CORNELL UNIVERSITY

Ithaca, New York

Formalized research and patent policy, adopted 25 February 1949 and amended 19 September 1952 by the Board of Trustees of the University; sponsored research is conducted under the administrative direction of a Coordinator of Research in accordance with prescribed procedures and subject to the terms of the research contract; applicable on a university-wide basis to members of the staff and graduate students, with special provisions with respect to research in the New York State Colleges and in the Medical College located in New York City and to government-sponsored research projects:

(1) Cornell Research Foundation. There is within the University framework an organization devoted to these aims called the Cornell Research Foundation. Its president is the University's Coordinator of Research, and its directors are drawn from the faculty, the administration, the trustees, alumni and the world of business.

The Foundation has formed a Patent Committee from its membership whose function it is to assess the probable importance of inventions brought to its attention and to judge the desirability of making a patent application. In addition it is a service group available to render advice concerning procedures that an inventor should follow in order to gain adequate protection between the time of conception of his invention and the processing of formal application for a patent. Such steps include making proper notebook entry of sketches and descriptions and of having these witnessed by someone familiar with the art; the exercising of due diligence in developing the concept through successive stages; the reduction to practice of the invention; and finally the preparation of drawings, specifications and claims preparatory to filing patent application or the making of a request to an appropriate agency to do so.

The Foundation's function is to administer the patenting of inventions recommended by the Patent Committee and made available voluntarily to the Foundation by members of the faculty and to protect such inventions when patented against infringements.

An important objective of the Foundation is to afford the members of the Cornell staff an opportunity to further the general research program of the University and at the same time to receive reasonable compensation for their services in connection with those inventions that produce royalties, without being obliged to spend their own time or funds in patent development and commercial exploitation.

(2) Research Corporation. To carry out its functions efficiently the Foundation has entered into an agreement with the Research Corporation of New York City. A member of the University may assign an invention to the Research Corporation with the understanding that the Corporation, if it accepts the assignment, will exploit the patented invention without any expense to the inventor; that Research Corporation will pay to the inventor a share (ordinarily 15%) of the gross income which Research Corporation receives from the invention; that the balance, after the expenses in connection with the patent have been met, will be divided between the Foundation and Research Corporation as provided in the general agreement covering all of these cases.

Certain special procedures are set forth below in paragraphs (3), (4) and (5).

(3) Medical College—special provisions. Patents arising from discoveries and inventions of members of the total staffs of Cornell University Medical College,

Cornell University-New York Hospital School of Nursing and The New York Hospital will be assigned directly to Research Corporation, except (1) in cases of patents arising in the course of work under Government-sponsored contracts and (2) in cases where individual members of the staff wish to take out the patent and dedicate it to the public. Royalties from such patents, other than those covered by the above-stated exceptions, may be accepted and received by Cornell University and/or The Society of the New York Hospital and/or The New York Hospital-Cornell Medical Center and such royalties received will be administered by one or the other, or by combinations of these institutions, for the support of research in accordance with approved policies and procedures. Royalties will not be paid to an individual inventor in connection with a patent arising from work done in Cornell University Medical College, Cornell University-New York Hospital School of Nursing or The New York Hospital.

(4) New York State Colleges—special provisions. The New York State College of Agriculture and the Agricultural Experiment Stations, the College of Home Economics, the College of Veterinary Medicine and the School of Industrial and Labor Relations are tax-supported institutions intended to promote the welfare of the general public. The purpose of the State and Federal research programs in these colleges and schools is to develop new information and improved practices, the wide-spread use of which will benefit producers and consumers and thereby give a satisfactory return to the public for its tax support of this work. Most of the results of this research are given to the public by publication. The securing of patents on new devices or processes primarily for the personal profit of members of the staff is unwise public policy and might jeopardize the continuation of public support. Patents however should be taken out whenever necessary to protect the public by control of quality and by insuring a reasonable price for the patented product. Whenever during the course of his research a member of the staff has discovered something which he thinks should be patented, it is his obligation to discuss the matter with the Dean of the College or his designated representative. If the filing of a patent application seems desirable, the inventor will be asked to bring his invention to the attention of the Patent Committee of the Foundation. Inventions resulting from research by a member of the staff on his own time, at his own expense and wholly without the use of college or station laboratories or other facilities are regarded as the private property of such staff member.

(5) Government Sponsored Projects—special provisions. Patents arising in the course of Government-sponsored contracts are controlled by the terms of those contracts. At the present time the requirement is that the Government shall receive a royalty-free, irrevocable nonexclusive license as regards domestic patents. Under many contracts the Government holds sole title and right to all foreign patents. Staff members accepting such research will be requested to execute such waivers or agreements as will permit the University to comply with its obligations to the Government.

(6) Patent Committee of the Cornell Research Foundation. When a member of the University in the course of his University activities makes a discovery that may lead to an invention, he may consult the Patent Committee of the Foundation concerning the issuance of a patent, through the chairman or any member of the Committee. If he desires to have the matter handled under section (8) below, the Committee will proceed in accordance with that plan.

The services of the Patent Committee of the Foundation are available, however, to any member of the University for action under section (8) whether or not the invention has resulted from his University activities.

(7) Independent action by inventor. If a member of the University other than

those excluded by sections (3), (4) and (5) desires to obtain a patent on his own responsibility, he may do so, whether he has consulted the Patent Committee of the Foundation or not, but he shall advise the Cornell Research Foundation of his intention and shall furnish to the Patent Committee of the Foundation a copy of the patent when issued. The Committee, when advised of his intention, may raise the question of whether the University has an equity in the proceeds of the invention because of the use of its facilities. In such event, the determination of the character and amount of the University's equity in any such invention will be settled in conference between the Patent Committee of the Foundation and the member, or members, of the University concerned. It is expected as well that the same procedure will be followed in connection with any other question arising out of the patent policy.

(8) Patent procedure. When the question of the patenting of a particular invention is brought to the attention of the Committee, the Committee will advise upon the soundness of the scientific basis of the invention and upon the advisability of patenting according to the University policy. If the Committee reaches a negative conclusion, it will turn the matter back to the inventor to handle as he sees fit. If the Committee reaches a positive conclusion or is in doubt, it may refer the matter to Research Corporation to ascertain its opinion and whether Research Corporation desires to accept assignment of the rights to the invention. If Research Corporation is unwilling to accept such assignment, the Patent Committee of the Foundation will release the matter to the inventor. If Research Corporation desires to accept the assignment, the Committee will recommend to the inventor that he assign his rights in the invention to Research Corporation and enter into an agreement with the Corporation, in accordance with the general plan adopted by the Corporation, the Foundation and the University.

(9) Inventions of a member of the University engaged in an industry-sponsored research project. In accepting a grant from industry for the purpose of research, it is the general policy of the University that the grant shall be used for the training of men and the extension of the boundaries of knowledge and not for a specific development in which the sponsor may be interested. If the University accepts a grant from an industrial corporation for the purpose of research in conformity with that general policy, it shall be with the written understanding that, should an invention result from this research, the University and the inventor will handle such invention in accordance with section (8).

(10) Special handling of sponsored research projects. If an outside sponsor proposes a procedure at variance with that outlined in previous paragraphs, the University will authorize its representatives to discuss such alternate procedures with the corporation and the staff members involved in an effort to arrive at a situation which will not violate the general principles heretofore set forth and which will protect the equities of all the parties involved.

(11) Copyrights. As a general rule all rights to copyrightable material shall be reserved to the author. The distribution of royalties, if any, is a matter of arrangement between the author and his publisher or licensees. Exception to this rule may occur in the case of certain Government contracts or where the University has employed personnel to produce a specific work.

(12) University fellowships and scholarships. These statements of policy shall apply to holders of University scholarships or fellowships or other graduate students.

(13) Use for research of surplus funds of Cornell Research Foundation. All net income derived by the Foundation from the ownership of patents will be devoted to research within the University with a preferential but not exclusive position being given to the Department, School or College in which the patent originated.

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 Cornell Research Foundation, a separately incorporated nonprofit organization established 15 June 1931 to handle patents resulting from discoveries made by members of the staff of the University, to assist research at the University and to encourage the broad distribution of the benefits of such research to the public; as indicated in the policy statement above, the equities of inventors in their inventions are recognized; when an invention is assigned to Research Corporation, the inventor receives a share, ordinarily 15%, of the gross income derived from the sale or exploitation of patents obtained on the invention.

EASTMAN DENTAL DISPENSARY

Rochester 3, New York

No formalized research or patent policy; as a general practice each situation is considered on an individual basis; arrangements for sponsored research are subject to the approval of the Director of the Dispensary. No patent management agency.

FORDHAM UNIVERSITY

New York 58, New York

Formalized research and patent policy, adopted 5 October 1955 by the President of the University; applicable on a university-wide basis to all members of the University, including those employed specially for research purposes or making use of University facilities for research purposes:

1. (a) The University has rights in and to any invention conceived, developed or made by a member of the University staff, either alone or jointly with others, during the period of his employment by the University;

   (b) provided, however, that the University shall not assert any right to share in an invention of a member of the University staff which is unrelated to his University duties and which results from work done without benefit of University facilities and solely at the expense and on the time of the inventor;

   (c) but any such invention shall be announced to the University Administration as provided in paragraph 2 hereof.

2. Any invention by a member of the University staff must be announced in writing forthwith to the University Administration.

3. Research Corporation is normally employed by the University for the patenting and promotion of any invention by a member of the University staff and the University Administration may submit any invention to Research Corporation for its advice and counsel.

4. In the case of an invention in the course of sponsored research, the contract between the University and the sponsor shall supersede these regulations to the extent that such contract is inconsistent herewith.

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 a mutually agreed upon percentage of the net income derived from the sale or exploitation of any patents obtained on the invention.

HARTWICK COLLEGE

Oneonta, New York

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

HUNTER COLLEGE

New York 21, New York

Formalized research and patent policy, adopted 17 June 1947 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 Hunter 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 on page 173 above 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.

LONG ISLAND UNIVERSITY

Brooklyn 1, New York

No formalized research or patent policy, although the formulation of such a policy has been under consideration; as a general practice each situation is presently handled on an individual basis. No patent management agency.

MANHATTAN COLLEGE

New York 71, New York

Formalized research and patent policy, adopted in 1955 by the President's Council; applicable on a college-wide basis to faculty members and students, with research administered by a Coordinator of Faculty Research and patent matters by a Patents Committee:

> Any faculty member, full-time or part-time, or any student, graduate or undergraduate, spending time in any course, courses or research program, who on college time and using the College's facilities and materials discovers or invents any new process, product, machine or technique of application resulting in savings in the arts or sciences, shall submit such discovery and invention to the Patents Committee of the College. This Committee shall, at the expense of the

College, pass upon the merits of such invention or discovery. In the event such invention or discovery is recommended as being of a patentable nature, the inventor (s) or discoverer (s) shall be advised of the decision of the Committee, whereupon he shall assign such invention or discovery and rights in and to the same to the College. All expenses shall be borne by the College for patenting such invention or discovery and/or protecting the same.

In return for such assignment the inventor (s) or discoverer (s) shall receive up to 20% of the net of any moneys, emoluments received by the College from the sale, licensing or use of such invention.

In the event the Committee does not recommend transfer of such invention or discovery to the College, the inventor (s) or discoverer (s) shall have the right to take any steps he may, to patent or exploit such invention for his own use or purpose. The College shall lay no claim to any funds received by the inventor (s) or discoverer (s) except for such expenses incurred by the College in the use of its research and development facilities.

In the event of the assignation of the invention or the patent or know-how to the College, the College automatically has the right to license interested parties who wish to exploit such inventions or patent as the case may be.

The foregoing may be modified in the case of research sponsored by government or industry. Where contractual arrangement with the government or industry so specify the College automatically will follow the policy agreed to in the contract.

No patent management agency other than the Board of Trustees 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 not to exceed 20% of the net income derived from the sale or exploitation of any patents obtained on the invention.

NEW YORK INSTITUTE OF TECHNOLOGY

New York 23, New York

No formalized research or patent policy; however, the formulation of such a policy is currently under consideration by a committee of the Board of Trustees of the Institute. No patent management agency.

NEW YORK MEDICAL COLLEGE

New York 29, New York

No formalized research or patent policy, although the formulation of such a policy has been under consideration by the Research Committee; as a general practice at present all patent rights in discoveries and inventions arising from research activities utilizing facilities of the College and its affiliated hospitals become the sole property of the College unless otherwise prescribed under the terms of a research grant or contract. No patent management agency other than the Board of Trustees of the College; the equities of an inventor in his invention are determined by mutual agreement at the time of the approval of the filing of an application for patent.

NEW YORK UNIVERSITY

New York 3, New York

Formalized research and patent policy, adopted 26 November 1956 by the Board of Trustees of the University; sponsored research is administered by the several colleges and research units of the University and coordinated under an Office of Research Services; applicable on a university-wide basis and administered under a University Committee on Inventions and Patents in accordance with prescribed procedures:

I. Objectives. The policies and procedures with respect to patentable inventions developed at New York University are directed towards the following objectives and purposes:

(a) Establishment of an orderly system whereby inventions resulting from research conducted under University auspices will be developed and utilized in the best interests of the public, the inventor and the University.

(b) Provision for both the University and the inventor to share equitably the royalties and other income arising out of inventions developed under University auspices.

II. Administration. (a) A committee of five members from the academic staff of the University shall be appointed by the Chancellor to direct the patent policy of the University. Such committee, known as the University Committee on Inventions and Patents (hereafter sometimes referred to as the University Committee), shall consist of one member representing the arts and science faculties, one member representing the engineering faculty, one member representing the dental and medical faculties, and two members representing the other schools, colleges and divisions of the University.

(b) The University Committee shall adopt such rules and procedures as it shall deem necessary and proper to carry out its duties and powers hereunder and to implement the policy set forth herein.

(c) Any college of the University may establish a college patent committee which shall administer matters pertaining to inventions and patents within the college, make recommendations to the University Committee with respect to University patent policy and may act for the University Committee under the rules and procedures of that Committee.

(d) Any decision, rule or other action of a college committee shall be subject to approval by the University Committee.

(e) Any decision, rule or other action of the University Committee on Inventions and Patents shall be subject to review by the Chancellor of the University.

