minnesota; as indicated above, the equities of inventors in their inventions are recognized and, when an invention is assigned

to the University, the inventor receives either 25% or 50% of the net income derived from the sale or exploitation of any patents obtained on the invention, according to the circumstances under which the invention was made, as determined by the Patent Committee.

WINONA STATE COLLEGE

Winona, Minnesota

No formalized research or patent policy; however, under a patent development agreement with Research Corporation the equities of inventors in their inventions are recognized and, as specified in the agreement, the inventor receives 15% of the gross income derived from the sale or exploitation of patents obtained on his invention.

Mississippi

MILLSAPS COLLEGE

Jackson 10, Mississippi

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude, leaving all patent rights to the inventor. No patent management agency.

MISSISSIPPI STATE COLLEGE FOR WOMEN

Columbus, Mississippi

Formalized research and patent policy, adopted 16 January 1958 and amended 28 July 1960 by the Board of Trustees of State Institutions of Higher Learning for the institutions under its control (see Mississippi State University below for policy statement except for omission of section 3a); applicable on a college-wide basis.

No patent management agency, other than the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi on behalf of the College; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, where a patent or an invention resulting from sponsored research is obtained and controlled by the College, the inventor may receive a share, not exceeding 50%, of the income derived from the sale or exploitation of the patent.

MISSISSIPPI STATE UNIVERSITY

State College, Mississippi

Formalized research and patent policy, originally adopted 16 December 1954, revised on 16 January 1958 and amended 28 July 1960 by the Board of Trustees of State Institutions of Higher Learning; applicable on a university-wide basis:

> The Board of Trustees of State Institutions of Higher Learning considers that, since the institutions under its control are publicly supported, the obligation of

the Board and of the institutions is to the public. The Board affirms the principle that research carried on by the institutions and laboratories under its supervision is dedicated to the furtherance of learning and knowledge and to the public welfare. It is not, therefore, the primary concern of the Board or of the institutions to seek patents and copyrights which may accrue from research activities.

However, in order to protect the interests of individuals, the equity earned through the support of research by public funds and the public welfare, the Board hereby authorizes the institutions under certain conditions outlined below to seek copyrights and patents and to participate in the income therefrom.

The Board and the institutions are aware that they do not have sufficient funds to furnish the necessary encouragement to all phases of original endeavor. Consonant with these declarations is the investiture of variant, restrictive rights in the areas of letters, arts and sciences in order to furnish an additional incentive. For this purpose the division of policy falls into three categories:

1. The individual. The faculty member alone, or in collaboration with others in his institution or elsewhere, who works on his project in his spare time and finances it himself if need be shall be free to decide whether he will copyright or patent his product. If he does so decide, he should make report to the head of his institution and the institution will give any reasonable assistance, making no claim of right or interest, believing that its prestige is adequately enhanced by the recognition of the successful contributions of its faculty. Should assistance beyond a reasonable amount be desired by the individual, he may negotiate with the institution an agreement whereby the institution shall be reimbursed for its expense in providing assistance either through a direct charge to the individual or through a share of the income resulting from the copyright or patent.

2. Sponsored research. Where production, work or research based on a commission or grant from outside agencies, governmental, foundational, institutional and private, results in work or discoveries which may be copyrighted or patented, the head of the institution may negotiate with the individual and the outside agency. He is further authorized to enter into a separate contract whereby the patent or copyright may be secured and controlled by the institution, the individual or the outside agency. Where the patent or copyright shall be secured by and controlled by the institution, the contract may provide that the individual may participate in the income therefrom up to a maximum of 50% of said earnings or benefits.

3a. Institutional commission or grant. Where production, work or research based on a commission or a grant from the institution results in sales or fees, the first income must be dedicated to the repayment of the amount expended by the institution in support of the commission or grant. Furthermore, the institution may participate in the copyright or patent rights and participate in the income therefrom over and above the amount necessary to repay the cost of the commission or grant. In no event, however, shall the institution participate in income of less than $5,000 after the repayment has been made or 10% of the total income after the repayment, whichever is greater. The division of any income in excess of $5,000 or the 10%, whichever is greater, between the individual and the institution shall be subject to negotiation, but in no event shall the individual receive more than 50% of the overage. In the areas of public health and safety, the institutions are authorized to take whatever steps are necessary to obtain patents whenever such patents are deemed necessary to protect the public interest.

3b. Patents secured through institutional support. Where production, work or research based on a commission or grant from the institution results in

> work or discoveries which may be copyrighted or patented, or where the material or discovery is produced on institutional time and by use of institutional funds or facilities, the patent or copyright shall be secured and controlled by the institution and the first income therefrom must be applied to the repayment of the amount expended by the institution in connection with such production, work or research. Furthermore, the institution shall participate in the copyright or patent rights and participate in the income therefrom over and above the amount necessary to repay the cost of the institutional contributions, except that the individual shall participate in an amount and under the conditions recommended by the head of the institution and approved by the Board of Trustees up to a maximum of 50% of said earnings or benefits. Any negotiations incident to patents and copyrights shall be carried on between the individual and the head of the institution, or his designees, with all agreements subject to final approval by such institutional head and the Board of Trustees of State Institutions of Higher Learning. In the areas of public health and safety, the institutions are authorized to take whatever steps are necessary to obtain patents whenever such patents are deemed necessary to protect the public interest.

No patent management agency other than the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi on behalf of the University; the equities of inventors in their inventions are recognized and, as indicated in the policy statement above, an inventor would share in the income derived from the sale or exploitation of patents obtained on his invention; in the exploitation of patent rights in their inventions, the University advises individual inventors on its staff to avail themselves of the services of Research Corporation, with which the University has entered into a patent development agreement, by volnntary assignment of their inventions to Research Corporation.

UNIVERSITY OF MISSISSIPPI

University, Mississippi

Formalized research and patent policy, adopted 16 January 1958 and amended 28 July 1960 by the Board of Trustees of Institutions of Higher Learning of the State of Mississippi for the institutions under its control (see Mississippi State University above for policy statement); applicable on a university-wide basis. No patent management agency other than the University Attorney.

KIRKSVILLE COLLEGE OF OSTEOPATHY AND SURGERY

Kirksville, Missouri

No formalized research or patent policy, although the formulation of such a policy is under study; at present the College follows the general practice that patentable discoveries and inventions resulting from research conducted with College facilities and at the total expense of the College shall be the property of the College and that patentable discoveries and inventions resulting from sponsored research financed in whole or in part by an outside agency shall be the subject of an individual prior agreement between the College, the personnel involved and the supporting agency. No patent management agency other than the Board of Trustees of the College.

SAINT LOUIS UNIVERSITY

St. Louis 3, Missouri

Formalized research and patent policy, adopted by the Board of Trustees of the University on 4 April 1962, effective 1 September 1962 for the period ending 31 August 1964, when the policy will be reviewed on the basis of recommendations of a standing committee established by the Director of Research to study the policy; applicable on a university-wide basis as a condition of employment as faculty and staff, of appointment to fellowships and of admission to graduate student status:

1. All patents obtained on inventions resulting from research conducted within the scope of University appointment or employment and/or with University facilities shall, unless otherwise specifically provided in sponsored research contracts, be assigned to a patent development agency designated by the University.

2. In selecting the patent development agency, the University shall exercise its discretion in such manner as it shall deem reasonable in order to safeguard the public interest, the equity of the inventor and of itself, and the special rights of sponsors explicitly provided for by prior contract.

a. When there is no extramural sponsor

(1) If a patent application is determined to be made by the University or the patent development agency with respect to any invention made by any faculty member, fellow or student, the costs thereof and all costs thereafter of prosecuting the same until either (*i*) issuance of the patent applied for or (ii) decision by the patent development agency not to prosecute the application further, shall not be paid by the inventor. If after inspecting and considering any invention of any faculty member, fellow or student, the University and the patent development agency shall determine not to apply for a patent with respect thereto, or having applied for a patent, the University and the patent development agency shall decide not to prosecute said application, the University and the patent development agency shall so advise the inventor who shall thereafter be free to prosecute any application therefor as he shall see fit, free of any restriction hereunder.

(2) University shall have full and uncontrolled discretion with respect to the use to be made of any invention, and full right to license, sell, assign, direct the assignment, or make any other disposition thereof or of any patent or patent application therefor as University shall determine, subject

only to its contract with the patent development agency and to the requirement that one-fourth of all net income realized by the University therefrom shall be paid to the inventor.

b. When there is an extramural sponsor, the specific provisions of the respective contract shall be observed.

c. Whatever funds accrue to the University from patents shall be deposited in a restricted fund to be used in support of University research and publication, unless otherwise determined, in special instances, by the Trustees of the University.