III. Contract with Research Corporation. (a) The University has entered into an agreement with Research Corporation, a nonprofit corporation engaged in the business of promoting patentable inventions, whereby the University may at any time offer to Research Corporation any invention which the University believes is patentable and should be developed for use by the public. Such invention may or may not be accepted by Research Corporation.

IV. Inventions developed by members of the University staff in the regular course of their employment. (a) As a condition of employment or continued employment by the University, every member of the faculty, research staff or supervisory employee shall submit to the University Committee, through his college committee if one exists, any invention reasonably considered patentable, developed by him, or with some other person, in the course of his employment by the Uni-

versity. The University shall offer the invention to Research Corporation pursuant to the terms of the aforementioned agreement between it and the University, or offer said invention to some other entity under similar conditions or declare its lack of interest to the inventor within a reasonable time as defined in the rules and procedures of the University Committee. In the event the University rejects the invention, it shall become the property of the inventor or inventors, subject, however, to the limitations set forth in paragraph (f) hereof.

(b) The term "in the course of his employment by the University" shall be understood to mean any research activity supported by the University through: (1) purchasing special apparatus for the inventor to conduct the research, (2) providing paid professional or technical assistance to the inventor or (3) providing a specific reduction in teaching load to facilititate such research activity.

The term "in the course of his employment" shall not, however, include activities supported by the University pursuant to specific contractual arrangement whereby the University is reasonably compensated for such support, nor shall it include activities arising in approved consulting work of a staff member.

(c) If such invention is accepted by Research Corporation or other entity, both the University and the inventor or inventors thereof shall assign all their right, title and interest in the invention to Research Corporation or other entity and the invention shall become the sole property of Research Corporation or other entity pursuant to the terms of the agreement between the University and Research Corporation or other entity.

(d) The University shall pay to the inventor, his heirs, executors, administrators or assigns a portion of the net proceeds paid to the University and such portion shall consist and be computed exclusively from money received by the University from Research Corporation or other entity and arising out of commercial exploitation of the invention made by the inventor. Such portion shall be determined as follows:

(1) The University Committee shall establish rules and standards for determining what portion of the monies paid to the University by Research Corporation or other entity and arising out of a particular invention shall be paid to the inventor or inventors of such invention.

Where an invention is developed by one inventor, he shall ordinarily be paid 50% of the net proceeds received by the University from his invention.

(2) Where an invention is developed by more than one person, the University Committee shall determine what portion of the net proceeds received by the University shall be paid to the inventors, their heirs, executors, administrators or assigns.

(3) All decisions of the University Committee determining the payments to be made to a particular inventor and the reasons for such decision shall be set forth in writing.

(e) The payments to which the inventor shall be entitled hereunder shall be made within 90 days after the receipt by the University of the monies derived from his invention during this annual period. In addition the University shall furnish the inventor or inventors with a copy of the statement of activity and computation, furnished to the University by Research Corporation or other entity pursuant to its contract with the University.

(f) In the event Research Corporation or other entity shall reject an invention submitted to it, the University Committee, with the approval of the Chancellor may nevertheless, in behalf of the University or its designee, accept such invention by notice mailed to the inventor or inventors within a reasonable time after

receipt of notice of the rejection by Research Corporation or other entity. In snch event, the inventor or inventors shall assign all their right, title and interest in the invention to New York University or its designee who mnst file a patent application on behalf of the inventor within a reasonable time. The invention shall become the sole property of the University or its designee, and the provisions of paragraphs (d) and (e) hereof shall be applicable with respect to the distribution of all monies received by the University and arising out of commercial exploitation of the invention.

If the invention is rejected by both the University and Research Corporation or other entity, the University shall be deemed to have waived its rights in the invention. The inventor or inventors shall then be free to take such action as he or they deem desirable to obtain a patent upon the invention and otherwise exploit and develop snch invention. In no event shall the inventor or inventors nse the name of the University in exploiting the invention withont the consent of the University Committee.

V. Inventions developed on University research projects and sponsored research projects. (a) The University conducts special research projects which may be sponsored:

(1) By the University through special appropriation;

(2) By some other person, corporation, or governmental agency under an agreement with the University.

Such special research projects are understood to be those which operate under contractual agreements or memoranda of understanding.

(b) No person shall be assigned to any special research project as defined above unless he shall first sign a written statement that he agrees:

(1) To be bonnd by the terms of any contract or agreement between the University and any person, corporation or other agency sponsoring such special research project to the extent that the terms of such agreement provide for the disposition of inventions developed in connection therewith, or in the absence of any such contract or agreemeut;

(2) To be bound by the provisions of Part IV hereof with respect to any invention developed by him, either alone or in conjunction with some other person, as a result of his assignment to such special research project; and

(3) To submit any such invention to the University Committee, through his college committee if one exists, to be processed pursuant to the procedure set forth in Part IV above.

Patent management agency: Research Corporation or other approved entity 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 or Research Corporation or other entity, the inventor receives a portion, ordinarily 50%, of the net income to the University from the sale or exploitation of any patents obtained on the invention.

NIAGARA UNIVERSITY
Niagara University, New York

Formalized research or patent policy, adopted in January 1962 by the Board of Trustees of the University and included in the employment agreement signed

by the University staff at the time of their employment; applicable on a university-wide basis:

> All patentable inventions, discoveries, processes, uses, products or combinations, resulting in whole or in part from the use of the laboratories and other facilities of the University, shall be assigned to the University or to some party designated by the University, which shall endeavor with reasonable diligence to secure the necessary patents and to use its efforts to introduce such inventions, patent applications and patents into public use and to secure a reasonable revenue therefrom by issuing licenses thereunder or otherwise. It is further agreed and understood that 15% of the revenue derived from the sale or licensing of such inventions, patent applications or patents shall be payable to such inventor, his heirs, assigns and personal representatives not later than March 15 of each year by the University or other assignee.

No patent management agency other than the Board of Trustees of the University; as indicated in the statement, 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 revenue derived from the sale or exploitation of any patents obtained on the invention.

POLYTECHNIC INSTITUTE OF BROOKLYN

Brooklyn 1, New York

Formalized research and patent policy, adopted 9 February 1961 by the Corporation of the Institute and made part of the Institute's Code of Practice; sponsored research is conducted in accordance with prescribed procedures and subject to the terms of the research contract; persons engaged in sponsored research are required to execute patent waiver agreements; administered by a Committee on Patents of the Corporation and applicable on an institute-wide basis to staff members, other employees and students of the Institute:

> 1. A standing Committee on Patents of the Corporation of Polytechnic Institute, supplemented as the case might require by senior faculty members, shall have the primary responsibility of establishing
>
> (a) whether an invention should be patented;
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> (b) whether the invention should be submitted to Research Corporation;
>
> (c) or whether other arrangements should be made.
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> 2. The standing Committee on Patents may delegate the authority to act on its behalf to the President in all cases arising in connection with outside sponsored research.
>
> 3. In general, it is not the policy of the Institute to hold title to patents. The Institute has entered into an agreement with Research Corporation and may from time to time enter into agreements with other nonprofit management corporations, under which these corporations will carry out the patenting and commercialization of inventions assigned to them and accepted by them. These patent management corporations generally operate without charge to the inventor, but will pay to the inventor a share of the gross income which it receives from the invention and will divide the balance, after any special expenses in connection with the procurement of the patent have been met, between the Institute and the corporation.

4. Under special circumstances, the Committee on Patents may recommend to the Corporation of Polytechnic Institute to apply for patent protection through one of the patent attorneys engaged by the Institute. In such event special arrangements shall be made with the inventor.

5. Inventions resulting from research neither conducted under Institute auspices nor with the use of facilities controlled by the Institute shall be the exclusive property of the inventor. He may, however, if he wishes, submit his invention to the Committee on Patents for consideration, in which case it will be treated in accordance with the stated policies.

6. All monies coming to the Institute from patents under these arrangements shall be credited to a special Fund for Research. This Fund will serve to defray non-reimbursed costs of sponsored research, to initiate new research projects and to cover unusual research equipment.

7. When an invention by any student or employee of the Institute results from research conducted under the Institute's auspices, or with the use of facilities under the control of the Institute, the inventor shall report the fact promptly to the Committee on Patents.

8. If the Committee on Patents decides that the invention should not be patented and if the research was not conducted under outside sponsorship, the inventor shall be free to handle or dispose of his invention as he wishes, subject to a non-exclusive royalty-free license to the Institute if the Committee on Patents so elects.

9. If the Committee on Patents decides that the invention should be patented and submitted to Research Corporation or to any other patent management corporation with whom the Institute has entered into an agreement, and if the respective patent management corporation is willing to accept the invention under the terms of the agreement, the inventor shall assign the patent to the respective patent management corporation. Depending upon the status of the invention and the equities involved, the Committee on Patents will direct the respective patent management corporation to pay a part of the gross income from the patent to the inventor or inventors.

10. If the Committee on Patents recommends that an invention be submitted for patenting to Research Corporation or to any other patent management corporation with whom the Institute has entered into an agreement, but if the respective patent management corporation is not willing to undertake such patenting, the Committee on Patents shall then determine whether the patent shall be further pursued in accordance with paragraph 11 below or left to the inventor in accordance with paragraph 8 above.

11. If the Committee on Patents decides to recommend to the Corporation of Polytechnic to apply for patent protection because of special circumstances, the inventor shall assign the patent to the Institute. Depending upon the status of the invention and the equities involved, the Committee on Patents will recommend to the Corporation of Polytechnic Institute to pay a part of the gross income from the patent to the inventor or inventors.

Patent management agency: Research Corporation 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 the Institute 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, in an amount as recommended by the Committee on Patents.

PRATT INSTITUTE

Brooklyn 5, New York

Formalized research and patent policy, originally adopted 8 May 1945 and revised 8 March 1960 by the Board of Trustees of the Institute; applicable on an institute-wide basis:

> Patent rights involved in sponsored research projects will be the subject of specific contractual agreement between the Institute and the sponsor. Such contracts will be drawn with the purpose of providing for the maximum dissemination of the results of the research, and a minimum restriction of their general use consistent with the immediate and proper interests of the sponsor and the Institute.
>
> In connection with fundamental academic research activities where the Institute makes a material contribution to the research in the form of facilities or time allowance to the faculty member, any patentable results shall be assigned to Pratt Institute for administration with the understanding that the patentee shall share equally with the Institute in any net proceeds resulting from the sale or use of the patent.
>
> A faculty member wishing patent protection for private or professional work may use the facilities of the Institute, or the services of other members of the Institute staff, only after a contract with the Institute shall have been executed either by himself or his client.

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 and, when an invention is assigned to the Institute, the inventor shares in any net proceeds resulting from the sale or exploitation of patents obtained on the invention.

QUEENS COLLEGE

Flushing 67, New York

Formalized research and patent policy, adopted 17 June 1957 hy 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 Queens 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 on page 173 above 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.

RENSSELAER POLYTECHNIC INSTITUTE

Troy, New York

Formalized research and patent policy, adopted 25 September 1954 and amended 8 March 1957 by the Board of Trustees of the Institute, superseding the original policy adopted 2 February 1952; sponsored research is coordinated by a Research Division; applicable on an institute-wide basis:

I. The Director of the Research Division shall administer this patent policy, with the advice and counsel of the Dean of Faculty and a Committee on Discoveries and Inventions appointed by the Dean of the Faculty.

II. All inventions and discoveries made by an employee of the Institute shall be promptly disclosed to the Director of the Research Division in a clear and detailed manner.

III. All inventions and discoveries made by an employee of the Institute are the property of the Institute except wherein, after consideration of the facts, it is determined that:

1. the inventions or discoveries were made on the employee's own time (defined to include consulting time), and without substantial use of the materials or the facilities of the Institute, and

2. the inventions or discoveries were not derived from a specific research activity of the Institute.

In the above-mentioned exceptions, the Institute shall relinquish all claims to the invention and the inventor will be promptly notified in writing of this action. Such inventions or discoveries cannot be associated with the name of the Institute for publicity or exploitation, or for any other purpose, without the written consent of the President of the Institute.

IV. An employee of the Institute, shall sign an assignment of patent rights to the Institute in accordance with the "Patent Assignment Agreement" attached. Benefits to the Institute arising from such assignment will be shared with the inventor in accordance with Article IX of this Patent Policy.

Full patent rights may be assigned by the Institute to other parties. The inventor shall be called upon for advice and counsel on all negotiations pertaining to the exploitation of his invention.

V. All patents assigned to the Institute are the sole property of the Institute, or its assignee. In general, the Institute may issue nonexclusive licenses. In special cases, an exclusive license may be given, subject to a suitable cancellation clause. The Institute shall reserve the right in all license agreements to cancel such liceuses under a suitable cancellation or renewal clause.

The Institute, at its option, will make the patentable material available to potential users (1) on its own initiative or (2) by utilizing the services of third parties.

VI. If after consideration of the disclosure and the contributing factors the Institute does not choose to file a patent application, the inventor will be promptly notified in writing of this fact and be released from his obligation to assign the invention to the Institute. The employee may then file as an individual, and the name of the Institute must not be associated with the inventor or the discovery, except with approval of the President, as in Article III.

VII. The Institute may decide, upon competent advice, to abandon a patent prosecution, and in such case the inventor will be promptly notified in writing and all rights revert to the inventor.

VIII. The Institute shall assume all expenses of obtainiug patents for inventious assigned to it, enforciug them, licensing, etc., and shall maintain accurate financial records of each and every patent.

IX. The amount paid annually to the inventor (or his heirs, beneficiaries or assignees) will be 12% of the yearly gross income accruing to the Institute through the licensing or other disposition of the invention.

Co-inventors will share the amount that would accrue to a sole inventor in accordance with following determinations:

1. the persons, if any, who are to be identified as co-inventors,

2. the respective percentage of the amount accruing to the co-inventors that will be received by each.

The inventor shall have the right to publish the results of the investigations leading to his invention (s) after contractual obligations have been met and/or sufficient time has elapsed to permit the filing of a patent application, unless national security consideration prohibits such publication or renders publication unwise.

Patent management agency: Research Corporation 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, the inventor or co-inventors receive not to exceed 15% of the gross income derived from the sale or exploitation of patents obtained on the invention, the amount determined by the Institute in each individual case.

ROCHESTER INSTITUTE OF TECHNOLOGY
Rochester 8, New York

No formalized research or patent policy; as a general practice each situation is considered on an individual basis and ordinarily patent rights in inventions made by employees of the Institute are retained by the inventors except as they are engaged in formal research projects for the Institute. No patent management agency other than the Vice President for Business and Finance.