3. The members of the staff of Saint Louis University, who are engaged in research, shall

a. maintain clear records from which the development of research and inventions can be proven;

b. make immediate and confidential disclosure to the Director of Research of any invention or discovery which may be patentable;

c. supply such documents, assignments and assistance as may be required by the University, the sponsoring agency or the patent development agency designated by the University, in order to obtain and protect the patent.

4. Any dispute arising under these policies shall be settled by a Board of Arbitration whose decision shall be final. Each party to the dispute shall select two members for the Board; the members so selected shall select an additional member.

5. The terms "patent applications and patents" as used throughout this statement refer to both United States and foreign patent applications, patents and patent rights.

6. On disclosure as provided above, the Director of Research shall see that these policies are promptly carried out.

7. Acceptance of these policies shall be a condition of employment, of appointment to fellowships, faculty or other staff positions and of admission to graduate student status.

8. The University reserves the right to terminate or alter this Patent Policy at any time by written notice to such effect, provided, however, that any such termination or alteration shall not affect any rights or obligations which have accrued and vested prior to the promulgation of such notice.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized; the inventor receives one-fourth of all income realized by the University from the sale or exploitation of patents obtained on an invention assigned to Research Corporation.

UNIVERSITY OF KANSAS CITY

Kansas City 10, Missouri

Formalized research and patent policy, ratified 9 June 1940 by the Board of Trustees of the University on recommendation of the faculty; applicable on a university-wide basis:

> Should research in any field carried on with University facilities by members of the University staff or by other persons using University facilities result in pecuniary profit, such profit shall become the property of the University unless a written agreement to the contrary has been obtained with the Chancellor.

No patent management agency other than the Board of Trustees of the University.

UNIVERSITY OF MISSOURI

Columbia, Missouri

Formalized research and patent policy, adopted 9 December 1955 by the Board of Curators of the University and revised 10 February 1956; applicable on a university-wide basis:

Rights of University and of Employee

(a) The University, as the employer and as the representative of the people of the State, shall have the ownership and control of any invention developed in the course of the employee's service to the University. Each employee of the University is required, and shall upon request, assign to The Curators of the University of Missouri all domestic and foreign rights to any invention made by the employee within the general scope of his duties as employee of the University, unless such requirement is waived in writing by the University. An invention shall be considered as having been made within the general scope of the employee's duties for the University:

(1) whenever his duties include research or investigation or the supervision of research or investigation, and the invention arose in the course of such research or investigation and is relevant to the general field of an inquiry to which the employee was assigned,

(2) whenever the invention was in a substantial degree made or developed through the use of University facilities or financing, or on University time or through the aid of University information not available to the public.

(b) An employee of the University shall be entitled to all rights resulting from any invention which was made by him outside the general scope of his University duties, as defined in paragraph (a) of this section.

(c) If the University finds that an invention made by an employee of the University outside the general scope of his University duties is used or liable to be used in the public interest and executes a certificate to that effect, the employee may, if he wishes to do so, request that an application for a patent be filed and prosecuted at the expense of the University. Under such circumstances the invention may be manufactured and used by or for the University, the State of Missouri or the government of the United States for governmental purposes without the payment of any royalty.

(d) The requirement relative to the assignment of domestic patent rights set forth in paragraph (a) of this section may be waived in whole or in part in writing by the University in the case of any invention as to which it finds, upon grounds to be specified by it, that the interests of the University do not require the full assignment of such rights.

(e) The requirements relative to the assignment of foreign patent rights to the University set forth in paragraph (a) of this section may be waived in whole or in part in writing by the University if the University determines as to an invention that no foreign patent protection shall be procured or that foreign patent protection shall be procured only in specified foreign jurisdictions. An employee of the University shall not file in any foreign jurisdiction any patent application relating to an invention made within the general scope of his University duties unless the University has waived in writing the requirement that foreign rights be assigned to the University.

Report of Inventions

(a) Every invention made by an employee of the University shall be reported by

such employee through his supervisor, head of department and dean to the Patent Committee of the University, unless the invention obviously is unpatentable. If the invention is the result of group work, the report shall be made by the supervisor or the head of the department and shall be signed by all employees participating in the making of the invention.

(b) The report shall be made as promptly as possible, taking into consideration such factors as possible publication or public use, reduction to practice and the necessity for protecting the University's rights in the invention. Although it is not necessary to withhold the report until the process or device is reduced to practice, reduction to practice assists in the preparation of a patent application and, if pursued, protects the interests of the University and of the inventor. If an invention is reduced to practice after the invention report is filed, the Patent Committee must be notified forthwith.

(c) For the protection of the rights of the University and of the inventor, invention reports and memoranda or correspondence concerning them are to be considered as confidential documents.

Duties of the Patent Committee

(a) It shall be the duty of the Patent Committee to review and make recommendations to the Board of Curators upon all invention reports and such other matters affecting patents as may be referred to or come before the committee.

(b) If any employee-inventor shall claim an invention as his own the Patent Committee shall afford him the right to appear personally before the committee and present such evidence relating thereto as he may have, and the Patent Committee shall make independent investigation upon said claim.

(c) The Patent Committee shall seek to reach an agreement with the employee-inventor upon the division of financial returns upon the patent.

(d) In arranging with the employee upon the division of financial returns upon the patent, the committee shall take into consideration that it is the purpose of the University to encourage and recognize individual and cooperative achievement in research and investigation, and make fair provision for the employee, keeping in mind, however, that the full rights to the patent are vested in the University until other agreements are made with the employee.

(e) The Patent Committee shall give consideration as to whether it will be to the best interest of the University to place the matter with the Research Corporation of New York for development by that company in accordance with its general procedures, or for the University to make application for the patent in its own name.

(f) In those cases in which the inventor acknowledges all patent rights are vested in The Curators of the University of Missouri and in which the inventor and the Patent Committee have agreed upon a percentage to be paid to the inventor, which in no event shall exceed 15% of the net proceeds received by the University upon any patent rights upon said invention, and where the Committee has recommended that the same be referred to Research Corporation, the President of the University, upon approving such reports, in his discretion may order the same submitted to Research Corporation before the report is submitted to the Board of Curators. In such cases the report of the Committee shall be submitted to the Board of Curators with the report of the President's action thereon. In all other cases the report of the Committee shall be submitted to the Board of Curators for approval before any action is taken thereon. After determination by the President or by the Board of Curators, as the case may be, it shall be the duty of the Patent Committee to carry out the orders and directions of the President or the Board with reference to the patent, and it shall see that all necessary

steps are taken to protect the interests of the University and of the employee-inventor.

(g) If the reported invention is submitted to the Research Corporation of New York and that organization advises that it is not to the best interest of the University to seek a patent thereon, the Board of Curators may in its discretion, upon application of the employee-inventor, release all its rights in the invention and in such event if the employee-inventor thereafter obtains a patent upon such invention the University shall have no interest therein.

Report of Patent Committee to the Board of Curators

When a report of invention is presented to the Committee, the Committee shall promptly investigate the same and shall make report thereon to the Board, not later than the third Board meeting after the report is received by the Committee. In making a report to the Board, the Committee shall make recommendation upon the following matters:

(a) Approval or disapproval for application for patent.

(b) Recommendation as to whether the matter shall be assigned to Research Corporation or application for patent be made by the Board.

(c) Recommendations as to the division of income from the patent between the University and the employee-inventor or employee-inventors.

(d) If the employee-inventor claims the invention as his own, a recommendation on the validity of the claim.

(e) If the employee-inventor is the owner of the invention and requests the University to take out patent thereon, a recommendation as to whether the University should assume the obligation of obtaining the patent.

(f) If the employee-inventor requests the University to disclaim as to foreign or domestic rights, a recommendation thereon.

Patent management agency: Research Corporation under a patent development agreement with the University; as indicated in the policy statement, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University or Research Corporation, the inventor receives not to exceed 15% of the net income derived by the University from the sale or exploitation of patents obtained on the invention.

WASHINGTON UNIVERSITY
St. Louis 30, Missouri

No formalized research or patent policy, although the formulation of such a policy is currently under study; as a general practice the University at present observes a laissez-faire attitude except with respect to inventions originating in the School of Medicine; patents on such inventions may be taken out provided the patent rights are assigned to some nonprofit organization and no pecuniary profit accrues to any person or stock corporation; arrangements for sponsored research are subject to approval of the Provost of the University and, when an invention is made in the course of such research and under the terms of the contract the patent belongs to the sponsor, the inventor is asked to make the assignment to the sponsor.

No patent management agency but faculty members are encouraged to utilize the facilities of Research Corporation or a similar nonprofit organization in the exploitation of patents on their inventions.

EASTERN MONTANA COLLEGE OF EDUCATION

Billings, Montana

Formalized research and patent policy, adopted 10 July 1961 by the Montana State Board of Education, as ex-officio Regents of the University of Montana, for units of the University System, including Eastern Montana College of Education (see Montana State College below for policy statement); applicable on a college-wide basis.