THE ROCKEFELLER INSTITUTE
New York 21, New York

No formalized research or patent policy; as a general practice, in accordance with the governing rule set by the Board of Trustees of the Institute, any invention or discovery made at the Institute is the property of the Institute, except those resulting from government-sponsored research which are handled in accordance with the terms of the research contract. No patent management agency other than the Board of Trustees of the Institute.

ST. BONAVENTURE UNIVERSITY
St. Bonaventure, New York

No formalized research or patent policy; as a general practice each situation is considered on an individual basis, subject to the approval of the University Board of Research. No patent management agency.

ST. JOHN FISHER COLLEGE
Rochester 18, New York

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude, except that the research should not violate the moral principles of the church. No patent management agency.

ST. JOHN'S UNIVERSITY
Jamaica 32, New York

Formalized research and patent policy, adopted 1 April 1952 by the Board of Trustees of the University and included in the employment agreement signed by all members of the faculty and staff at the time of their employment; applicable on a university-wide basis:

> All patentable inventions, discoveries, processes, uses, products or combinations, resulting in whole or in part from the use of the laboratories and other facilities of the University, shall be assigned to the University or to some party designated by the University, which shall endeavor with reasonable diligence to secure the necessary patents and to use its efforts to introduce such inventions, patent applications and patents into public use and to secure a reasonable revenue therefrom by issuing licenses thereunder or otherwise. It is further agreed and understood that 15% of the revenue derived from the sale or licensing of such inventions, patent applications or patents shall be payable to such inventor, his heirs, assigns and personal representatives not later than March 15 of each year by the University or other assignee.

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 the invention.

SIENA COLLEGE
Loudonville, New York

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

STATE UNIVERSITY OF NEW YORK
Albany 1, New York

Formalized research and patent policy, originally adopted 17 November 1952 and revised 10 September 1959 by the Board of Trustees of the University; separately budgeted faculty research activities at the state operated units of the University are the administrative responsibility of the presidents of the individual units; applicable to the state-operated units of the University, which consists of the two colleges of medicine and medical centers at Brooklyn and Syracuse, the eleven colleges of education at Albany, Brockport, Buffalo, Cortland, Fredonia, Geneseo, New Paltz, Oneonta, Oswego, Plattsburg and Potsdam, the six agricultural colleges and technical institutes at Alfred, Canton, Cobleskill, Delhi, Farmingdale and Morrisville, Harpur College at Endicott, the College of Forestry at Syracuse, the Maritime College at Fort Schuyler and the Long Island Center at Oyster Bay, including sponsored research administered by the Research Foundation of State University of New York, a separately incorporated nonprofit organization established 16 February 1951:

> State University recognizes that the purpose of University research is to seek new knowledge for the general benefit and not to make inventions for profit. It will not, therefore, permit its research programs to be directed intentionally toward

inventions for which patents might be obtained. It is also recognized, however, that in relatively rare instances a patentable discovery may be made in the course of University research. In such cases it is deemed to be generally in the best interests of State University and of the public that patents should be obtained and administered as hereinafter provided in order that such inventions may be usefully developed and the net proceeds may be devoted to support of the University's research programs. The State University Trustees reserve the right, however, to determine by special action in any such case that it would not be in the best interests of State University or the public to obtain a patent for a particular invention and to publish such discovery without patenting it. Questions as to patentability and patenting shall not be allowed to delay prompt publication of the results of University research but all concerned shall cooperate to the end that any patent application shall be timely made.

All patentable inventions made by persons employed by State University at any of its state-operated institutions in the course of research programs or projects being carried on by such institutions or made by persons in the course of working on such programs or projects under contracts or arrangements with State University shall belong to State University and the inventor or inventors shall make application for patents thereon as directed by State University and shall assign such applications or any patents resulting therefrom to or as directed by State University. Any such inventions made by such University employees or such other persons in the course of their employment by or for the University or with the use of facilities owned by the University or made available to it for research purposes shall be deemed to have been made in the course of a research program or project of the state-operated institution of the University concerned.

However, a discovery made by an individual wholly on his own time and without the use of such University facilities shall belong to the individual even though it falls within the field of competence relating to his University position. Where any question is raised as to ownership of an invention or patent under these provisions, the matter shall be referred to a committee of five members to be named by the President of State University. At least three of such members shall be members of the academic staff of the University. Such committee shall make a careful investigation of the circumstances under which the invention was made and shall transmit its findings and conclusions to the President for review. If the committee determines that the invention has been made without the use of University facilities and not in the course of the inventor's employment by or for the University and the President concurs in such determination, the University will assert no claim to the invention or to any patent obtained thereon.

With respect to any patent obtained by or through the University or assigned to or as directed by it in accordance with the foregoing provisions, the University, in recognition of the meritorious services of the inventor and in consideration of his agreement that the invention shall belong to the University, will make provision entitling the inventor and his heirs or legatees to a non-assignable share in any net proceeds from the management and licensing of such patent to the extent of 15% thereof.

The University may make suitable arrangements with a nonprofit patent management agency such as the Research Corporation for the purpose of obtaining services and advice with respect to the patentability of discoveries made in the course of University research, the obtaining of patents thereon and the management and licensing of any such patents. Such arrangements may provide for division of the net income from any patent after payment of the inventor's share between the management agency and the University.

Except as otherwise provided pursuant to this statement of policy, the University

will not grant or make provision for granting exclusive rights in any patent obtained by, for or through the University to any person, firm, association or corporation. However, if a patent is obtained upon any invention or discovery resulting from a research program or project to which an industrial sponsor has contributed substantial financial support, such sponsor shall be entitled, under any arrangements made by the University, to a nonexclusive license under such patent without payment of the charges established for such licensing during such period of time as the fees otherwise payable would equal his contribution in support of the research in which the invention was developed.

Research grants made available to the University by or through the Research Foundation of State University of New York shall be subject to the policy herein stated except in special instances as hereinafter provided. Nothing in the policy herein stated shall prevent the acceptance of research grants from, or the conduct of research for, agencies of the United States, either directly or through the Research Foundation, upon terms and conditions under applicable provisions of Federal law or regulations which require a different disposition of patents or patent rights, nor shall anything herein contained prevent cooperative arrangements with other agencies of the State of New York for research. In any case where receipt of a grant in support of research from any nonprofit agency or group may be dependent upon acceptance of terms and conditions of the established patent policy of the donor which differ from those herein stated, the Board of Trustees may specially authorize the acceptance of such grant upon such terms and conditions. Notwithstanding the general policy herein stated, the Board may also, by special action in each such case, authorize express contractual arrangements with an industrial sponsor for different disposition of patent rights resulting from the sponsored research.

Generally the members of the staff of the University shall retain all rights to copyright and publish written works produced by them. However, in cases where persons are employed or directed within the scope of their employment to produce specific work subject to copyright the University shall have the right to publish such work without copyright or to copyright it in its own name. The copyright will also be subject to any contractual arrangements by the University for work in the course of which the writing was done. Staff members will be expected not to allow the privilege to write and retain the right to their work to interfere with their University duties. In those cases where an author desires the help of University facilities, arrangements should be made through the administrative staff of his institution in advance with respect to the assistance which may be appropriately given and the equity of the University in the finished work.

No patent management agency other than the Board of Trustees of the University, who may utilize the facilities of Research Corporation; 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 net income derived from the sale or exploitation of any patents obtained on the invention.

SYRACUSE UNIVERSITY

Syracuse 10, New York

Formalized research and patent policy, approved by the University Faculty Senate and adopted 27 May 1960 by the Board of Trustees of the University; sponsored research is coordinated and administered under prescribed procedures by the Syracuse University Research Institute, an unincorporated nonprofit admin-

istrative division of the University established 15 December 1946; each faculty member participating in such research is required to execute a patent waiver agreement; patent matters are the responsibility of a University Patent Committee; applicable on a university-wide basis:

I. For faculty engaged in teaching and research not sponsored by an outside agency and/or not performed under a contract between an external agency and the University

(1) Syracuse University recognizes that the creativeness of its faculty may result in ideas, methods, processes and inventions which may be patentable or have potentiality for commercial exploitation.

(2) It further recognizes that such ideas, methods, processes and inventions may be generated by teaching activities or may be by-products of research not sponsored by an outside agency and/or not performed under a contract between some outside agency and the University.

(3) In such cases, unless the University has contributed substantial support to the project generating such a potentially patentable result, the rights of patent application and prosecution and the sale, assignment or other disposition of such patent shall reside in the inventors.

The inventors shall have also the sole right to exploit any such results without patent application, in any manner desired. "Substantial support" is defined under three categories:

(a) Financial support beyond the regular academic or annual salary.

(b) Time support, consisting of paid leave or relief from teaching duties above and beyond that afforded, on the average, to other members of the same department as a standard policy.

(c) Space and equipment support beyond the amounts and types normally made available to other members of the same department for their daily activities.

(4) Inventors producing patentable or commercially valuable ideas, methods, processes or inventions without the substantial support defined in I (3) may refer, at their option, such results to the University Patent Committee for patent prosecution or disposition without patent prosecution, at the Committee's discretion. Each inventor will execute a Patent Agreement and Assignment of Claim if the Patent Committee accepts the application upon disclosure by the inventor. Acceptance or rejection is at the discretion of the Patent Committee. Should the Patent Committee accept the application, financial arrangements with the inventor will be a part of a written agreement with the inventor.

(5) Faculty members receiving substantial support as defined in I (3), shall execute a patent agreement at the time the University makes the commitment for the substantial support.

It shall be the responsibility of the University officer approving the substantial support to obtain this properly executed patent agreement and to transmit it to the Chairman of the Patent Committee. Responsibility for further action shall reside with the Chairman of the Patent Committee.

II. For faculty engaged in teaching and research sponsored by an outside agency and/or performed under a contract between an external agency and the University, when such contract or agreement of sponsorship has no stipulations regarding inventions or patents

In all such cases, for the reasons stated in the supporting arguments for the general policy, the University shall be assigned all rights of patent and/or commer-

cial exploitation. These cases shall be considered as identical with those in section I (5) and treated as in I (5). In these cases, the Director of the Research Institute shall assume the responsibilities of the University officer mentioned.

III. For faculty engaged in teaching and research sponsored by an outside agency and/or performed under a contract between an external agency and the University, when such contract or agreement of sponsorship grants patent rights to the University with or without fee license and foreign rights reserved for the sponsor

These cases shall be considered identical with those in sections I (5) and II.

IV. For faculty engaged in teaching and research sponsored by an outside agency and/or performed under a contract between an external agency and the University, when such contract or agreement of sponsorship stipulates an outright assignment of all patent rights to the sponsor

These cases shall be considered as identical with those in sections I (5) and II.

V. Rights of Syracuse University as a corporation

(1) The University shall be assigned in advance and specifically for each program or project by the inventors all patent rights and the rights of exploitation without patent prosecution to any potentially patentable idea, method, process or invention developed during the course of teaching and research programs performed under substantial support by the University; written agreements or contracts between external agencies and the University under which the programs are carried out shall be considered as substantial support by the University.

(2) The University, by this assignment, shall have the right to dispose, by accepting contractual stipulations by the external agency, of any potentially patentable idea, method, process, or invention developed during the teaching and research program to which the assignment applies.

(3) The University shall reserve all patent rights in written agreements and contracts for teaching and research made with private associations and foundations, granting upon request free, nonexclusive, irrevocable and nontransferable license to the sponsor.

(4) In all written agreements and contracts with government agencies, both state and federal, the University shall reserve all patent rights not reserved to the government agency by public law.

(5) In all written agreements and contracts with business and industrial organizations, the University shall offer to the second party a choice of two options.

(a) The second party shall be granted an irrevocable, nonexclusive and nontransferable free license, without guarantee of protection or indemnity, to make use and sell any invention arising from the teaching and/or research covered by the contractual agreement and patented by the University. While all costs of obtaining the patent will be borne by the University, it shall be part of the agreement that the University is not under any obligation to prosecute any patent application. If the University does not make patent application within six months after making a written disclosure to the second party or receiving a written notice from the second party that an idea, process, method or invention developed during the program is patentable in the opinion of the second party, the University shall transfer patent rights to the second party upon request and furnish him with all necessary documentation to prosecute the patent. In that event all expenses incident to such prosecution shall be borne by the second party. The University shall be granted the same license originally guaranteed to the second party.

(b) The second party shall be granted an exclusive license, revocable under

specific conditions and without guarantee or protection or indemnity, to make, use or sell any invention arising from the teaching and/or research covered by the contractual agreement and patented by the University. It shall be part of the agreement that the University is not under any obligation to prosecute any patent application on such invention.

If the University does apply for a patent within the time limits as described in 5 (a), the University shall bear the entire cost of patent application and prosecution.

In return for sole license, the second party shall pay money to the University, under a separate, written agreement incorporating some formula, such as one of the following:

(1) Outright lump sum for a definite time period or until the license is revoked within the period.

(2) Percentage of factory net sales.

(3) Royalties on some base other than (2).

No patent management agency other than the Assistant Director of the Syracuse University Research Institute, subject to the approval of the Director of the Institute and the Vice President of the University for Administration and Research, but a patent development agreement is currently being negotiated with Research Corporation; as indicated in the policy statement, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University and is not otherwise subject to the terms of a research contract, the inventor is compensated from the net income derived from the sale or exploitation of any patents obtained on the invention as determined by mutual agreement recommended by the Patent Committee.

UNION COLLEGE

Schenectady 8, New York

No formalized research or patent policy, although under discussion at various times, both at the College and at the Albany Medical College, which is embraced with the College in the Union University system; as a general practice, each case is handled individually on its merits, with the inventor usually retaining the entire patent rights on his invention except that with respect to sponsored research the provisions of the research contract are observed.

Patent management agency: Research Corporation for the College under a patent development agreement with the College; a similar agreement for Albany Medical College is currently under consideration; as indicated above, the equities of inventors in their inventions are recognized and at present the College obtains no financial return from patents on such inventions.

UNIVERSITY OF BUFFALO

Buffalo 14, New York

The University will cease to exist as a separate entity after 1 September 1962, when it will become State University of New York at Buffalo, a completely integrated unit of State University of New York, and subject to the latter's formalized

research and patent policy (see page 191 above for policy statement), which will be applicable on a university-wide basis.

Patent management agency: Research Corporation under an already existing patent development agreement with the University of Buffalo; 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 net income derived by the University from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF ROCHESTER

Rochester 20, New York

No formalized research or patent policy, but the formulation of such a policy is currently under development; sponsored research is administratively coordinated through an Office of Research Administration and faculty members engaged in such research are required to execute a patent waiver agreement; as a general practice, applicable on a university-wide basis to both faculty and students, the University at present observes the following plan, as published in June 1949 in the Annual Reports of the President and Trustees of the University:

> Inventions or discoveries arising out of programs of research which are financed by the University are the property of the University, to be disposed of according to its best judgment. Normally, if such an invention or discovery is patented, it is made available through nonexclusive licenses to all those interested in utilizing it. In some instances, in order to encourage the utilization of an invention or discovery which has resulted in a University-held patent, we have granted an exclusive period of use. In general, this is not considered desirable and every effort is made to avoid exclusivity.
>
> Inventions or discoveries which result substantially from the efforts of an individual staff member or student working on his own time and making only nominal use of the facilities of the University are considered as the property of the individual. On request, and if the administrative officers deem it desirable, the University will undertake to obtain patent and other protection. In such cases the University's judgment as to the method of commercialization must be governing.
>
> Prior arrangements are always made in connection with research work sponsored from outside the University covering the disposition of any resulting discoveries or inventions. Generally speaking, the University reserves the right to publish fully the results of any such work, provided that adequate notice of such publication is given to the sponsor, and also insists that adequate provision be made for safeguarding the public interest in connection with the commercialization of any inventions which may result. This latter has been accomplished by University ownership of patents with a prior agreement with the sponsor granting an exclusive period on a royalty-free basis and by retention of the privilege of issuing nonexclusive licenses after the exclusive period is ended. Alternatively, resulting patents can be owned by the sponsor with the University retaining a nonexclusive license, with the right to sublicense if certain previously agreed upon conditions relating to the public interest are not met.
>
> Inventions or discoveries arising from work done under government contracts which contain the standard patent provisions are governed, of course, initially by those provisions and subsequently, as far as commercial rights are concerned, by the general policy statements described above for inventions or discoveries arising from University programs.

Patent management agencies: Noned Corporation, a separately incorporated non-profit organization established 4 April 1935 to retain and manage patents in which the University has any rights, and also Research Corporation under a patent development agreement with the University; as indicated in the statement above, the equities of inventors in their inventions are rcognized; when an invention is assigned to the University, consideration is given to the inventor through a share in any royalty income which may accrue to the University; when the 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.

WELLS COLLEGE

Aurora, New York

No formalized research or patent policy; by action of the Board of Trustees of the College, any patents obtained by anyone associated with the College are the exclusive property of the inventor. No patent management agency.

YESHIVA UNIVERSITY

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 the University; 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 to all divisions of the University other than the Albert Einstein College of Medicine which has a separate policy (see page 172 above):

> It is the policy 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 education and for the other purposes of the said University.
>
> Accordingly, Yeshiva University requires that all inventions and discoveries made by members of its staff shall be assigned to the University.
>
> In cases of patents arising on work under government-sponsored contracts, the express provisions of such contract will control.
>
> The inventor is required to cooperate with the University Faculty Patent Committee who shall be the sole judge of the rights of the inventor and the University with regard to the aforesaid inventions and discoveries, in order to carry out the purposes of this policy.
>
> Yeshiva University may require formal agreements to be signed by individual staff members to carry out the foregoing.

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

DUKE UNIVERSITY
Durham, North Carolina

No formalized research or patent policy, although the formulation of such a policy is currently under study by a committee; as a general practice each situation is presently handled on an individual basis, with the general understanding among the faculty that, because of its support or responsibilities in connection with the research, the University has a beneficial interest in any patentable discoveries or inventions resulting from the research, especially those resulting from research conducted under the general supervision of the University Council on Research with funds allocated by that body and from sponsored research administered by the University; faculty and staff members and students of the University engaged in sponsored research are required to execute patent waiver agreements in conformance with research contracts.

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 percentage, not to exceed 15%, of the gross income from the sale or exploitation of patents obtained on the invention; under certain circumstances, where it is deemed appropriate, the University will deal directly with an outside organization other than Research Corporation to undertake the management of a patent.

JOHNSON C. SMITH UNIVERSITY
Charlotte, North Carolina

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; at present the University handles each situation on an individual basis. No patent management agency.

SHAW UNIVERSITY
Raleigh, North Carolina

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

UNIVERSITY OF NORTH CAROLINA
Chapel Hill, Raleigh and Greensboro, North Carolina

Formalized research and patent policy, adopted 22 February 1954 by the Board of Trustees of the University of North Carolina; applicable on a university-wide basis to members of the University staff and graduate students or assistants at the University in Chapel Hill, at the North Carolina State College of Agriculture and Engineering in Raleigh and at the Woman's College in Greensboro:

I. Contract with Research Corporation
The Administration of the University is authorized to enter into a contract with the Research Corporation which will permit each of the three institutions to

refer to that corporation inventions of University staff members, with the agreement that the Research Corporation, upon accepting assignment of the invention, assumes responsibility for filing and prosecuting the application for patent and for licensing and administering the patents.

II. Faculty Patent Committees

The Chancellor of each institution shall appoint a Faculty Patent Committee, consisting of five members.

At the University in Chapel Hill the Committee shall consist of the Business Manager and one representative each from the Division of Health Affairs, the Division of Natural Sciences, the Division of Humanities and the Division of Social Sciences, to be appointed by the Chancellor with the final approval of the President.

At State College in Raleigh the Committee shall consist of the Business Manager, the Director of Engineering Research, the Director of Agricultural Research, the Director of Textile Research (or a representative of each of these directors of research) and at least one other member of the faculty, to be appointed by the Chancellor with the final approval of the President.

At the Woman's College in Greensboro the Committee shall consist of the Business Manager and four members of the faculty to be appointed by the Chancellor with the approval of the President.

These three committees shall meet as an all-University Committee to assure uniform adherence to the Trustees' patent policies and procedures as prescribed in this resolution. The meetings of the 15-man Committee shall be at the call of the Provost of the University and he shall serve as its chairman.

III. Procedure

When a member of the University staff has made an invention or discovery as a result of work done on University time or utilizing University facilities or materials it shall be his responsibility to discuss this discovery or invention with the head of his department at which time the possibility or desirability of exploring patent opportunities will be considered. If it is a matter which it appears should be considered for purposes of patenting, the department head will transmit through the director of research or dean of his school to the Business Manager a request that the matter be considered by the Faculty Patent Committee. The faculty committee will review all pertinent facts presented and may wish to obtain advice from the Research Corporation relative to the patent possibility of the discovery or invention concerned. If in the opinion of the faculty committee and/or the Research Corporation the discovery or invention is not one in which the University has an interest, it may be returned to the inventor who is then free to dispose of it as he sees fit. If in the opinion of the faculty committee and the Research Corporation the invention is one in which the University has a definite interest and which in their judgment merits application for patent, the inventor will be requested to make an assignment of the invention to the Research Corporation which will in turn take the responsibility of preparing and filing an application for prosecuting this patent until issued. The administration and licensing of the patent when granted will also be handled by the Research Corporation under the provision outlined herein.

If the Faculty Patent Committee fails to take action on a proposal for patent application submitted by the above procedure within a period of six months after receiving such a proposal, including all the information needed by the committee for taking such action, the inventor shall be free to dispose of the proposal as he sees fit.

IV. Government sponsored projects—special provisions

Patents arising in the course of Government-sponsored contracts are controlled by the terms of those contracts. Usually the Government will receive a royalty-free, irrevocable, nonexclusive license on such patents. Staff members conducting research on such contracts will be expected to execute such waivers or agreements as will permit the University to comply with its obligations to the Government.

V. Provisions with reference to graduate students or assistants

The same obligations relative to patent assignments on inventions whose development involves the use of University time or facilities shall apply to graduate students or assistants as they apply to regular full-time staff members.

VI. Copyrights

As a general rule, all rights to copyrightable material shall be reserved by the author. The distribution of royalties, if any, is a matter of arrangement between the author and his publishers or liceusees. Exception to this rule may be made in case of specific contracts providing for an exception in cases where the University may employ personnel for the purpose of producing a specific work.

VII. Use of income from patents

The inventor shall receive a proportion of the gross royalties derived from licensing of a patent to be determined by agreement and specified in the agreement assigning the patent application to the Research Corporation. Ordinarily this will be approximately 15% of the gross royalties. Income accruing to the institution from the licensing of patents shall be placed in a special Research Fund and shall be expended to support research (generally in the major divisions of the institutions responsible for the inventions yielding the income) subject to the recommendations of the Chancellor and the President and with the final approval of the Board of Trustees.

VIII. Inventions made on personal time and without use of University facilities

As a general rule, the University makes no claim to rights with respect to inventions or discoveries made by its staff members entirely on their personal time or not involving the use of University facilities or material. However, when a member of the University staff has made an invention or discovery on his own time or without the use of University facilities or materials, it shall be his responsibility to clear his rights to the invention or discovery, through the head of his department, the Director of Research or Dean of his School, with the Faculty Patent Committee and the Research Council.

If the inventor so desires, inventions or discoveries made on a staff member's personal time and utilizing his own facilities and materials may be assigned to the Research Corporation for administration on behalf of the University. Under this arrangement, the procedures will be the same as described in Section III herein, pertaining to inventions or discoveries made by a member of the University staff on University time and with the use of University facilities and materials.

IX. Inventious made by personnel not associated with the University

Persons not associated with the University may come to the University with a patentable item which may be to the benefit of the public but which needs further development and refinement before its advantages may be fully realized. Where such inventions fit into the research program of the institution and where personnel of the institution, upon administrative approval, become associated with its continued development, they may be assigned to the Research Corporation. The procedure will be the same as for work done by the staff and on Uni-

versity time; however, the division of royalties shall be in accordance with an agreement made with the original inventor at the time of assignments.

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 inveutions are recognized and, when an invention in which the University has an interest is assigned to Research Corporation, the inventor receives a proportion (ordinarily 15%) of the gross income derived from the sale or exploitation of patents obtained on the invention.

WAKE FOREST COLLEGE

Winston-Salem, North Carolina

No formalized research or patent policy, although consideration is currently being given to the formulation of such a policy; as a general practice each situation is at present handled on an individual basis and, with respect to patentable results of research performed at the Bowman Gray School of Medicine, a separate division of the College, special consideration is given to the advisability of obtaining patents and, if so, to administering the necessary control of manufacture, distribution and price, to protect both public and institutional interests. No patent management agency other than the Board of Trustees of the College.

North Dakota

NORTH DAKOTA STATE UNIVERSITY

Fargo, North Dakota

Formalized research and patent policy, enacted 11 March 1961 by the Legislative Assembly of the State of North Dakota for all state institutions of higher learning, including North Dakota State University; applicable on a university-wide basis:

1. Patenting inventions and discoveries by faculty, officials and employees of state institutions of higher learning. All letters patent on inventions or discoveries resulting from research sponsored by a state institution of higher learning and conducted by faculty, officials or employees of a state institution of higher learning shall inure to and be taken out by or assigned to the respective state institution of higher learning in accordance with a general policy established by each institution of higher learning with the approval of the state board of higher education. Ownership, control, management and disposal of such inventions or discoveries by faculty, officials or employees of each institution of higher learning shall be vested in each respective institution or in an independent foundation created by the institution for the purpose of obtaining patents or inventions, receiving gifts, administering or disposing of such patents and promoting research at the respective institution by every proper means.

2. Sharing of income from patents with inventor or discoverer. Each faculty member, official or employee of a state institution of higher learning who conceives any inventions or makes any discovery as a result of research sponsored by his respective institution shall be entitled to share in any net proceeds that may be derived from the assignment, grant, license or other disposal of such invention or discovery. The amouut of such net proceeds shall be computed by or with the approval of the state board of higher education, 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. The

amount of the net proceeds paid to the faculty member, official or employee of the institution shall be determined by the institution as a general policy determination with the approval of the state board of higher education. A minimum of 15% of the net proceeds shall be paid to a faculty member, official or employee of a state institution of higher learning who solely conceived or made the invention or discovery, and shall be paid in shares to two or more faculty members, officials or employees who jointly made the invention or discovery in such respective proportions as each institution may determine.

3. Disclaimer by state institutions of higher learning of inventions and discoveries by faculty, officials and employees. Where it is deemed inexpedient for a state institution of higher learning, or its authorized agency, to hold letters patent on an invention or discovery of a faculty member, official or employee, it will then be permissible for the staff member himself to secure a patent and to license or dispose of the same.

4. Cooperating agencies to have an equity in inventions or discoveries resulting from cooperative research. While the results of experimental work, including patentable discoveries, carried on under the direction of the staff of the state institution of higher learning, belong to the state institution of higher learning and to the public, it is recognized that the party who originates a research problem, brings it to the state institution of higher learning for solution and pays the cost of the research has an equity in the fruits of that investigation; in the case of cooperative investigations, special agreements for preferential licensing may be made with the cooperating interests, with a view to compensating in part for the financial assistance rendered in the investigation. It is recognized, also, that the state institution of higher learning has an obligation to use its facilities to the best interest of industry as a whole and of the general public and should, therefore, employ the most suitable and practical methods to have its laboratory discoveries made available as speedily as possible, safeguarding the public from undue exploitation while recognizing the interest of the originator and supporter of the research.

No patent management agency; 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 minimum of 15% of the net proceeds from the sale or exploitation of the invention, the amount to be determined by the University with the approval of the State Board of Education.

UNIVERSITY OF NORTH DAKOTA

Grand Forks, North Dakota

Formalized research and patent policy (see North Dakota State University above for policy statement), enacted 11 March 1961 by the Legislative Assembly of the State of North Dakota for all state institutions of higher learning, including the University of North Dakota, repealing the policy originally adopted 10 March 1937 for the School of Mines of the University by legislative action; applicable on a university-wide basis.

Patent management agency: Research Corporation under a patent development agreement with the State Board of Higher Education; 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 minimum of 15% of the net proceeds from the sale or exploitation of the invention, the amount to be determined by the University with the approval of the State Board of Higher Education.