No patent management agency other than the business manager of the College; the equities of inventors in their inventions are recognized and, when an invention is assigned to the College, the inventor receives not less than 15% of the gross income derived from the sale or exploitation of the invention or, when an invention resulting from sponsored research is assigned to the sponsor, 50% of the royalty income received by the College from the sponsor.

MONTANA SCHOOL OF MINES

Butte, Montana

Formalized research and patent policy, adopted 10 July 1961 by the Montana State Board of Education, as ex-officio Regents of the University of Montana, for units of the University System, including Montana School of Mines (see Montana State College below for policy statement); applicable on a school-wide basis.

No patent management agency; the equities of inventors in their inventions are recognized and, when an invention is assigned to the School, the inventor receives not less than 15% of the gross income derived from the sale or exploitation of the invention or, when an invention resulting from sponsored research is assigned to the sponsor, 50% of the royalty income received by the School from the sponsor.

MONTANA STATE COLLEGE

Bozeman, Montana

Formalized research and patent policy, adopted 10 July 1961 by the Montana State Board of Education, as ex-officio Regents of the University of Montana, for units of the University System, including Montana State College; applicable on a college-wide basis:

1. All patentable inventions or discoveries made by employees of the University of Montana System (including all its various branches and divisions, and hereinafter called the System), in connection with their assigned duties and/or by the use of any of the System's facilities, shall be considered the property of the System. This policy shall not include copyrights. The term employees includes:

   (1) Regularly employed staff members,

   (2) Part-time or special staff members,

   (3) Students employed by any of the System's units, and

   (4) Any other persons using the System's research facilities.

However, provision of normal academic environment, including library facilities, does not constitute grounds for equity by the System in a discovery or invention.

2. A System unit engaged in research may with the approval of the State Board of Education, ex-officio Regents of the University of Montana, established a nonprofit association, foundation or corporation, hereinafter called the corporation, to secure, administer, exploit and defend patents in accordance with this policy. In order to avoid duplication, this duty may be exercised by an existing nonprofit research or development foundation or corporation affiliated with any unit upon authorization of the State Board of Education, ex-officio Regents of the University of Montana. An invention is to be assigned to the corporation if a discovery is deemed patentable. The resultant income to the corporation is to be used primarily for the furtherance of scientific and engineering research, and secondly for any other academic progress of the System, with 70% of the net income going to the originating unit and 30% to the System, after compensation to the inventor (s), and the cost of securing, administering, exploiting and defending patents has been deducted. The corporation is empowered to enter into agreements with other nonprofit corporations which specialized in this area, such as the Research Corporation and National Science Foundation, so that it may obtain expert advice and assistance in this matter. The organization and membership of the corporation will be determined by its articles of incorporation and by-laws.

3. Any staff member or student who believes an invention or discovery resnlting from his work should be patented shall present the matter to the appropriate committee of the corporation for its consideratiou and disposal. Within 30 days of this presentation, the committee shall inform the inventor (s) in writing whether it plans to secure the patent or release the discovery to the inventor (s). In the latter case the inventor (s) is free to secure the patent himself, pay all fees and receive all benefits therefrom.

In the event that this committee deems that a patent should be prosecuted, the prosecution shall be carried out diligently and without expense of any kind to the inventor. The inventor must assign the patent to the corporation. The preliminary patent search must be started within 60 days from the date the matter is presented to the committee or the corporatiou forfeits all right to the invention.

The compensation to the inventor (s) shall be negotiated by the inventor (s) and the committee of the corporation but shall not be less than 15% of annual gross earnings which may result from the royalties, license, assignment or sale of such a patent. Payment is to be made to the inventor (s) on a yearly basis as a bonus.

4. If a dispute arises concerning the origin of an invention or patentable discovery or any aspect of patent policy, the dispute shall be presented to a patent arbitration committee constituted for this purpose at each unit.

5. It is recognized by the System that when the expenses of research, including all direct and indirect costs, at any unit are wholly borne by a private corporation or individual, hereinafter called a sponsor, assignment may be made to the individual or corporation of all patents resulting from the work. Unit corporations are prepared, therefore, to assign patents resulting from inventions in the specified field made during the life of a contract to a sponsor who bears the full cost of the investigation and provided he also bears the entire cost of securing and defending the patent.

While it may be the policy of a unit to publish promptly the results of investigations, results from sponsored research may be withheld from publication until the sponsor has had reasonable time to obtain patent protection. It shall be the general policy to attempt to secure 30% of the net income from royalties and

other income received by the sponsor from patents and/or inventions which result from sponsored research at each unit. If a sponsor uses such a patent in his own operations an appropriate royalty for such use shall be negotiated with the corporation. The inventor shall receive 50% of the income to the corporation under this section.

6. Deviations from this policy as required by Federal grants and State law, including Section 75-734 of the Revised Codes of Montana, are hereby authorized.

7. Except as provided by state law and existing trust agreements, the System and its units will not claim right to an invention or discovery made by a System employee until the foregoing type of corporation has been established at the unit or the duties assigned to an existing corporation. Meanwhile the inventor is free to pursue his discovery to patent at his own expense.

Patent management agencies: the Endowment and Research Foundation at Montana State College, a separately incorporated nonprofit organization established 9 January 1946, and also Research Corporation under a patent development agreement with the Foundation; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives not less than 15% of the gross income derived from the sale or exploitation of the invention or, an invention resulting from sponsored research is assigned to the sponsor, 50% of the royalty income received by the Foundation from the sponsor.

MONTANA STATE UNIVERSITY

Missoula, Montana

Formalized research and patent policy, adopted 10 July 1961 by the Montana State Board of Education, as ex-officio Regents of the University of Montana, for all six units of the University System, including Montana State University (see Montana State College above for policy statement); applicable on a university-wide basis.

No patent management agency: the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives not less than 15% of the gross income derived from the sale or exploitation of the invention or, when an invention resulting from sponsored research is assigned to the sponsor, 50% of the royalty income received by the University from the sponsor.

NORTHERN MONTANA COLLEGE

Havre, Montana

Formalized research and patent policy, adopted 10 July 1961 by the Montana State Board of Education, as ex-officio Regents of the University of Montana, for units of the University System, including Northern Montana College (see Montana State College above for policy statement) ; applicable on a college-wide basis:

No patent management agent; the equities of inventors in their inventions are recognized and, when an invention is assigned to the College the inventor receives not less than 15% of the gross income derived from the sale or exploitation of the invention or, when an invention resulting from sponsored research is assigned to the sponsor, 50% of the royalty income received by the College from the sponsor.

CREIGHTON UNIVERSITY

Omaha 2, Nebraska

No formalized research or patent policy, although the formulation of such a policy is currently under study; at present the University observes a laissez-faire attitude, but the University would interpose no objection to a faculty or staff member deriving financial gain from the sale or exploitation of patents obtained on inventions. No patent management agency.

UNIVERSITY OF NEBRASKA

Lincoln 8, Nebraska

Formalized research and patent policy, adopted 14 August 1948 by the Board of Regents of the University; sponsored research is handled through the University of Nebraska Foundation, a separately incorporated nonprofit organization established on 3 June 1936 to solicit and administer funds for the benefit of the University, subject to clearance by the University Research Administrator and approval by the Board of Regents; applicable on a university-wide basis:

> Staff members engaged in whole or in part for the purpose of research shall report and, at the request of the Board, assign all patentable discoveries to the Board of Regents or its designated agent.
>
> Any other staff member may request the Board of Regents and any of its designated agents to accept the assignment of his patentable discoveries.

Patent management agency: Research Corporation to which the Board of Regents of the University or the inventors may assign inventions; the equities of inventors in their inventions are recognized and, in accordance with the patent development agreement with Research Corporation, the inventor receives not to exceed 15% of the gross income derived from the sale or exploitation of any patents obtained on his invention.

Nevada

UNIVERSITY OF NEVADA

Reno, Nevada

No formalized research or patent policy, except with respect to compensated outside professional services by faculty members, although the formulation of such a policy is currently under consideration by a joint faculty-administration committee; sponsored research conducted by or under the auspices of the Desert Research Institute, a special nonprofit research division of the University, authorized by the Nevada State Legislature and established in October 1960, is subject to the terms of the research grants or contracts. No patent management agency other than the Board of Regents of the University.