ANTIOCH COLLEGE

Yellow Springs, Ohio

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

BOWLING GREEN STATE UNIVERSITY

Bowling Green, Ohio

No formalized research or patent policy, although the formulation of such a policy is under study; as a general practice each situation is at present considered on an individual basis subject to the provisions of the Ohio State Statutes, including sponsored research administered by the Bowling Green State University Foundation, a separately incorporated nonprofit organization established 20 July 1956. No patent management agency other than the Board of Trustees of the University.

CASE INSTITUTE OF TECHNOLOGY

Cleveland 6, Ohio

Formalized research and patent policy, adopted 1 November 1953 by the Board of Trustees of the Institute; all research at the Institute is coordinated under a Director of Research Administration; all inventions resulting from research supported by the Case Research Fund or conducted under contract with government or industry are subject to the terms of an invention agreement which all staff members and students assigned to work on such research are required to execute; applicable on an institute-wide basis to both staff members and students of the Institute:

1. Inventions, patents and copyrights produced solely by a member of the staff or by a student, who has received no financial support or significant special equipment from Institute-administered funds (such as the present Research Fund or funds from third parties) for the work that results in the patent, shall be the exclusive property of the individual producing the invention or patent. Payment of salary for normal academic work, including graduate fellowships, or provision of normal academic environment can not be claimed as grounds for equity by the Institute in such inventions, patents and copyrights.

2. Except as provided in paragraph 1, all inventions, patents and other developments by staff and students resulting from any research sponsored wholly or in part by Institute-administered funds, including funds from third parties, shall become the property of the Institute under the terms of the Invention Agreement. The Institute shall require all staff members and students working on research supported by Institute-administered funds to sign this invention agreement.

3. Any staff member or student who produces copyrightable material as a result of sponsored research may retain any rights remaining after the contractual obligations of the Institute to sponsor are fulfilled unless otherwise specified by a special agreement between the staff member or student and the Institute.

Special cases arising, which are not covered by the above statements or which arise due to conflict of interest under statements 1 or 2 or otherwise, shall be resolved by a Faculty Patent Committee, appointed each year by the Faculty Council with the approval of the President.

Patent management agency: Research Corporation 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, the inventor receives 15% of the gross income derived from the sale or exploitation of patents obtained on the invention.

CENTRAL STATE COLLEGE

Wilberforce, Ohio

Formalized research and patent policy, originally adopted and revised, effective 26 October 1961, by the Ohio State Legislature and incorporated in the Ohio State Statutes (see Ohio State University on page 208 below for policy statement); applicable on a college-wide basis to faculty members, employees and students of the College, including sponsored research arrangements for which are made through a faculty Committee on Research.

No patent management agency other than the Board of Trustees of the College; subject to the provisions of the Ohio State Statutes, the equities of inventors in their inventions are recognized and, when an invention is assigned to the College, the inventor may receive a share of the income derived from the sale or exploitation of patents obtained on the invention, as determined by the Board of Trustees of the College.

COLLEGE OF WOOSTER

Wooster, Ohio

No formalized research or patent policy; as a general practice, each situation is handled on an individual basis. No patent management agency, but the College would probably utilize the facilities of Research Corporation under a patent development agreement which would recognize the equities of the inventors in their inventions.

FENN COLLEGE

Cleveland 15, Ohio

No formalized research or patent policy; as a general practice each situation is considered 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, as provided under the patent development agreement with Research Corporation, the inventor receives 7% of the gross income received from the sale or exploitation of patents obtained on his invention.

FINDLAY COLLEGE

Findlay, Ohio

Formalized research and patent policy, adopted 1 June 1961 by the Board of Trustees of the College; applicable on a college-wide basis:

> Faculty rights concerning individual research and benefits derived from patents. All benefits derived from individual work by members of the faculty on personal time and at personal expense shall accrue solely to the faculty member concerned. The same policy applies to contracts between individual members of the faculty and foundations, subject to approval of the President. All benefits derived from research and investigation supported financially by the College shall accrue jointly to the College and the faculty member concerned.

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

HEIDELBERG COLLEGE

Tiffin, Ohio

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

HIRAM COLLEGE

Hiram, Ohio

No formalized research or patent policy, although the formulation of such a policy is curreutly under consideration by a committee of the Board of Trustees of the College; at present the College observes a laissez-faire attitude. No patent management agency.

JOHN CARROLL UNIVERSITY

Cleveland 18, Ohio

No formalized research or patent policy; as a general practice all research at the University is administered by a Committee on Research, subject to approval by the executive dean of the University. No patent management agency other than the administration of the University; the equities of inventors in their inventions are recognized and, under mutual agreement, the inventor receives a specified share of any income received from the sale or exploitation of patents obtained on his invention.

KENT STATE UNIVERSITY

Kent, Ohio

Formalized research and patent policy, adopted 12 January 1962 by the Board of Trustees of the University; applicable on a university-wide basis:

> 1. The disposition and control of patentable inventions resulting from research sponsored externally shall be arranged in the original agreements made with

the sponsor. These arrangements shall be in the University interest so far as possible, with particular reference to the undesirability of restriction on publication, although it is not unreasonable to provide for some deferment of publication to facilitate potential patent process by the sponsor.

2. The principle is recognized that patentable inventions resulting from work having the expense thereof paid from University funds or from funds under the control of the University belong to the University and to the public and should be controlled in ways to produce the greatest benefit to both.

3. There shall be a Patent Board consisting of the Vice President for Academic Affairs, the Dean of the Graduate School, the Treasurer and three others appointed by the President. This board shall study and recommend to the President what patents should be assigned to the University, equitable adjudication of uncertain cases, the merits of protecting potentially patentable projects and similar matters arising under these regulations.

4. Any member of the University staff making a patentable discovery while on specific research time assignment or while using University facilities shall notify the President of the discovery.

5. The President will then notify the Patent Board which, after examining the merits of the project and the equities involved, will report back with a recommendation that the University proceed to exercise its right to have a patent assigned to it or that it renounce interest, thereby leaving the matter to the disposition of the inventor. The board may recommend that, if a patent is issued and assigned, the inventor may receive up to twenty per cent of future royalties. The staff member may appeal to the President from these recommendations.

6. An acceptance by the University of a patent assignment, together with other essential arrangements, becomes binding only after approval by the Board of Trustees.

7. If the University decides to exercise its equity, the staff member is expected to cooperate in prosecution of a patent application, to disclose essential information, to execute necessary documents and otherwise to assist in the application and to assign any eventual patent to the University, with all expenses borne by the University.

8. Faculty members may voluntarily propose assignment of potential patents to the University where the discovery is not covered by the foregoing regulations.

9. If the discoverer does not receive announcement of University intent within ninety days following his disclosure to the President, he is free to proceed as he wishes.

10. To facilitate patent applications and management, the President is authorized to secure the services of a suitable patent management agency.

11. Nothing in the foregoing shall be interpreted to expect University interest in discoveries made without use of University facilities or fund support.

12. In accordance with the custom established in institutions of higher learning, the University has no interest in copyright ownership of faculty publication or in royalties therefrom except (1) when the book or other manuscript is prepared under commission by the University, in which case it is the property of the University; or (2) when University funds or funds controlled by the University are specifically allocated to support a particular scholarly activity which results in a financially profitable publication, in which case it is expected that the author will arrange with the Patent Board for reimbursement to the supporting fund (s) in the amount allocated.

No patent management agency, although consideration is currently being given to

entering into a patent development agreement with Research Corporation; 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 may receive not to exceed 20% of the gross income received from the sale or exploitation of the invention, as recommended by the Patent Board.

KENYON COLLEGE

Gambier, Ohio

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

MARIETTA COLLEGE

Marietta, Ohio

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

MIAMI UNIVERSITY

Oxford, Ohio

No formalized research or patent policy, although the formulation of such a policy is currently under study by a faculty committee and the Board of Trustees of the University; as a general practice the University at present observes a laissez-faire attitude, leaving to the faculty member responsibility for handling each situation on an individual basis. No patent management agency.

MUSKINGUM COLLEGE

New Concord, Ohio

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

OHIO NORTHERN UNIVERSITY

Ada, Ohio

No formalized research or patent policy, although such a policy is currently in process of formulation; at present the University observes a laissez-faire attitude. Patent management agency: the Ohio Northern University Foundation, a separately incorporated nonprofit organization established 12 September 1953; the equities of inventors in their inventions are recognized and, in accordance with a mutual agreement made at the time an invention is assigned to the Foundation, the inventor shares in any income derived from the sale or exploitation of patents obtained on the invention.

OHIO STATE UNIVERSITY

Columbus 10, Ohio

Formalized research and patent policy originally adopted 26 May 1943 and revised, effective 26 October 1961, by the Ohio State Legislature and incorporated

in the Ohio State Statutes; applicable on a university-wide basis to faculty members, employees and students of the University, including sponsored research which is administratively centralized under the Ohio State University Research Foundation, a separately incorporated nonprofit organization established 2 November 1936:

> All rights to and interests in discoveries or inventions, including patents thereon, which result from research or investigation conducted in any experiment station, bureau, laboratory or research facility of any state college or university shall be the sole property of such college or university. No person, firm, association, corporation or governmental agency which uses the facilities of such college or university in connection with such research or investigation and no faculty member, employee or student of such college or university participating in or making such discoveries or inventions shall have any rights to or interests in such discoveries or inventions, including income therefrom, except as may, by determination of the board of trustees of such college or university, be assigned, licensed, transferred or paid to such persons or entities.
>
> As may be determined from time to time by the board of trustees of any state college or university, the college or university may retain, assign, license, transfer, sell or otherwise dispose of, in whole or in part and upon such terms as the board of trustees may direct, any and all rights to, interests in or income from any such discoveries, inventions or patents which the college or university owns or may acquire. Such dispositions may be to any individual, firm, association, corporation or governmental agency or to any faculty member, employee or student of the college or university, as the board of trustees may direct. Any and all income or proceeds derived or retained from such dispositions shall be applied to the general or special use of the college or university, as determined by the board of trustees of such college or university.

As a general practice each situation is considered on an individual basis, using the facilities of the Ohio State University Research Foundation; sponsored research is also handled through the Foundation and is governed by the terms of the research contract; in the field of medical research the University seeks to disseminate the results of such work in the widest possible way for the greatest public benefit and does not apply for patents, except in those special cases in which the medical profession feels that it is necessary for the protection or the welfare of the public.

Patent management agency: the Ohio State University Research Foundation; subject to the provisions of the Ohio State Statutes, the equities of inventors in their inventions are recognized and, when an invention is assigned to the University, the inventor may receive a share of the income derived from the sale or exploitation of patents obtained on the invention, as determined by the Board of Trustees of the University.

OHIO UNIVERSITY

Athens, Ohio

No formalized research or patent policy; as a general practice each situation is handled on an individual basis, except with respect to research sponsored by a government agency which is governed by the following policy, adopted 17 April 1962 by the Board of Trustees of the University:

> The President of Ohio University is authorized by the Board of Trustees to

assign, license or transfer to any government agency furnishing funds for research any discoveries or inventions, including patent rights thereon, resulting from investigation or research supported in whole or in part by the said government agencies, providing the President finds it advisable to assign these patent rights in order to obtain the contract.

Patent management agency: Research Corporation under a patent development agreement in which the equities of the inventors in their inventions are recognized; when an invention is assigned to Research Corporation, the inventor receives 7% of the gross income received from the sale or exploitation of patents obtained on the invention, as specified in the agreement.

OHIO WESLEYAN UNIVERSITY

Delaware, Ohio

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

UNIVERSITY OF AKRON

Akron 4, Ohio

Formalized research and patent policy, developed by a faculty committee appointed by the President of the University, approved on 15 January 1953 by the University Academic Legislative Council and adopted on 18 February 1953 by the Board of Directors of the University; applicable on a university-wide basis, including sponsored research conducted through the Institute of Rubber Research, an unincorporated division of the University established in March 1956 to provide a basic research center in polymer science:

> It is the policy of the University of Akron, 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. However, the Board of Directors of the 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.
>
> Results obtained through research and scientific investigation approved, sponsored or conducted as a University project, including graduate and undergraduate theses, shall not be published without the authorization of the President of the University or his designee.
>
> Inasmuch as the primary obligation of a full-time faculty member is to the University, he should hold paramount in arranging outside appointments the duty of maintaining the quality of his work, avoiding the danger of overtaxing his energies with an undue burden of outside activity, and adhering to instructional schedules and other definite college engagements.
>
> The following general conditions and restrictions will be observed for the best interests of all parties concerned:
>
> > Research will be the type of work which will enhance the reputation of the University and the faculty.
> >
> > Research will be restricted to the type of work for which the University can provide adequate staff and facilities.

A staff member receiving extra compensation from the University for supervising a project will not receive further compensation from the supporting company for supervising that same project.

The general principle will be observed that the University does not pay salary or wages for work done by a candidate for academic credit leading to a degree. This rule shall not be interpreted to apply against bona fide students pursuing degree programs with the assistance of University grants-in-aid, scholarships or fellowships.

There shall be a director or coordinator of research appointed by the President with the following duties: (1) supervision of all contract research undertaken and (2) assistance to the President in procurement of new contracts.

Faculty members who have projects in mind shall consult the director and the approach to industry of government shall be made by the director or by someone authorized by the director.

All contracts shall be approved by the director and by the President of the University before any work thereunder is begun or any commitments are made.

There shall be an advisory committee consisting of four faculty members to advise the director.

A faculty member shall have the right to accept or decline participation in any contract research made available to him.

No additional compensation will be permitted for a person engaged in contract research during the academic year (ten months September to June, inclusive) except for limited amounts of work in addition to the full teaching load.

If the faculty member does contract research during the summer months, he shall be paid for the time so spent at the same monthly rate as in the academic year.

If contract research is a full-time job, the individual shall receive his regular salary. If the fee more than covers the cost of the research, additional compensation above regular salary may be provided.

A plan for graduate assistantships should be put into effect to facilitate contract research whenever such research becomes available.

The faculty member shall obtain authorization to undertake privately sponsored research for profit in which University facilities are used from the head of his department and approval from the dean of his college.

A written statement setting forth the nature of the research and the time the faculty member proposes to devote to the problem shall be supplied by the faculty member to the head of the department and to the dean.

The faculty member shall perform the research on his own time.

The research undertaken shall not interfere with the normal use of University facilities by students and the instructional staff of the University.