New Hampshire

DARTMOUTH COLLEGE

Hanover, New Hampshire

No formalized research or patent policy, although the formulation of such a policy is currently under study; at present the College handles each situation on an individual basis. Patent management agency: Research Corporation under a patent development agreement with the College; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF NEW HAMPSHIRE

Durham, New Hampshire

Formalized research and patent policy, originally adopted 20 January 1951 and revised 19 March 1960 by the Board of Trustees of the University; administered by a Patent and Copyright Committee and applicable on a university-wide basis:

> To carry out the patent and copyright policy of the University as here set forth, the University shall establish a Patent and Copyright Committee, hereafter referred to as the Patent Committee.
>
> The Patent Committee shall be charged with the following responsibilities:
>
> > To act in accordance with the policy here set forth.
> >
> > To make such recommendations to the President with respect to any changes in the patent and copyright policy of the University as may, from time to time, be deemed advisable.
> >
> > To receive and consider invention disclosures from faculty and staff members, students and alumni of the University, hereinafter referred to as University members, who may desire to patent an invention or discovery.
> >
> > To assess the probable importance of inventions or discoveries brought to its attention.

To determine whether or not the invention or discovery is in the interest of and should be patented for the general good of the public.

To determine whether or not the University has an interest in any invention or discovery made by a member of the faculty or staff or by a student. Where such an interest is found to exist, the Patent Committee shall act in accordance with the policy here set forth, and, when necessary, the Committee shall advise the President and the Board of Trustees of the University what steps should be taken to protect and, where desirable, to exploit the University's interest.

To offer advice and help to University members concerning procedures that should be followed in order to gain adequate protection between the time of conception of an invention or discovery and the processing of a formal application for a patent.

For purposes of classification, the University shall recognize that patents fall into the following three categories:

Those that result from projects sponsored by an agency outside the University. Such patents shall be the property of the sponsoring agency or the University, as determined by a contract agreement between the University and the sponsoring agency. When a patent is determined to be the property of the University, the University shall award the inventor a share of the revenue. The Patent Committee shall recommend to the President and Board of Trustees of the University in each case which of these methods of basing the award shall be followed.

Those that result from projects sponsored by the University and for which an individual is employed specifically to devote all or a specified portion of his time. Such patents shall be the property of the University. However, the University shall recognize the interest of inventors in their inventions and, if a patent is granted the University, shall award the inventor a share of the revenue derived from the development of the invention or discovery.

Those that result from activities carried out by an individual University Member on his own initiative and for which he is not explicitly employed by the University. Such patents shall be the sole property of the inventor.

University members engaged on any projects from which an invention or discovery is likely to arise shall keep adequate records, witnessed where necessary, and shall report promptly to the Patent Committee any inventions or discoveries whether or not the inventor believes the University has a direct interest in the invention or discovery.

Patent management agency: Research Corporation, both for the University and for inventors by voluntary assignment of their inventions, under a patent development agreement with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation by the University, the inventor receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

FAIRLEIGH DICKINSON UNIVERSITY

Rutherford, New Jersey

No formalized research or patent policy; as a general practice the University observes a laissez-faire attitude pending recommendations of a faculty committee; the general understanding is that any tangible results of research belong to the University if accomplished under the aegis of the institution, but provision is made for reasonable participation of the faculty member in any economic benefits accruing to the University. No patent management agency.

INSTITUTE FOR ADVANCED STUDY

Princeton, New Jersey

No formalized research or patent policy; as a general practice the Institute observes a laissez-faire or hands-off attitude except that, with respect to government contract research, employees engaged on such research are required to sign an agreement to assign all patentable inventions or discoveries to the Institute or to the sponsor in accordance with the following provisions:

> 1. The employee hereby agrees to furnish to the Institute complete information in connection with any patentable invention or discovery made or conceived by the employee during the period of his employment by the Institute in connection with research and development work under such contract; and further agrees to assign to the Institute or to the United States Government, as requested, all right, title and interest in and to any invention or discovery so made or conceived by the employee and to execute all docnments and do all things necessary to enable the Institute or the United States Government to obtain any patents or to file any applications for patent in the United States or any foreign country covering such invention or discovery.
>
> 2. The Institute hereby agrees that it will at the request of the employee grant to the employee and to any person or party designated by the employee a nonexclusive license under any patent or patents assigned to the Institute or to the United States Government by the employee under the provisions of this agreement, provided, however, and only upon condition that approval thereto shall be secured from the proper officer of the United States Government having jurisdiction in the premises, whose judgment on such matters shall be final, binding and conclusive and in the event of refusal by such officer to approve any such proposed nonexclusive license, the Institute shall not in any wise be liable to the employee.

No patent management agency other than the Board of Trustees of the Institute.

NEWARK COLLEGE OF ENGINEERING

Newark 2, New Jersey

Formalized research and patent policy, adopted 21 May 1954 by the Board of Trustees of the College but currently some consideration has been given to its revision; applicable on a college-wide basis to both faculty and students, also to research conducted under the Newark College of Engineering Research Foundation, a separately incorporated nonprofit organization established 22 May 1959,

to coordinate research at the College under an agreement with the Board of Trustees:

1. All research shall be conducted only upon the understanding and condition that the College shall have the right, if it so desires, to publish the results thereof without liability.

2. All research shall be conducted only upon the understanding and condition that the name of the College will not be used for advertising or promotional purposes in connection with any discoveries or products arising from such research without authorization so to do in writing by the College.

3. No materials or equipment shall be used on unsponsored projects except for and to the extent of regular course work without the permission of the department chairman or his designated representative. When such permission is given, the person conducting the research shall reimburse the College for the cost of such materials and any damage to the equipment beyond normal wear and tear.

4. In connection with any research on unsponsored projects, the College shall share in the fruit of such work to the extent of one-fourth of the funds derived from any inventions or patents arising from said unsponsored research.

5. In connection with any research on projects sponsored by the College (including projects sponsored by grants-in-aid and research fellowships given without expectation of any direct return to the donor or projects sponsored by any other gifts in which the College is free to set the patent policy), engaging in such projects shall be considered and shall constitute an assignment to the College of any and all interest in and to the results of such research, including any patentable inventions, and any persons engaging in such research thereby agree to execute any documents necessary or appropriate to give formal effect to such assignment and, upon request, to execute any applications for letters patent in connection therewith. Such persons also thereby consent to the reassignment by the College, at its option, to any patent management agent designated and to the reassignment by the College or such management agent to a purchaser thereof. The College shall take such steps as may be necessary to insure the inventor an equal share with that of the College in any net proceeds earned or derived from said invention, its licensing or sale. The College shall have a period of at least six months from the date on which full disclosure, in writing, is made to it of any invention to determine whether it desires to maintain any interest in the said invention. Only after the six-month period may the inventor request a release.

6. In connection with any research on projects sponsored by third parties under contract with the College, the contract shall provide for the respective rights of the College, the sponsor and the persons to be engaged in the research in and to any inventions which may result. If, under the contract, the College is to have an interest in such inventions, the College shall make provision for an equal participation by the College and the person or persons conducting such research in the net profits or proceeds earned or derived by the College from said invention, its licensing or sale.

7. All persons engaged or to be engaged in any research shall sign a statement that they are familiar with and agree to be bound by the within Declarations of Policy.

8. All persons engaged in any research on projects sponsored by third parties under contract with the College shall, at the option of the College, be required either to enter into a written contract with the College covering their work and providing for the respective rights of the College, the sponsor and such persons or shall sign a statement that they are familiar with the provisions of the contract with the sponsor relating to rights in and to inventions and agree to be bound

thereby and to the terms of the within Declarations of Policy to the extent not inconsistent with said contract with the sponsor.

9. The President of the College, or such representative as he may designate in writing, shall be the authority for administering this declaration and making binding decisions thereunder. This declaration shall obligate the students and faculty to promptly report to the President or his duly designated representative any inventions for review under the terms of this statement.

Patent management agency: Research Corporation under a patent development agreement with the College; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the College or to the Newark College of Engineering Research Foundation, the inventor shares in the net income derived from the sale or exploitation of patents obtained on the invention.

PRINCETON UNIVERSITY

Princeton, New Jersey

Formalized research and patent policy, originally adopted 16 April 1953 and last revised in May 1961 by the Faculty and the Board of Trustees of the University, replacing the earlier policy adopted 7 November 1938; sponsored research, which is administered under the University Research Board and an Office of Research Administration, is conducted in accordance with prescribed procedures, as defined in the policies for sponsored research approved 26 April 1960 by the President of the University, and subject to the terms of the research grants and contracts; applicable on a university-wide basis to all members of the University, including faculty, staff and students:

A. Basic Objectives

1. To maintain the University's academic policy of encouraging research and scholarship as such without regard to potential gain from royalties or other such income.

2. To make inventions developed in the course of University research available in the public interest under conditions that will promote their effective development and utilization.

3. To assure that inventions developed in the course of University research will not be used to the detriment of the public interest by the unnecessary exclusion of any qualified user or by any other means.

4. To provide adequate recognition and incentive to inventors through a share in any proceeds from their inventions since, unlike common commercial practices, university charges and salary scale are not based on the expectation of income by the University from inventions.