All expendable materials used in the research shall be supplied by the contracting agency or by the faculty member. In no case will materials belonging to the University be used without compensation therefor at current rates.

When privately sponsored research is carried out on campus, facilities provided by public funds are used and it is consequently necessary that the University be fully reimbursed for the use of space, maintenance, utilities and depreciation of any apparatus used. Therefore, the sponsor of such research must agree to reimburse the University in an adequate amount which may run to 50% or more of the amount he agrees to pay the faculty member for his services. The exact fee or percentage will be determined by the extent of the use of the facilities.

The financial agreement between the faculty member and his sponsor shall be reported to the vice president in charge of finance.

Outside research and consulting activities shall not interfere with the teaching and community responsibilities of any staff member, and it shall be the duty of the department head to note and report to his dean any infraction of this rule on the part of members of his department.

Permission to carry out the project with University facilities may be withdrawn by the dean at any time if the faculty member neglects his normal duties or interferes with the educational use of such facilities.

The research contract should contain written agreements specifying the respective patent rights and copyrights of industry or government, the University and the persons carrying out the research.

Being a public institution, the University of Akron naturally is concerned with safeguarding the public interest. Accordingly, it is the general policy of the University that sponsors of research work done by the University should not receive any patents as a result of this work. However, in research projects financed entirely by outside sources, patent rights may be granted to the sponsors in accordance with the terms of a written agreement. Wherever possible, it shall be the policy of the University that if patent rights are assigned to the sponsors, they shall be required by contract to license others under these patents on the basis of reasonable royalties and terms.

No patent management agency other than the Board of Directors of the University, should it be found necessary, in the public interest, to accept assignment of inventions resulting from research at the University.

UNIVERSITY OF CINCINNATI
Cincinnati 21, Ohio

Formalized research and patent policy, originally adopted in 1938 and subsequently amended by the Board of Directors of the University; sponsored research, with the exception of such research conducted at the University Medical Center, is administratively handled through an Administrator of University Research, who also heads the Research Foundation of the University of Cincinnati, originally established 1 June 1943 as a separately incorporated nonprofit organization but now an unincorporated division of the University; applicable on a university-wide basis to faculty, staff and students:

(a) The right of absolute ownership by a faculty member or student or other person connected with the teaching and research staffs of the University of his own inventions, discoveries, writings, creations and/or developments, whether or not made while using the regular facilities of the University (as contrasted with those devoted to specific projects as outlined below), and the right of such persons to apply for, hold and dispose of patents, copyrights and other protective rights are recognized as indefeasible except in the event that the invention, discovery, writing, creation or development was made as a direct result of a specific research project sponsored and financed by the University or by agencies outside the University, under a contract with the individual concerned, specifying the abrogation of those rights as to that specific project.

(b) It is suggested that inventors or discoverers of patentable materials, processes or ideas may find it desirable to consult with the Administrator of University Research concerning policies, procedures and terms for the acquisition and exploitation of patent rights under conditions that may be advantageous to themselves and/or to the University.

(c) The policy of the University with respect to inventions, discoveries or developments relating to medicine, therapeutics or hygiene is to discourage the acquisition of patents by faculty members, students or other persons connected with the teaching and research staffs or by any agency of the University, except when the control provided by patent rights appears to be necessary or desirable in relation to the public welfare. Therefore, it is strongly recommended that patentable inventions and discoveries of this type, as well as investigative work that is clearly pointed toward such patentable inventions or discoveries, be brought to the attention of the Dean of the Faculty to which the inventor belongs and by the Dean reported to the administrative authorities of the University, to the end that action, in keeping with the rights and wishes of the inventor and appropriate to the public responsibilities of the University, may be agreed upon. It is understood that such consultation of the inventor with University authorities shall be voluntary in the absence of prior agreement to the contrary and that the right of the inventor to his invention shall not be prejudiced thereby.

(d) The University may invite members of the faculty or students or other persons connected with the teaching and research staffs to give assistance, services, advice, work and/or supervision in connection with research projects supported in whole or part by organizations or individuals outside the University, provided that, in all cases, before assistance, services, advice, work and/or supervision are rendered, a written agreement, on terms mutually satisfactory, has been made.

(e) The space and facilities of the University are provided for the purposes of giving instruction and carrying on scholarly work. Research projects supported by industries or other sponsors, from which it is contemplated that patents, copyrights or other rights beneficial to the supporter and/or the Research Foundation of the University of Cincinnati will result, shall be housed only in such space and shall be entitled only to such facilities as are not needed for instruction or other scholarly work.

(f) Should any faculty member or student or other person connected with the teaching and research staffs of the University wish, for any reason, not to agree to restrict his rights mentioned in paragraph (a) above and/or should not wish to agree to provide the assistance, services, advice, work and/or supervision mentioned in paragraph (d) above, he shall suffer no prejudice in his relations with the University because of his wish not to enter into such agreement or agreements.

(g) No faculty member or student or other person connected with the teaching or research staffs of the University shall use the name of the University for promotional purposes in connection with the ownership or disposal of patents or other such protective rights without first having obtained the written consent of the President of the University. This provision shall not apply to the copyrighting of books and articles for publication.

Patent management agencies: the Research Foundation of the University of Cincinnati and also Research Corporation under a patent development agreement with the Foundation, for both the University and the inventors by voluntary assignment of their inventions; as indicated in the policy statement above, the equities of inventors in their inventions are recognized, except with respect to inventions, discoveries or developments relating to medicine, therapeutics or hygiene, the patenting of which is discouraged nnless the control provided by patent rights appears to be necessary or desirable in relation to the public welfare; when an invention is assigned to the Foundation or to Research Corporation, the inventor usually receives 15% of the net income derived from the sale or exploitation of any patents obtained on the invention.

UNIVERSITY OF DAYTON

Dayton 9, Ohio

No formalized research or patent policy; as a general practice each situation is considered on an individual basis under administrative direction of the University Research Council; sponsored research is administered by the University of Dayton Research Institute, an unincorporated nonprofit unit of the University established 1 September 1956, and staff members participating in such research are required to execute a patent waiver agreement, assigning their inventions to the University. No patent management agency other than the Board of Trustees of the University.

UNIVERSITY OF TOLEDO

Toledo 6, Ohio

No formalized research or patent policy; as a general practice the University observes a laissez-faire attitude, except with respect to sponsored research conducted by or under the Research Foundation of the University of Toledo, a separately incorporated nonprofit organization established 28 February 1946 to integrate the research activities of the University, such research being subject to the terms of the research contracts which usually provide that all patent rights to inventions arising from such research be assigned to the sponsor.

Patent management agency: the Research Foundation of the University of Toledo; equities of inventors in their inventions are recognized, except with respect to research conducted by or under the Research Foundation of the University of Toledo which is covered by the patent waiver agreement required of the faculty members and research fellows engaged in such research.

WITTENBERG UNIVERSITY

Springfield, Ohio

Formalized research and patent policy, adopted 6 September 1932 by the Prudential Committee of the University as a provision of the memorandum of agreement between the University and the members of the Wittenberg Research Institute at the time of the establishment of the Institute as an unincorporated function of the University to render research services to industry and government:

> The cost of securing patents on any articles or processes developed shall be borne upon a 50-50 basis. It is agreed, however, that in the case of an application for any patent, the University shall have the privilege of determining whether or not it will participate in the expenses of securing the patent. If such participation on the part of the University is declined, then the division of ownership in the patent and the participation in profits resulting therefrom shall be 25% to the University and 75% to the staff member or staff members responsible for the development of the patented article or process.

No patent management agency; as a general practice, patent rights are ordinarily left with the inventor and, as indicated in the policy statement above, the inventor retains 75% and the University receives 25% of the net income derived from the sale or exploitation of patents obtained on his invention.

WESTERN RESERVE UNIVERSITY

Cleveland 6, Ohio

Formalized research and patent policy, adopted 12 April 1962 by the Board of Directors of the University after prior approval by the University faculty; applicable on a university-wide basis:

A. Administration

1. A Patent Policy Committee, appointed by the President, acts for and administers the patent policy of the University as regards the University, its faculty, employees, students and sponsors of extramurally supported research. This Committee consists of representatives of the faculty and the administration.

2. When a faculty member, employee or student assigns an invention to the University, the Patent Policy Committee recommends to the President whether to assign it to Research Corporation or to handle it in some other manner. This recommendation then is referred by the President to the Board of Trustees. If the Board of Trustees recommends the assignment of an invention by the University to Research Corporation and it accepts this assignment, then Research Corporation will patent and commercialize the invention without expense to the inventor or to the University and agrees to pay a share of the gross income from the invention to the inventor. The net income from the invention after the payment of the inventor's share and any special expenses in connection with the invention will be shared equally between the University and Research Corporation.

3. The University will allocate its share of net income received from Research Corporation and its share of the net income received from inventions developed by the University, for further research and scholarship by establishing a University Research Fund. This fund will be used for research grants and fellowships within the University. Until further order of the Board of Trustees the grants will be made by a University Research Fund Committee, appointed by the President and consisting of representatives from the faculty and the administration.

4. It is recommended that every faculty member, employee or student who makes an invention refer the invention to the Patent Policy Committee for handling as outlined herein, 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 interest in inventions as described below.

B. Relations between the University and its faculty, employees and students

All faculty members, employees and students, in consideration of their membership in the University community and the approval of this policy by the Board of Trustees and the Faculty of Western Reserve University, agree to handle inventions and patents as follows:

1. Any faculty member, employee or student may assign any invention to the University or may apply for a patent on his own initiative. If an invention is assigned to the University, the inventor agrees 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 assigned 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 assigned to the University, it will review the merits of the invention and will decide whether the invention should be referred to Research Corporation or whether other steps should be taken to patent, assign or license the invention. The University may reassign the invention to the inventor to handle on his own initiative, reserving, however, any interest it may have in accordance with this policy as outlined in items 4 and 5 of this section.

3. When an invention is assigned to the University:

(a) If the invention is reassigned by the University to Research Corporation, the inventor will be paid 15% of the gross income from the invention received by Research Corporation.

(b) If the invention is handled by the University without reassignment to Research Corporation, the inventor will be paid 15% of the net income from the invention received by the University. In computing net income, only the costs of securing patent protection shall be deducted and the costs of patent management, such as costs of negotiating license agreements, shall not be deducted.

(c) In either case, if the invention resulted from research which was not substantially supported by University funds or did not principally utilize University facilities, an agreement will be negotiated with the inventor so that he will receive a share of the income in excess of the amounts listed above, but in no case to exceed 40% of the net income, depending on the circumstances of the individual case.

4. When an invention is not assigned to the University by the inventor, the inventor will, upon request by the University, grant to the University a royalty-free nonexclusive license, good for the length of the patent if the invention is patented or for an indefinite period if it is not patented, to use the invention in the University's conduct of research and teaching.

5. When the University and an outside sponsor enter into an agreement for research to be conducted with funds or facilities provided by the sponsor, any individual who utilizes such funds or facilities may be required to enter into a special agreement with the University or with the sponsor as to inventions and the individual will, upon request by the University, grant to the University such interest in any inventions resulting from sponsored research that the University requires to fulfill its commitments to the sponsor.

6. If auy dispute should arise between an inventor and the University with respect to the provisions of this policy, the dispute shall be referred for decision to a Board of Arbitration, composed of one representative of the inventor, one representative of the University and a third member to be chosen by the two representatives, or by the American Arbitration Association, if the two representatives cannot agree on a third member within thirty days of their appointment.

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 the University, the inventor receives a minimum of 15% of the net income derived from the sale or exploitation of any patents obtained on the invention or, if it is reassigned to Research Corporation, 15% of the gross income derived by Research Corporation from such sale or exploitation.

XAVIER UNIVERSITY

Cincinnati 7, Ohio

Formalized research and patent policy, adopted in November 1958 by the Board of Trustees of the University, which is currently under revision by a University Committee on Research and Advanced Study; all research at the University, including sponsored research, is conducted under the administrative direction of the Committee on Research and Advanced Study in accordance with prescribed procedures; applicable on a university-wide basis to all members of the University, including graduate students:

1. University research should not have as its objective the commercialization or the patentability of its results; however, new ideas and discoveries inevitably flow from research on a university campus. Some of these are patentable and in the public interest applications for patents should be filed thereon.

2. If a member of the University, other than those excluded by the nature of their research grant, desires to obtain a patent on his own responsibility, he may do so, whether he has consulted the Committee on Research and Advanced Study or not, but he shall advise the Committee of his intention at the time of his patent application and shall furnish the Committee a copy of the patent when issued. The Committee when advised of his intention may raise the question of whether the University has an equity in the proceeds of the invention because of the use of its facilities. In such event the determination of the character and amount of the University equity in such invention will be settled in conference between the Committee and the member or members of the University concerned. It is expected that the same procedure will be followed in connection with any other question arising out of patent policy.

3. When a member of the University in the course of his University activities makes a discovery that may lead to an invention, he may consult the Committee on Research and Advanced Study concerning the issuance of a patent, by contacting the chairman or any member of the Committee. If he desires to have the matter handled under regulation 4 below, the Committee will proceed in accordance with that plan.

4. When the question of patenting a particular invention is brought before the Committee, the Committee will decide upon the advisability of patenting according to the University policy. If the Committee reaches a negative conclusion, it will turn the matter back to the inventor to handle as he sees fit. If the Committee reaches a positive conclusion or is in douht, it will refer the matter to Research Corporation to ascertain its opinion and whether Research Corporation desires to accept the assignment of the rights to the invention. If Research Corporation is unwilling to accept such assignment, the Committee will release the matter to the inventor. If Research Corporation desires to accept the assignment, the Committee will recommend to the inventor that he assign his rights in the invention to Research Corporation and enter into an agreement with the Corporation in accordance with the general plan adopted by the Corporation and the University.

5. In accepting a grant from industry for the purpose of research, it is the general policy of the University that the grant shall be used for the training of men and the extension of the boundaries of knowledge and not for a specific development in which the sponsor may be interested. If the University accepts a grant from an industrial corporation for the purpose of research in conformity with that general policy, it shall be with the written understanding that, should

an invention result from this research, the University and the inventor handle the invention in accordance with regulation 4 above.

6. If an outside sponsor proposes a procedure at variance with that outlined in the previous paragraphs, the University will authorize the Committee on Research and Advanced Study to discuss such alternate procedures with the sponsor and the staff member involved in an effort to arrive at a situation which will not violate the general principles heretofore set forth and which will protect the equity of all parties involved.