5. To advance and encourage research within the University with the funds accruing to the University from its equity in those inventions which are developed in the course of research supported by funds or utilizing facilities administered by the University, or other inventions which are handled through the University.

6. To recognize the equity of any outside sponsor of research within the University by making reasonable and equitable provision for the granting of limited patent rights to the sponsor, consistent with the University's basic objectives above outlined.

B. The University Research Board, the Office of Research Administration and Research Corporation

The University Research Board, hereinafter referred to as the Board, is responsible for general oversight and administration of the University's patent policy as regards the University, its faculty, employees, students and outside sponsors.

The Office of Research Administration is responsible for the processing and management of inventions and patents under general oversight of the Board.

Research Corporation, hereinafter referred to as Research, is a nonprofit foundation which distributes its total net income as grants in aid of research to colleges, universities and scientific institutions. As stated in its charter, it was established to receive and to acquire inventions and to render the same more available and effective in the useful arts, to provide means for the advancement of scientific investigation by contributing the net earnings of the corporation to scientific and educational institutions and to receive other monies and property and to apply the same to the objects specified.

It is not the University's policy to take title to an invention or patent. The University has, however, entered into an agreement with Research whereby if the University recommends the assignment of an invention to Research and it accepts this assignment, Research patents and commercializes the invention without expense to the inventor and agrees to pay a share of the gross income to the inventor. The net income from the invention after the payment of the inventor's share and special expenses in connection with the invention is shared between the University and Research. The University in turn allocates its share of net income received from Research for further research and scholarship, the Board and the President making the allotments. In doing this, preferential consideration will be given to proposals for the use of funds derived from any particular patent by those working in the field of research from which the invention arose.

In the interests of the individual because of the complexities and expenses involved in handling patents, and in the interests of the University because of its equity in inventions as described herein, the University recommends that a faculty member, employee, or student who makes an invention refer the same to the Office of Research Administration for handling through Research, as above outlined. It reserves the right to consider every invention presented on its merits in order to decide whether it should be presented to Research for its consideration.

C. Relations between the University and faculty, employees and students

All faculty members, employees and students, in consideration of their membership in the academic family and the approval of this policy by the Trustees and the Faculty of Princeton University, agree to handle inventions and patents resulting therefrom as follows:

1. Any faculty member, employee or student may refer any invention to the University or may apply for a patent on his own initiative. If an invention is referred to the University, the inventor will agree to follow its recommendations as to how the invention should be handled and to execute all necessary papers to handle the invention as decided by the University. If an invention is not referred to the University and a patent is applied for on that invention, a copy of the patent application, when filed, shall be furnished to the University. If necessary as a substitute for a copy of the patent application, the University may be furnished with a notification of filing and an explanation of the government security regulations or other conditions which make the furnishing of a copy of the patent application impossible.

2. When an invention is referred to the University, it will review the merits of the invention and will decide whether the invention should be referred to Research or whether other steps should be taken to patent, assign or license the invention. If it so decides, the University may return the invention to the inventor to handle on his own initiative, relinquishing any equity it may have in the invention, but reserving the right to approve assignment or license as covered by paragraph 6 below.

3. The equity of any faculty member, employee or student who makes an invention and the equity of the University shall be established by the University in conference with the inventor. Unless there are unusual equities, division will be made as hereinafter provided. The University will consider that it has an equity in any invention which is developed in the course of research supported by funds or utilizing facilities administered by the University or any other invention which is handled through the University. The University will consider it has no equity in inventions which are patented by the inventor on his own initiative and which are not developed (even though intellectually conceived) in the course of research supported by funds or utilizing facilities administered by the University. The payment of salary, scholarships and fellowships or similar stipends will not of themselves constitute any basis for an equity by the University in an invention.

4. For any invention which is developed in the course of research supported by funds or utilizing facilities administered by the University, and which is assigned to Research, the inventor will be paid 15% of the gross income received by Research and the University's equity will be considered to be its share of the net income remaining. For such inventions which are referred to the University, but which the University and the inventor agree to handle in some other manner than through Research, the relative equities of the inventor and the University will be comparable to those which would have been realized had the invention been assigned to Research. For such inventions which are not referred to the University, but are patented by the inventor on his own initiative, the University's equity will be considered to be 40% of all monies received from the assignment, license or use of the patent after expenses incurred by the inventor are deducted.

5. For any invention which is not developed in the course of research supported by funds or utilizing facilities administered by the University, but which the inventor elects to handle through the University and Research, the University's equity will be considered to be 10% of the gross income realized by Research, with the inventor receiving 47.5% and Research 42.5% of the net income remaining after deduction of special expenses incurred by Research with the approval of the inventor. However, since the University's agreement with Research only provides for payment of 15% of the gross income by Research to the inventor, any amount in excess of this will be paid to the inventor by the University from the University's normal share.

6. No assignment or license or agreement to assign or license any invention developed in the course of research supported by funds or utilizing facilities administered by the University may be entered into by any faculty member, employee or student without the written consent of the University. The University shall have the ultimate right to resolve any conflict of interests arising in this connection with third parties or organizations. The basic objectives cited in section A of the patent policy will serve as the criteria for approval of assignments, licenses and agreements to assign or license.

7. When the University and an outside sponsor enter into an agreement for research to be conducted with funds or facilities provided by such sponsor, any individual who utilizes such funds or facilities may be required to enter into an agreement as to invention arising from such utilization.

8. If a dispute should arise between an inventor and the University with respect to the provisions of this section C, the question shall be referred for decision to a Board of Arbitration composed of one representative nominated by the inventor, one by the University and a third member selected by the two representatives thus chosen.

D. Relations with outside sponsors

It is the intent of the University in accepting grants or contracts from outside sponsors for the purpose of research: that sponsored research projects will operate within the framework of the University staffed mainly by regular members of the University; that the work undertaken will in general be of a research rather than of a developmental nature; that the research will be related to the educational program; that it holds promise of contributing substantially to the general fund of knowledge; that it is of sufficient interest and importance to be undertaken enthusiastically; and that the conditions of the contract or grant covering the project will interfere as little as possible with the regular University procedures and policies. These criteria will be modified only to the extent absolutely necessary in the case of projects of urgent national interest.

When an outside sponsor of research desires a formal agreement covering inventions and patents, the provisions of such agreement will be negotiated with the University in accordance with this patent policy and with particular attention to the objectives cited in section A hereof.

Patent management agencies: Research Corporation and Battelle Development Corporation, both for the University and for individual inventors by voluntary assignment of their inventions, under patent development agreements with the University; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation or to Battelle Development Corporation, the inventor receives at least 15% of the gross income received from the sale or exploitation of patents obtained on the invention.

RUTGERS, THE STATE UNIVERSITY

New Brunswick, New Jersey

Formalized research and patent policy, adopted 21 January 1949 by the Board of Trustees (superseded since 1 July 1956 by the Board of Governors) of the University, under which the University retains no proprietary interest in inventions made by regular faculty members; however, a proposed new and radically different policy has been formulated and will be submitted for final approval by the Board of Governors of the University in September 1962; sponsored research is conducted in accordance with prescribed procedures under the terms of the research contract and patent rights in inventions resulting from such research are subject to advance arrangements by mutual agreement between the inventors and the sponsors; applicable on a university-wide basis, except with respect to the Institute of Microbiology, an unincorporated coordinate nonprofit research division of the University, established in May 1949, which has its own patent policy, as indicated below:

All rights to inventions and patents resulting from research conducted in the University belong to the inventor unless otherwise arranged in advance by mutual agreement between himself and an outside cooperating agency.

It is recognized that research may lead to invention even though such was not its original aim. Any member of the University staff who may make an invention,

whether working privately or conducting research supported by University funds that are not under any restrictions with regard to patents, is free to apply for patents according to his own desires. If the work was done under an agreement executed before the work was begun, which reserves patent rights to the cooperating agency, the staff member is then bound by the terms of the agreement. Such agreements are made by the staff member concerned with the cooperating agency, which assumes all responsibility for enforcing the agreement. The University is not a party to such private agreements.

The University retains no proprietary interest in any invention by a member of its staff. It neither owns patents nor does it accept assignment of any patent rights. It desires, however, that inventions by members of the staff, made as a result of their researches, whether alone or cooperatively, shall be administered in an effective manner and with due regard for the public interest. A University Committee on Patents, appointed by the President of the University, gives assistance and advice on patent matters to members of the staff and serves as a clearing house for information about patents applied for and secured.

If any staff member so desires, he may assign his patent rights to the Rutgers Research and Educational Foundation, a nonprofit corporation under the laws of the State of New Jersey. The purpose of the corporation, in the language of the certificate of incorporation, is "to promote, encourage and aid scientific investigation and research at Rutgers University, the State University of New Jersey, conducted by The Trustees of Rutgers College in New Jersey, by the faculty, staff and students thereof and those associated therewith and to provide and to assist in providing the funds and facilities by which their scientific discoveries, inventions and processes may be developed, applied and patented and the public and commercial uses thereof determined and by which such utilization or disposition may be made of such discoveries, inventions and processes, and patent rights and interests therein, as may tend to stimulate, promote and provide funds for further scientific investigation and research within said university."

It is the policy of the Foundation to accept assignments of patentable inventions from University staff members and applications for patents thereon, to prosecute such patent applications, to negotiate license agreements for the manufacture, use and sale of the patented products and, where circumstances permit, to defend patents against infringement. The Foundation will assume responsibility, within reasonable limits to be determined on the merits in each instance, for any legal and business service in connection with the prosecution and protection of patent applications and patents and the negotiation of royalty agreements.

The Foundation conforms to the research and patent policies of the University and cooperates with the University Committee on Patents. Particularly, the Foundation, in each instance in which a patentable invention is assigned to it, makes an agreement with the assignor by which the assignor receives an agreed proportion of the net avails realized by the Foundation from the invention.

Formalized research and patent policy of the Institute of Microbiology, adopted 23 April 1954 by the Board of Trustees of the University; applicable on an institute-wide basis to all personnel of the Institute, including faculty members, graduate students and other personnel of the Institute, who as a condition of employment or study are required to execute a written agreement to abide by the policy:

The Institute of Microbiology of Rutgers, The State University is dedicated to the pursuit of knowledge in the field of microbiology and allied sciences. Members and all other personnel of the Institute, a coordinate division of the University, uphold the principle of service in the public interest.

The research programs at the Institute are supported by funds made available to the Institute by the University granted to it by the Rutgers Research and Educational Foundation or by philanthropic, governmental and industrial organizations. In the event that such research results in patentable improvements, processes, discoveries or inventions, the specific patent agreement between the University and the organization supporting such research shall prevail. In the absence of such a patent agreement, all faculty members, graduate students and other personnel of the Institute, directly or indirectly connected with the improvement, process, discovery or invention will inform the Director of the Institute, will execute patent applications, will actively assist in the prosecution thereof and will assign all domestic and foreign patent rights to the Rutgers Research and Educational Foundation. Any net income accruing from such patents shall be used to stimulate, promote and provide funds for further scientific investigation and research at the University.

The amount and manner of compensation, if any, payable to inventors and others will be determined solely by the Trustees of the Rutgers Research and Educational Foundation, in consultation with the Director of the Institute.

This policy in no way infringes upon the right and obligation of all faculty members and all other investigators of the Institute freely to pursue research and publish the results obtained. Each manuscript will be reviewed jointly by the Director and the principal investigator before it is formally submitted for publication. At that time any potentially patentable inventions or discoveries will be promptly referred by the Director to the Foundation for evaluation and decision.

It is agreed that the period of time between disclosure of results to the Director and publication will suffice to insure successful prosecution of any patent application in this country and abroad. Notebooks and other documents pertaining to research activities are the property of the University and will be retained in the library of the Institute of Microbiology.

The Director of the Institute is charged with the responsibility of referring circumstances not covered by or in apparent conflict with this policy to the Executive Committee of the Institute of Microbiology. The Executive Committee will in turn review and recommend to the Board of Governors of the University an appropriate course of action. The decision of the Board of Governors shall be final and binding upon those concerned.

If the Foundation does not elect to file application for a patent, the faculty or staff member or members will be notified promptly in writing and will then be free to make such application should they so desire.

Patent management agency: the Rutgers Research and Educational Foundation a separately incorporated nonprofit organization established 1 February 1940, both for the Institute of Microbiology and for inventors by voluntary assignment of their inventions; as indicated in the policy statement above, all rights to inventions and patents resulting from research conducted at the University are left to the inventors unless otherwise arranged in advance by mutual agreement between them and the sponsors of such research; the University retains no propriety rights in inventions made by staff members; when an invention is assigned to the Foundation under the patent policy of the Institute of Microbiology, the inventor may share in the net income derived from the sale or exploitation of any patents obtained on the invention, in an amount determined by the Trustees of the Foundation; when an invention is voluntarily assigned to the Foundation, the inventor receives an agreed proportion of the net income derived from the

sale or exploitation of any patents obtained on the invention; the proposed new, but not adopted, policy provides that the University may process a patent or enter into a patent development agreement with Research Corporation.

SETON HALL UNIVERSITY

South Orange, New Jersey

No formalized research or patent policy, although the formulation of such a policy is currently under study in the Seton Hall College of Medicine and Dentistry, which is a separate legal entity located in Jersey City; as a general practice each situation is at present handled on an individual basis in both institutions. No patent management agency.

STEVENS INSTITUTE OF TECHNOLOGY

Hoboken, New Jersey

Formalized research and patent policy, adopted 6 November 1961 by the Board of Trustees of the Institute; all research conducted at the Institute is under the general administrative responsibility of a Director of Research; all faculty members, research workers and others associated with or employed by the Institute are required to execute a patent waiver agreement; applicable on an institute-wide basis:

> Members of the faculty and research staff and others associated with or employed by Stevens Institute of Technology shall agree in writing to be bound by the following provisions:
>
> > (a) With respect to work relating to governmental contracts in which Stevens is engaged, any improvement, invention or discovery, conceived or first reduced to practice in the performance thereof, shall be assigned to Stevens (the entire right, title and interest therein and thereto, in all countries).
> >
> > (b) Improvements, inventions or discoveries conceived or first reduced to practice of subject matter which does not relate to that of governmental contracts or industrial contracts, as provided in paragraph (a) above, shall remain the property of the individual or individuals concerned.

Patent management agency: Research Corporation, both for the Institute and for the inventors by voluntary assignment of their inventions, under a patent development agreement with the Institute; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation by the Institute, the inventor receives a fixed percentage, not to exceed 15%, of the gross income derived from the sale or exploitation of any patents obtained on the invention, as determined by the Institute.

NEW MEXICO HIGHLANDS UNIVERSITY
Las Vegas, New Mexico

No formalized research or patent policy, although the formulation of such a policy is currently under consideration by a patent policy study committee; as a general practice, each situation is at present handled on an individual basis; sponsored research is administratively coordinated under the Institute of Scientific Research, a special nonprofit division of the University established in 1957. No patent management agency other than the Institute of Scientific Research.

NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY
Socorro, New Mexico

Formalized research and patent policy, adopted 9 March 1946 by the Board of Regents of the Institute (formerly the New Mexico School of Mines) and included in the following agreement signed by all faculty members and research workers; applicable on an institute-wide basis:

> In consideration of my employment by the New Mexico School of Mines, a corporation (hereafter called the School of Mines), I agree to assign to the School of Mines or to the United States Government or to any other appropriate research sponsor designated by the School of Mines all my rights in and to inventions that, during the periods of my employment and during the period of one year first following the termination of the last period of employment, I have made or conceived or may hereafter make or conceive, either solely or jointly with others, as a result of such employment and/or with the use of the School of Mines' time, material or facilities, and/or relating to any matter with which my employment by the School of Mines is or may be concerned. I further agree, without additional compensation to be paid by the School of Mines and without expense to me, to execute, acknowledge and deliver to the School of Mines, to the United States Government or to any other appropriate research sponsor designated by the School of Mines any and all papers, including any and all applications for patents, as may be necessary to obtain patents covering said inventions and to convey all rights, title and interest therein.
>
> It is understood by me that the School of Mines may or may not elect to file and prosecute applications for patents under inventions developed as a result of my employment activities.
>
> It is understood by the School of Mines and by me that all rights, titles and interests in and to all inventions, patented or unpatented, which I made or conceived prior to my employment by the School of Mines are not affected by or included in this agreement.

Contract research handled through the Research and Development Division, an unincorporated nonprofit unit of the Institute, established 9 March 1946 to perform research and to fulfill contractual obligations for the performance of research and development work entered into by and between the Institute and both governmental and private agencies; with respect to inventions made as result of sponsored research and assigned to the Research and Development Division on behalf of the Institute, in accordance with the above agreement, the

Division observes the following policy, adopted 9 March 1946 by the Board of Regents:

> The Division agrees that if, during the period of the agreement, any of its employees shall make a discovery or invention while working on the project, the Division will promptly make such a discovery known to the sponsor, and upon request and at the expense of the sponsor, and through attorneys named by the sponsor, said employee shall make application for letters patent and the Division agrees to assign said application and any and all rights to said invention to the sponsor under the conditions of the agreement. It is mutually agreed that any expense for the filing and assignment of applications for letters patent or any expenses in connection with the prosecution of said applications or the recording of such assignments and any expenses such as charges for staff time, travel and other expenses incurred in the preparation and prosecution of application for letters patent, though payable by the sponsor, shall not constitute a part of the principal sum payable under this agreement. The sponsor agrees to make all inventions registered during the project available to the New Mexico Institute of Mining and Technology for its institutional research program and for its experimentation on state-owned land.