No patent management agency other than the Board of Trustees of the University, although consideration is being given to entering into a patent development agreement with Research Corporation.

YOUNGSTOWN UNIVERSTIY

Youngstown 2, Ohio

No formalized research or patent policy; as a general practice all sponsored research is subject to approval by the President of the University or his designated representative and, unless specified otherwise in the research grant or contract, the University reserves all publication and patent rights in the results of the research. No patent management agency other than the Board of Trustees of the University.

Oklahoma

CENTRAL STATE COLLEGE

Edmond 3, Oklahoma

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

OKLAHOMA STATE UNIVERSITY

Stillwater, Oklahoma

Formalized research and patent policy, adopted 6 December 1951 by the Board of Regents of the Oklahoma Agricultural and Mechanical College, of which the University is the legal successor; applicable on a university-wide basis except in those instances where the terms of federal regulations, grants, contracts and similar documents provide otherwise:

I. Preamble. It shall be the intent of the following patent policy of Oklahoma A. & M. College to give primary consideration to the long range interests of the people of the state. The objective of this patent policy shall be to encourage creative thinking and protect the public, the institution and the individual's interests.

The Oklahoma A. & M. College recognizes its obligation to serve the people of the state. Unless otherwise specified, research and development work carried on at this institution shall be open to the public and the results shall be available for publication. (The statements of this paragraph shall not be interpreted as

conflicting with secrecy requirements of research for agencies of the United States Government.) Where research grants are made to cover the cost of an investigation and where the public interest is considered best served, it shall be permissible to hold the work and the findings confidential for a period of time as specified in the contract for that specific project.

Any funds coming to the College as a result of this patent policy will be used for furthering research and scholarships in the College, the awards to be made by the President, with the understanding that preferential consideration be given to the needs of the particular field of research which gave rise to the patent concerned.

II. Statement of policy. A member of the College shall be free to bring any patentable invention of his to the attention of the Patent Committee for action under section III (2) whether it has resulted from his academic activities or not.

Academic research. 1. When a member of the College in the course of his activities makes an invention, he may consult the Patent Committee about the issuance of a patent, either through the chairman of the Committee or the representative of his division, if there is one on the Committee. If he desires to have the matter handled in accordance with section III (2) below, the Committee shall proceed in accordance with this plan. If these methods of procedure would in any case involve undue delay in the securing of protection, the inventor may file an application on his own responsibility with the Patent Office.

2. If a member of the College desires to obtain a patent on his own responsibility he may do so, whether he has consulted the Patent Committee or not, but he shall furnish to the Patent Committee a copy of the patent application at the time it is filed in the Patent Office. The Committee may raise the question of whether the College has any equity in the proceeds of the invention because of the use of its facilities. It is expected that the determination of the character and the amount of the College's equity in any such invention will be established in conference between the Patent Committee and the member or members of the College concerned. It is expected that the same procedure will be followed in connection with any other question arising out of the patent policy.

Contract research. It is understood also that the statements in this patent policy applying to grants for research made by corporations or individuals shall not be applicable to fellowships made available to the College by corporations. The holders of such fellowships will be under the same regulations as other students of the College.

1. If the College accepts a grant from an industrial corporation for the purpose of research in accordance with the second paragraph of the preamble, it shall be with the written understanding that, should an invention result from this research, the College and the inventor will handle such invention in accordance with section III (2) and with the further understanding that, if an invention is patented in accordance with section III (2), 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 such special consideration shall be agreed upon in writing at the time the grant is made.

If such corporation prefers to proceed in a manner other than that of section III (2), the Patent Committee will discuss such proposal with the corporation.

2. The special consideration given to outside sponsors of research projects varies widely from case to case depending upon the particular conditions. However, certain basic requirements include consideration to the inventor for his flash of genius, return to the College and protection of the public interest.

Samples of the variety of provisions which have been or may be made are listed below as an indication:

a. The most liberal case is that in which a grant or contract is received from a sponsor with no limitations whatsoever regarding the disposition of any patent which may result from the work.

b. Next on the scale is a provision that the sponsor will be issued a non-exclusive license under any patents that may result at terms as favorable as may be granted to others, with the additional consideration of payment to the sponsor of a percentage of all royalties received up to a certain maximum amount.

c. Where contracts are received from the Government to support research projects at the College it is the general policy that the College agree to so control the title to inventions made under these contracts that it can guarantee delivery of a license thereto to the Government.

d. The greatest amount of consideration which it is the policy of Oklahoma A. & M. College to grant to any sponsor is to issue to the sponsor a non-exclusive, royalty-free license for all fields and an exclusive, royalty-free license for the general technical field of the project, the exclusivity being generally for a period of two to five years (agreed upon in writing) after which the College reserves the right to issue royalty-bearing licenses to others. This period would depend upon the circumstances and would be discussed between the inventor and the Committee. In view of the fact that employees of Oklahoma A. & M. College are not required to forego all rights in inventions as a consideration of their employment, consideration to such employees who work under contracts with the above provisions is provided for by a fee to the inventor for each invention on which an exclusive royalty-free license is given to the sponsor. As a consideration to the College under such contracts the amount to be paid in lieu of overhead is provided for at a figure somewhat in excess of the actual overhead costs of the College.

III. Procedures for obtaining patent protection; Patent Committee

1. There is a committee known as the Patent Committee appointed by the President and consisting of a representative from each of the following administrative units at least: Agricultural Experiment Station, Research Foundation, Division of Engineering Research and Experiment Station, College of Veterinary Medicine, Office of the Comptroller, College of Business and the College of Home Economics. This Committee administers the policy in consultation with the President.

2. When the question of the patenting of a particular invention is brought to the attention of the Committee, the Committee will decide upon the soundness of the scientific basis of the invention and upon the advisability of patenting according to the College policy. If the Committee reaches a negative conclusion, it will turn the matter back to the inventor to handle as he sees fit. If the decision of the Committee is positive, the Committee shall take the appropriate action to obtain such a patent. A committee may be designated by the President to administer and manage patents assigned to the Oklahoma A. & M. College.

Patent management agencies: under the guidance of the Legal Administrative Assistant to the President of the University, the Agricultural Experiment Station, the Division of Engineering Research and the Research Foundation of Oklahoma State University, a separately incorporated nonprofit organization originally established 2 December 1944 by the Board of Regents of the College and subsequently, on 5 May 1945, authorized by action of the State Legislature to encour-

age, support and coordinate research at 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; when an invention is assigned to Research Corporation, the inventor usually receives 15% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

SOUTHEASTERN STATE COLLEGE

Durant, Oklahoma

No formalized research or patent policy; as a general practice each situation is handled on an individual basis with the assistance of the Director of Research. No patent management agency.

UNIVERSITY OF OKLAHOMA

Norman, Oklahoma

No formalized research or patent policy; sponsored research projects are handled by the University of Oklahoma Research Institute, a separately incorporated nonprofit organization established 29 March 1941; as a general practice, discoveries and inventions made by staff members while working on such projects are assigned to the Institute, which in turn assigns them to the research sponsors or handles them in accordance with the terms of the research contracts; inventions made in the School of Medicine, located in Oklahoma City, are similarly handled by the Oklahoma Medical Research Foundation, a separately incorporated nonprofit organization established 23 August 1946 by the alumni of the School.

Patent management agencies: Research Corporation, both for the University and for the University of Oklahoma Research Institute, under a patent development agreement with the Institute, and the Oklahoma Medical Research Foundation with respect to the inventions made in the School of Medicine; both the Institute and the Foundation are authorized to enter into contracts or trust agreements with inventors with respect to the disposition of patent rights on their own inventions voluntarily assigned to the Institute or to the Foundation, or directly to Research Corporation, and the distribution of earnings from the sale or exploitation of patents obtained on the inventions under terms and conditions mutually agreed upon.

UNIVERSITY OF TULSA

Tulsa 4, Oklahoma

Formalized research and patent policy, adopted 21 September 1947 by the Board of Trustees of the University and amended 21 October 1948; applicable on a university-wide basis:

> Whenever any of the scientific activities or research of personnel of the University shall result in the discovery or invention of a process or device of commercial value or utility, the person or persons responsible for such discovery or invention shall forthwith report the same to the Dean of the School of Engineering.
>
> If the discovery or invention be the result of sponsored research or fellowship

research, under contract by which the sponsor or donor shall have rights in processes or inventions arising therefrom, the discovery or invention shall be reported by the University to the sponsor, who shall have the rights, options and obligations with respect to patents, patent applications and the cost of initiation, prosecution and procurement thereof, which may be set forth in such sponsor's contract.

If any discovery or invention shall result from research other than sponsored research or fellowship research, or shall result from research affected by contracts in which a sponsor or donor may have had contract rights which have been waived or relinquished in favor of the University, the University may, but shall not be bound to, contract with outside persons or corporations for the procurement of patent protection of the discovery or invention and may pledge or assign not to exceed 50% of the royalties or profits of any resulting letters patent in security of or in payment of costs or services in procurement and/or management of such patent rights.

The President of the University shall appoint a Patents Committee of three members of the faculty of the School of Engineering, which committee shall study and make recommendations to the Board of Trustees of the University as to the commercial value and utility of any discovery or invention availing to the University under law and this policy. Within six months of receipt of the recommendation of the Patents Committee, said Board of Trustees may elect to procure patent protection upon such discovery or invention and may provide for the same by contract with outside persons or otherwise for the benefit of the University. In the event that the said Board of Trustees shall decide that such invention is not commercially useful or valuable or shall decide for other reasons that it is undesirable to protect the same for the use of the University, the said Board of Trustees will by resolution relinquish such discovery or invention in favor of the inventors identified by law.

In no event shall the University be obligated to prosecute or pay for the prosecution of any application for letters patent or any action for the defense thereof or any action for the infringement thereof, except upon the independent and specific action of the Board of Trustees in its sole and absolute discretion unaffected by any provision of this policy plan.

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.

EASTERN OREGON COLLEGE

La Grande, Oregon

Formalized research and patent policy, adopted 12 September 1950 by the Oregon State Board of Higher Education and incorporated in section C-10 of the Administrative Code of the Oregon State Department of Higher Education; applicable on a college-wide basis, also to the University of Oregon (which see on page 225 below for policy statement) and the other higher educational institutions under the control of the State Board of Higher Education.

Patent management agency: Research Corporation under a patent development agreement with the State Board of Higher Education; the equities of inventors in their inventions are recognized and, under individual agreements negotiated with the inventors, the inventor receives between 7½ and 15% of the gross income derived from the sale or exploitation of patents obtained on his invention, depending upon the equities and circumstances in the particular situation as appraised by the patent committee.

LEWIS AND CLARK COLLEGE

Portland 19, Oregon

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

LINFIELD COLLEGE

McMinnville, Oregon

No formalized research or patent policy; in accordance with action of the Board of Trustees of the College on 16 January 1953, a patent waiver agreement is required of all staff members and research workers employed on externally sponsored research whereby any invention, improvement or discovery conceived or first actually reduced to practice in the performance of experimental, developmental or research work called for or incidental to the research contract shall be assigned to the College or, since the establishment of the Linfield Research Institute on 28 October 1955, to the Research Institute, an independent nonprofit corporation, separate from but subsidiary to and wholly owned by the College, which serves as the research arm of the College and, since its establishment, has handled all research grants and contracts in behalf of the College.

Patent management agency: Research Corporation, both for the College and the Research Institute, since its establishment, and for individual inventors by voluntary assignment of their inventions; except as indicated above, the equities of inventors in their inventions are recognized and, when an invention is assigned to Research Corporation, either by the College or by the Research Institute, the inventor receives 12% of the gross income derived from the sale or exploitation of any patents obtained on the invention.

OREGON COLLEGE OF EDUCATION

Monmouth, Oregon

Formalized research and patent policy, adopted 12 September 1950 by the Oregon State Board of Higher Education and incorporated in section C-10 of the Administrative Code of the Oregon State Department of Higher Education; applicable on a college-wide basis, also to the University of Oregon (which see on page 225 below for policy statement) and the other higher educational institutions under the control of the State Board of Higher Education.

Patent management agency: Research Corporation under a patent development agreement with the State Board of Higher Education; the equities of inventors in their inventions are recognized and, under individual agreements negotiated with the inventors, the inventor receives between 7½ and 15% of the gross income derived from the sale or exploitation of patents obtained on his invention, depending upon the equities and circumstances in the particular situation as appraised by the patent committee.

OREGON STATE UNIVERSITY

Corvallis, Oregon

Formalized research and patent policy, adopted 12 September 1950 by the Oregon State Board of Higher Education and incorporated in section C-10 of the Administrative Code of the Oregon State Department of Higher Education; applicable on a university-wide basis, also to the University of Oregon (which see on page 225 below for policy statement) and the other higher educational institutions under the control of the State Board of Higher Education.

Patent management agency: Research Corporation under a patent development agreement with the State Board of Higher Education; also, in their respective fields, the Agricultural Engineering Research Foundation established 7 June 1934 and the Agricultural Research Foundation established 25 October 1934, separately incorporated nonprofit organizations closely affiliated with the University; the equities of inventors in their inventions are recognized and, under individual agreements negotiated with the inventors, the inventor receives between 7½ and 15% of the gross income derived from the sale or exploitation of patents obtained on his invention, depending upon the equities and circumstances in the particular situation as appraised by the patent committee.

PORTLAND STATE COLLEGE

Portland 1, Oregon

Formalized research and patent policy, adopted 12 September 1950 by the Oregon State Board of Higher Education and incorporated in section C-10 of the Administrative Code of the Oregon State Department of Higher Education; applicable on a college-wide basis, also to the University of Oregon (which see on page 225 below for policy statement) and the other higher educational institutions under the control of the State Board of Higher Education.

Patent management agency: Research Corporation under a patent development agreement with the State Board of Higher Education; the equities of inventors

in their inventions are recognized and, under individual agreements negotiated with the inventors, the inventor receives between 7½ and 15% of the gross income derived from the sale or exploitation of patents obtained on his invention, depending upon the equities and circumstances in the particular situation as appraised by the patent committee.

REED COLLEGE

Portland 2, Oregon

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude; staff members who make patentable discoveries or inventions are understood to have sole right to these discoveries or inventions; they can either proceed on their own or they can ask the College to seek a patent for them through Research Corporation under the agreement the College has with Research Corporation.