No patent management agency other than the Research and Development Division, acting for the Institute; although all members of the staff of the Institute sign the patent waiver agreement, it is expected that a staff member who makes a marketable invention would receive some negotiated share of the income received from its exploitation, the amount of which would be determined by the relation of the subject matter to the job for which the staff member was paid; the Institute does not have a primary interest in the holding of patents as revenue producing devices and seeks to minimize the interest of staff members in working on patents to the extent that such an interest on the part of employees might decrease communication among them.

NEW MEXICO STATE UNIVERSITY
University Park, New Mexico

Formalized research and patent policy, adopted 7 October 1960 by the Board of Regents of the University; applicable on a university-wide basis and administered by the Research Council:

> The productive output of the University, regarded as an institution of learning, must be judged partly on the basis of its contribution to scholarship and scientific knowledge. Discoveries and inventions which appear as a natural product of original work should be made available in the public interest under conditions that will promote their effective development and beneficial utilization, but the potential gain from royalties or other compensation should never be allowed to influence the programs of scientific research nor should such expectations be allowed to regulate support of academic investigation. In recognition of these principles, this policy is established to lend encouragement to scientific personnel at the University by promoting a plan to make inventions conceived by members of the staff available in the public interest. It provides, for the benefit of the inventor, a share in any proceeds that may arise as a result of the development of his invention; and, in addition, assigns all net income which the University may derive from patents on such inventions to the support, directly or indirectly, of research conducted by New Mexico State University.

Organization. The general responsibility for the administration of this patent policy shall be vested in the Research Conncil. The Research Council shall give advice and assistance to members of the staff who wish to apply for patents and shall maintain records of its activities. The original Research Conncil shall be appointed in the manner to be prescribed by the Board of Regents. The method of filling vacancies on the Research Conncil shall likewise be provided for by later action of the Board of Regents.

To implement the effective operation of this policy, the University may enter into an agreement with the Research Corporation of New York City to obtain the services of its patent management division. The Research Corporation is a nonprofit foundation, which distributes its total net income as grants in aid in research to colleges, universities and scientific institntions. The University may, if an effective agreement cannot be worked out with the Research Corporation of New York City, enter into an agreement or agreements with other firms or corporations engaged in similar activities.

Patent rights. All rights to inventions and patents resulting from activity unrelated to the University program belong to the inventor, unless he has entered into an agreement arranged in advance between himself and the University or a cooperating outside agency.

Inventions or discoveries resulting directly from a program financed entirely or in part by the University shall be made available in the public interest either through publication or, following appropriate patent procedure, by commercial development and utilization. Under the latter alternative the University reserves the right to establish the amount and character of its equity in the proceeds.

Patent assignment. A member of the University staff, if not encumbered by any prior agreement, may by action through the Research Council assign his invention to the Research Corporation or any other agency with which the University has entered into an agreement. If the Research Corporation or other agency accepts the assignment, it will file and prosecute the patent application without expense to the inventor and will subsequently exploit the commercial development of the invention under appropriate license agreements. Fifteen per cent of the gross income derived from such licenses will be paid annually by such Research Corporation or other such agency to the inventor and, after deductions for costs and expenses, fifty percent of the net income will be paid to the University provided, however, that in no instance shall the fifteen per cent to be paid annually to the inventor exceed fifty per cent of the net income; if the fifteen per cent exceeds fifty per cent of the net income, then the percentage of the gross income shall be reduced to the point where it does not exceed fifty per cent of the net income. The remaining fifty per cent will be retained by the Research Corporation and added to its fund for research grants.

Definition. Staff member shall mean any faculty member or other person associated with the teaching or research staff of the University.

University use of patents. The University shall reserve the right, insofar as possible, to produce for its own use items patented under any of the provisions above. Such use shall be royalty-free.

No patent management agency but, if an effective patent development agreement can be made with Research Corporation or a similar nonprofit organization, their services would be utilized; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, under the agreement made with Research Corporation or other such organization, the inventor would receive 15% of the gross income derived from the sale or exploitation of any patents obtained on his invention.

UNIVERSITY OF NEW MEXICO

Albuquerque, New Mexico

Formalized research and patent policy, adopted 30 October 1959 by the Regents of the University after prior approval by the Faculty Policy Committee; all research activities at the University are administratively coordinated by a Director of Research, who also handles sponsored research arrangements; applicable on a university-wide basis:

> Recognizing that patentable inventions may result from any research done at the University and recognizing the desirability of proper prosecution of patents resulting from such research, the following policy is established:
>
> 1. Definitions as used in this statement of policy:
>
> (a) Staff member shall mean any faculty member or any other person associated with the teaching or research staffs of the University;
>
> (b) President shall mean the President of the University or his duly authorized representative.
>
> 2. All staff members shall be encouraged to disclose to the President all discoveries which result from their research which, in their opinion, may lead to valuable and patentable inventions.
>
> 3. Patent management agent. Whenever practicable, the patent management agent shall be a nonprofit management organization such as Research Corporation or a similar institution.
>
> 4. Patent committee. The Patent Committee shall be appointed by the Faculty Policy Committee and shall consist of five members of the Faculty. In considering a specific case, the Patent Committee shall appoint one or two consultants who, in the judgment of the Committee, have specialized knowledge in the area being considered.
>
> 8. Use of funds. Insofar as reasonably possible, funds received by the University as a result of inventions shall be used to sponsor additional research.
>
> 9. Failure to prosecute. In the event that the patent management agent fails to communicate through the University to the inventor its decision to proceed to obtain a patent within nine months after the disclosure to the President, the inventor shall have the right to initiate patent proceedings as an individual.
>
> 10. University use of patents. The University shall reserve the right insofar as possible to produce for its own use items patented under any of the provisions above. Such use shall be royalty-free.
>
> 11. Negotiations with outside agencies. Negotiations with outside agencies shall be carried on in such a way as to obtain for the inventor and the University the maximum possible rights. None of the provisions of this policy shall be interpreted in such a way as to preclude the making of or limit the terms of an agreement with an outside agency relating to sponsored research.

Patent management agencies: Research Corporation and Battelle Development Corporation under patent development agreements with the University; the equities of inventors in their inventions are recognized and, when an invention is assigned to either patent management agency, the inventor receives a share of the income derived from the sale or exploitation of any patents obtained on the invention, the amount to be negotiated on its merits.

ADELPHI COLLEGE

Garden City, New York

No formalized research or patent policy; as a general practice each situation is considered on an individual basis; sponsored research conducted at the College is coordinated under prescribed procedures, with the administrative assistance of the Adelphi Research Center, a separately incorporated nonprofit organization established 22 January 1957. No patent management agency; ordinarily inventions made in the course of sponsored research are assigned to the sponsors.

ALBERT EINSTEIN COLLEGE OF MEDICINE

New York 19, New York

Formalized research and patent policy, originally adopted in February 1955 and subsequently amended from time to time by the Board of Trustees of Yeshiva University, of which the College is a division; faculty and staff members by reason of their employment are subject to a standard research agreement containing in essence the following patent waiver provision; applicable on a college-wide basis:

> It is the policy of the Albert Einstein College of Medicine of Yeshiva University to utilize any income to be obtained from inventions and discoveries made by members of the staff thereof exclusively for the further promotion of medical education and for the other purposes of the said College.
>
> Accordingly, the Albert Einstein College of Medicine requires that all inventions and discoveries made by members of its staff shall be assigned to the University Medical Research Foundation, a nonprofit corporation affiliated with the Albert Einstein College of Medicine, whose entire income from such inventions and discoveries is used for the exclusive benefit of the College of Medicine.
>
> In cases of patents arising on work under government-sponsored contracts, the express provisions of such contract will control.
>
> In cases where the individual inventor wishes to take out the patent in his own name and dedicate it to the public, receiving neither of profit or value therefrom, such will be permitted provided that the rights of the Albert Einstein College of Medicine in such invention are fully protected and the Faculty Patent Committee approves thereof.
>
> The inventor is required to cooperate with the Faculty Patent Committee who shall be the sole judge of the rights of the inventor and the Albert Einstein College of Medicine with regard to the aforesaid inventions and discoveries, in order to carry out the purposes of this policy.
>
> The Albert Einstein College of Medicine may require formal agreements to be signed by individual staff members to carry out the foregoing.

Patent management agency: the Yeshiva University Medical Research Foundation, a separately incorporated nonprofit organization established in February 1955; as indicated in the research agreement mentioned above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor receives 15% of the net income accruing to the University from the sale or exploitation of any patents obtained on the invention.

ALFRED UNIVERSITY

Alfred, New York

No formalized research or patent policy; as a general practice inventions resulting from research financed by monies furnished out of the University budget belong to the University; sponsored research is subject to the terms of the research contract, including such research handled through the Alfred University Research Foundation, an unincorporated nonprofit organization established 26 November 1946 by the Board of Trustees of the University. Patent management agency: the Alfred University Research Foundation, acting on behalf of the Board of Trustees of the University.

BROOKLYN COLLEGE

Brooklyn 10, New York

Formalized research and patent policy, adopted 17 June 1957 by the Board of Higher Education of the City of New York and incorporated in a statement of principles regarding the acceptance of grants for research; applicable not only to Brooklyn College but also to all the colleges under the jurisdiction of the Board, which together constitute the City University of New York (see The City College below for policy statement).

No patent management agency, except that the Board of Higher Education will assist in applications for patents; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and the extent to which an inventor shall participate in income from the sale or exploitation of patents on his inventions is determined cooperatively by the Board and the inventor.

THE CITY COLLEGE

New York 31, New York

Formalized research and patent policy, adopted 17 June 1957 by the Board of Higher Education of the City of New York and incorporated in a statement of principles regarding the acceptance of grants for research; applicable not only to The City College but also to all the colleges under the jurisdiction of the Board, which together constitute the City University of New York:

> 1. The acceptance of a research grant shall be primarily determined by the promise it holds for advancing or synthesizing our basic knowledge of significant phenomena through pure or applied research and by the prospect that the participants in the research will benefit through enhanced professional competence and learning. Possible commercial advantage or financial return either to an individual, to the college or to the agency making the grant are not primary considerations.
>
> 2. Where contract research work is to be done on the campus, except in instances where in the judgment of the appropriate dean the use of college facilities is not substantial the contract shall be negotiated by the contracting agency and the college. The costs for the project are expected to be financed by the contracting agency. Such costs shall include the cost for the use of college facilities and services, including "overhead," the stipend if any to be paid the staff member for his research, and such other items as may enter into the cost of the project.

3. The purpose of contract research on any of the municipal campuses shall not be purposefully or primarily directed toward the development of patentable products or processes. In the event that a staff member in the course of a contract project comes upon a patentable discovery, which discovery is obviously patentable in the best public interest then, such staff member, with the aid of the Board of Higher Education should apply for a patent. The Board and the staff member cooperatively shall determine the extent to which the individual involved should participate in receiving remuneration for the patent or the extent to which research activities at the municipal colleges should be supported through the application of income therefrom and whether there should be free access to the use of the patent. If the contract between the agency and the college contains provisions for the securing or disposition of a patent, and this contract is approved by the Board, the terms of the contract will be binding on all parties concerned.

No patent management agency, except that the Board of Higher Education will assist in applications for patents; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and the extent to which an inventor shall participate in income from the sale or exploitation of patents on his inventions is determined cooperatively by the Board and the inventor.

CLARKSON COLLEGE OF TECHNOLOGY

Potsdam, New York

Formalized research and patent policy, originally adopted 1 July 1948 by the Board of Trustees of the College and revised 11 June 1954 by the President of the College, on the recommendation of the Research Committee of the College following the execution of an agreement with Research Corporation, whereby that nonprofit organization acts as patent management agent for the College; sponsored research is handled through a Division of Research; applicable on a college-wide basis to both faculty and students:

1. Inventions or other developments resulting directly from a program of research financed partly or wholly by Clarkson College of Technology (hereinafter called the College) shall be submitted to the Research Committee of the College. On favorable action of the Committee and with the approval of the President of the College, such invention or development shall be submitted to Research Corporation. If accepted by Research Corporation for possible patents and commercialization, 15% of the gross return from such invention or development shall go to the staff member or members concerned. The net after this shall be divided between the College and Research Corporation. If Research Corporation rejects the invention or development, the President of the College, with the advice of the Research Committee, shall (a) arrange for patents and commercialization with 15% of the gross return going to staff members concerned, or (b) release the invention or development and all rights to it to the staff members concerned. The division of income, as given above, is in conformance with the patent policies of Research Corporation.

2. Inventions or developments produced by a staff member or student along lines unrelated to a College program of research with which the individual may be connected, and to the production and development of which the College contributed nothing substantial in funds, space, facilities or time of a staff member, shall be the exclusive property of the individual producing the invention or development. If, however, the staff member or student desires to submit such invention or development to the Research Corporation, he may do so according to the provisions of paragraph 1.

In cases where the development is produced by a student who is paying tuition, and who is utilizing for research only a reasonable amount of space and facilities, it shall be considered that the College is not contributing to the research inasmuch as it is considered that such space or facilities are provided for by the tuition payment.

In cases where the student is receiving scholarship aid, the acceptance of such scholarship aid shall not be considered as changing the status of the student in regard to title to inventions or developments. The rights of the students under this section include the right to assign or otherwise dispose of these rights.

In those cases where a contract is made with an outside party with definite provisions for all expenses connected therewith, including overhead, it shall be considered that the College has no equity or claim to inventions or developments resulting therefrom.

Any patentable invention of a graduate student arising from his research fellowship shall be treated as though it were the invention of a staff member.

The College has a primary obligation to make inventions available to industry and the public on a reasonable and effective basis, to avoid unnecessary exclusion of any qualified manufacturer from the use of an invention, to avoid situations likely to lead to litigation, and to maintain the cordial relations existing between the College and the public which it serves.

Patent management agency: Research Corporation, both for the College and for inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, the inventor receives 15% of the gross income from the sale or exploitation of the invention.

COLUMBIA UNIVERSITY

New York 27, New York

Formalized research and patent policy, originally formalized in 1944 and subsequently revised on various occasions; sponsored research is handled through the Office of Projects and Grants; applicable on a university-wide basis to faculty members, staff and students, except with respect to the patenting and exploitation of medical discoveries and inventions made by faculty members of the College of Physicians and Surgeons, the faculty of medicine of the University, as indicated below:

The University is dedicated to scholarly activity in the broadest sense and holds that the results of university research should be made public with the greatest possible freedom.

It is recognized at the same time that officers of instruction, students and other members of the University staff may in the course of their research make discoveries that can be properly classed as inventions. These inventions are often worthy of patent application and some ultimately may be patented. However, it is not deemed within the sphere of the University's scholarly objectives to assert claim to ownership in or to seek control over such inventions or discoveries. Members of the University not on the Faculty of Medicine and other than persons specifically excepted under University agreements are free to patent any device or discovery arising from their personal researches and to make any arrangements they deem desirable in reference to patents and other rights, even when these originate in their scholarly activity for the University.

Discoveries and inventions which affect public health are considered in a different category. It is the policy of the Faculty of Medicine to forbid the patenting and exploitation of any medical discoveries or inventions (see below).

The University holds that a staff member may at his own request be permitted to participate in a special contract for industrial or governmental research under which he assigns his rights to potential inventions. The University stipulates that all such work to which the University itself is a contractual party should contribute to scholarly activity or should be an activity of public benefit compatible with the aims and purposes of the University.

Where the inventor has voluntarily entered into a contract which includes a patent restriction, the invention is referred to the Committee on Patents for advice concerning the interest and obligations of the University. It has been the practice of the University to waive its rights to inventions in favor of the inventor notwithstanding specific reservations on behalf of the University which may exist in contract agreements.

Any patents given to the University or otherwise acquired are separately administered. The University has provided through the Committee on Patents and attached to the Office of the Treasurer of the University an independent organization: University Patents, Incorporated. This corporation is separated from the academic functions of the University and is empowered on behalf of the University to accept and administer patents that may be given to the University by staff members or others.

As an aid to members of the University who wish to have their inventions evaluated, arrangements have been made with the Research Corporation whereby inventions will be examined and the advisability of patenting determined. Where inventions do not appear to justify the expense entailed in patenting and development, the inventor is so advised. Inventions considered worthy of patenting may be submitted to the Research Corporation or University Patents, Incorporated, or in any other manner that the inventor may elect.

The Faculty of Medicine has defined in the following terms its policy on patents:

> Resolved that the Committee on Administration reaffirm its policy of opposition to the taking out of patents by any member of the Faculty of the Medical School. It is recognized, however, that there may be exceptional circumstances where the taking out of a patent will be advisable in order to protect the public. These cases must be brought to the Faculty for its consideration and approval.
>
> Be it further resolved that if approval is given for the application of a patent, the patent should be assigned to a nonprofit organization, such as the Research Corporation, and any royalties that accrue should be paid to to the University; no individual should benefit personally or financially from such a patent.

Patent management agencies: University Patents, Incorporated, a separately incorporated nonprofit patent holding organization wholly owned by the University, established 7 April 1924, and operating under the University Committee on Patents, and also Research Corporation under a patent development agreement with the University, both for the University and for inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to University Patents, Incorporated or to Research Corporation, the inventor receives a share of the gross income derived from the sale or exploitation of any patents obtained on the invention.