Patent management agency: Research Corporation, both for the College and for inventors by voluntary assignment of their inventions; the equities of inventors in their inventions are recognized in accordance with the patent development agreement with Research Corporation.

SOUTHERN OREGON COLLEGE

Ashland, Oregon

Formalized research and patent policy, adopted 12 September 1950 by the Oregon State Board of Higher Edncation and incorporated in section C-10 of the Administrative Code of the Oregon State Department of Higher Edncation; applicable on a college-wide basis, also to the University of Oregon (which see below for policy statement) and the other higher educational institutions under the control of the State Board of Higher Education.

Patent management agency: Research Corporation under a patent development agreement with the State Board of Higher Education; the equities of inventors in their inventions are recognized and, under individnal agreements negotiated with the inventors, the inventor receives between 7½ and 15% of the gross income derived from the sale or exploitation of patents obtained on his invention, depending upon the equities and circumstances in the particular situation as appraised by the patent committee.

UNIVERSITY OF OREGON

Eugene, Oregon

Formalized research and patent policy, adopted 12 September 1950 by the Oregon State Board of Higher Education and incorporated in section C-10 of the Administrative Code of the Oregon State Department of Higher Education; applicable on a university-wide basis, also to the other higher educational institutions under the control of the State Board of Higher Education:

A. Objectives of patent policy

(1) Assist personnel of higher educational institutions in developing and protecting inventions.

(2) Promote public welfare by patenting inventions and by controlling marketing of products or processes resulting therefrom to the end that there shall be the greatest possible benefit to the public.

(3) Determine equities and interest of all parties concerned with inventions.

(4) Promote further research.

B. Agreement governing assignment of patent rights of inventor

(1) An employee who develops what is considered to be a patentable invention must report findings to and confer with the institutional patent committee.

(2) Persons whose employment arrangements specifically provide for the performance of research duties, either full-time or part-time, must enter into a patent assignment agreement for all patentable inventions developed in the course of such research. For other employees, if the patent committee finds that institutional facilities or services were used in developing an invention, the inventor is expected to enter into a patent assignment agreement.

C. Institutional patent committee—duties and powers

A patent committee is to be created at each institution where it appears that inventions are likely to develop. Inventor must report to the committee when he believes that a patentable invention has been developed. The Committee is to counsel with inventor and evaluate patent possibilities. The committee appraises equities of inventors and counsels with the institution executive.

The committee assists the institution in all possible ways, as may be requested and considered desirable by an institution, to the end that inventions are patented and exploited; or a determination made by the committee to waive the State's rights to a potential patent.

The committee negotiates contractual agreements with inventors including the waiving of the State's rights in potential patents. These agreements are to be negotiated in collaboration with and approval of the chancellor's office.

D. How patents will be obtained

Institutional patent committee will appraise inventions. Recommendations for patenting or the State assigning or releasing of patent rights to be developed in consultation with the institutional executive and the chancellor's office.

E. Disposition of royalty income to the inventor and the State

Agreement is to be negotiated by institutional representatives or patent committee subject to counsel and approval of institutional executive and the chancellor's office.

Due consideration is to be given to the equity of all parties in the light of all circumstances surrounding the development of a particular patent.

The State's share of income, after paying its costs, is to be dedicated to the institution of the inventor. The use of such net income shall be subject to approval of the institutional executive and in harmony with established budget policies of the Board of Higher Education.

Patent management agency: Research Corporation under a patent development agreement with the State Board of Higher Education; the equities of inventors in their inventions are recognized and, under individual agreements negotiated with the inventors, the inventor receives between 7½ and 15% of the gross income derived from the sale or exploitation of patents obtained on his invention, depending upon the equities and circumstances in the particular situation as appraised by the patent committee.

UNIVERSITY OF PORTLAND

Portland 3, Oregon

Formalized research and patent policy, adopted 12 October 1960 by the Board of Trustees of the University for a three-year experimental period; applicable on a university-wide basis:

> A faculty member who wishes to patent an invention will submit his idea to the University with the understanding that the University will either agree to attempt to obtain a patent or refuse to do so within 60 days. (This of course applies to ideas developed under University auspices or support.) In the case of refusal, the University will have no further claim on the idea or any patents issuing therefrom. If the University obtains a patent, the faculty member or members responsible for the idea shall be entitled to 25% of the revenue derived therefrom. This may be modified in accordance with the terms of contracts with outside agencies.

No patent management agency other than the Board of Trustees of 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 25% of the net revenue derived from the sale or exploitation of patents obtained on the invention.

Pennsylvania

ALLEGHENY COLLEGE

Meadville, Pennsylvania

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude, leaving to the faculty member responsibility for handling each situation on an individual basis. No patent management agency.

BRYN MAWR COLLEGE

Bryn Mawr, Pennsylvania

No formalized research or patent policy, although the formulation of such a policy is currently under consideration by a joint committee of the Faculty and the Board of Trustees of the College; at present each situation is handled on an individual basis. No patent management agency.

BUCKNELL UNIVERSITY

Lewisburg, Pennsylvania

Formalized research and patent policy, adopted 8 December 1956 by the Board of Trustees of the University; all research at the University, and particularly sponsored research, is conducted in accordance with prescribed procedures; every faculty member and other employees of the University engaged on or concerned with sponsored research is required to execute a patent waiver agreement; applicable on a university-wide basis to faculty members and students:

It is the policy of Bucknell University that, unless government security regulations prevent it, the right of free publication of findings (including copyright) is reserved for the faculty investigator and may not be restricted by the sponsor. Any other policy would be inconsistent with the primary aim of the University to advance and disseminate knowledge. If patent rights are involved, delay in publication may be arranged to protect the patent application. The terms of such delay should be included in the research contract. Ordinarily, the faculty investigator should submit a copy of his paper to the sponsor in advance of publication.

As between the University and the sponsor, patent rights should be specifically stated in the research contract.

As between the University and the faculty investigator, the following policy is applicable: A staff member engaged in unsponsored research involving the use of University facilities or in a field of activity related to his University employment is not precluded from applying for patents on inventions or discoveries nor barred from receiving personal gain from his efforts.

On sponsored research, however, the following policy applies: Patents on inventions or discoveries may be applied for, with the approval of the President, in which case the inventor shall assign his rights in the patent to the University upon the payment to the patentee of any personal out-of-pocket expenses. The University will then exercise its ownership of such patent with or without profit, with due regard for the interests of all concerned.

No patent management agency other than the Board of Trustees of 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 will share in the net income derived from the sale or exploitation of any patents obtained on the invention.

CARNEGIE INSTITUTE OF TECHNOLOGY

Pittsburgh 13, Pennsylvania

Formalized research and patent policy, originally adopted 22 May 1944 by the Executive Committee of the Trustees of the Institute and amended 24 February 1945 (modification currently under consideration); applicable on an institute-wide basis to both faculty and students:

I. Ownership of inventions

A. In cases involving the Institute and an outside agency, patent rights shall be specified in a special contract approved by the Institute and covering the research.

B. An invention or discovery shall be the sole property of the Institute if the Institute has substantially completely supported the research out of which it has emerged.

C. The Institute shall have no equity in an invention or discovery if the Institute has made only an inconsequential contribution or no contribution whatever to the research leading up to it. All such cases, however, shall be reported in accordance with II-A below.

D. In cases lying between categories B and C above, the legal title to the invention or discovery shall be in the Institute, for purposes of orderly administration, but the inventor shall be entitled to a share in the returns (if any) from it, commensurate with the respective contributions of the inventor and the Institute,

the proportions in any case to be determined by a Committee on Patents subject to review by the President and the Executive Committee of the Trustees.

II. Administration of policy

A. Where an invention or discovery coming within the purview of this Statement of Patent Policy has been made, the inventor shall inform the President in writing, through the department head and director concerned, regarding the circumstances of the case.

B. In each particular case requiring review, a special Committee on Patents shall be appointed by the President with the approval of the Executive Committee of the Trustees. A case shall be deemed to require review if either the President or the inventor so determines.

C. Each Committee on Patents shall be composed of representatives of the trustees, administration and faculty, and students (if involved).

D. The fuuctions of a Committee ou Patents shall be

(1) to determine, subject to review by the President and the Executive Committee of the Trustees, whether the case under consideration lies in category B, C or D above; and if in category D, the specific proportions in which the proceeds are to be shared between the inventor and the Institute; and

(2) to review and make recommendations to the President regarding any other issue that may arise concerning the particular case assigned to it.

E. The final decision on matters coming within the purview of this Statement of Patent Policy shall rest with the President and the Executive Committee of the Trustees.

F. If it shall be determined that an invention lies in category B or D above and that the Institute desires to obtain patent protection thereon, the inveutor shall, upon request, execute such applications, assignments and other lawful papers and do such other lawful acts, as may be deemed necessary or desirable by counsel for the Institute, to vest legal title to the invention and any patents thereon (both for the United States and foreign countries) in the Institute or its nominees and to aid in obtaining patent protection therefor, all without expense, however, to the inventor.

G. If it shall be determined that an invention comes within category B or D above and that the Institute does not desire to obtain patent protection thereon, the President and the Executive Committee of the Trustees, if they deem it to the best interest of the Institute to do so, may convey some or all of the Institute's rights in the invention to the inventor, with such reservations for the protection of the Institute as they may deem proper.

H. If it shall be determined that an invention comes within category B above and that the Institute desires to obtain patent protection thereon, the President and the Executive Committee of the Trustees, if they deem it to the best interest of the Institute to do so, may provide that the inveutor share in the returns (if any) from the invention to the extent determined by the President and the Executive Committee of the Trustees.

III. Applicability of policy to students

All graduate students who spend substantially full time at the Institute in any combination of study, research and teaching will be required to indicate in writing their acceptance of the provisions of this policy. The rights of the Iustitute, if any, in inventions made by any other student uuder the sponsorship of the Iustitute or employing its facilities will be subject to determination, unless other-

wise expressly agreed, by the applicable law relating to ownership of inventions, implied licenses and shoprights.

Patent management agencies: Research Corporation and the Battelle Development Corporation under patent development agreements with the Institute; as indicated in the policy statement above, the equities of inventors in their inventions are recognized; each case is considered by a special committee on patents appointed by the President of the Institute and, commensurate with the respective contributions of the inventor and the Institute, the inventor receives a share of whatever returns are received from the sale or exploitation of any patents obtained on his invention, as determined by the committee.

CHATHAM COLLEGE

Pittsburgh 32, Pennsylvania

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

DREXEL INSTITUTE OF TECHNOLOGY

Philadelphia 4, Pennsylvania

Formalized research and patent policy, adopted 19 December 1935 by the Board of Trustees of the Institute, although currently in process of revision; all research at the Institute is coordinated under an Office of Research; applicable on an institute-wide basis to both faculty and students:

1. Inventions or other developments, whether or not subject to patent or copyright, resulting directly from a program of research financed entirely by the Drexel Institute shall be the exclusive property of the Institute and the Institute shall be entitled to all benefits or rights accruing from such inventions or developments and may acquire the title to any patents or copyrights based thereon. It shall hold and administer these rights for the ultimate benefit of the public. In cases where, after a reasonable period, the Institute does not choose to acquire rights to inventions or developments arising in this manner, provision shall be made whereby said rights or a part of them shall revert to the individuals who made the inventions or developments.

2. Inventions or developments produced by a staff member or student along lines unrelated to an Institute program of research with which the individual may be connected and to the production and development of which the Institute contributes 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.

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 Institute 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, 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 Institute. The rights of the students or staff members 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 Institute has no equity or claim to inventions or developments resulting therefrom.

3. In intermediate cases, where the costs of development are borne jointly by the Institute and an individual, whether student or staff member, it shall be considered that the equities are divided substantially in proportion to the contributions. Every such case shall be subject to special agreement and in the absence of any such agreement it shall be considered that the title remains with the Institute in any cases in which the Institute has substantially contributed.

No patent management agency other than the Board of Trustees of the Institute; would probably utilize Research Corporation whenever patent problems arose; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the Institute, would be subject to special agreement on the division of any income derived from the sale or exploitation of any patents obtained on the invention, substantially in proportion to the respective contributions of the Institute and the inventor to the making of the invention and to the costs of its development and patenting.

DUQUESNE UNIVERSITY

Pittsburgh 19, Pennsylvania

No formalized research or patent policy, although such a policy has been proposed by the Council on Instruction and is awaiting approval by the Executive Committee of the University; at present each situation is handled on an individual basis under a Coordinator of University Research, subject to approval of the Academic Vice President. No patent management agency at present, but it is proposed that the University enter into a patent development agreement with Research Corporation.

FRANKLIN AND MARSHALL COLLEGE

Lancaster, Pennsylvania

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

HAHNEMANN MEDICAL COLLEGE

Philadelphia 2, Pennsylvania

No formalized research or patent policy, although consideration is currently being given to the formulation of such a policy; as a general practice each situation is at present handled on an individual basis; inventions resulting from

sponsored research are subject to the terms of the research contract.

Patent management agency: Research Corporation under a patent development agreement with the College, both for the College and for inventors who may voluntarily assign their inventions; the equities of inventors in their inventions are recognized and, when an invention is assigned to the College or to Research Corporation, the inventor receives a predetermined share of the net income derived by the College from the sale or exploitation of patents obtained on the invention.

JEFFERSON MEDICAL COLLEGE

Philadelphia 7, Pennsylvania

Formalized research and patent policy, adopted 6 November 1961 by the Board of Trustees of the College; applicable on a college-wide basis to staff members of the College and its affiliated institutions:

> Patents arising from discoveries and inventions of members of the total staffs of the Jefferson Medical College of Philadelphia, ('Jefferson'), including the Jefferson Medical College, the Jefferson Medical College Hospital and all other divisions, departments, foundations or agencies of Jefferson, shall be assigned directly to Research Corporation, except (1) in cases of patents arising in the course of work under Government-sponsored contracts; and (2) in cases where individual members of the staff wish to take out the patent and dedicate it to the public. Royalties from such patents, other than those covered by the above-stated exceptions, may be accepted and received by Jefferson and such royalties received will be administered for the support of research in accordance with approved policies and procedures. Royalties will not be paid to an individual inventor in connection with a patent arising from work done in the Jefferson Medical College of Philadelphia, including the Jefferson Medical College, the Jefferson Medical College Hospital and all other divisions, departments, foundations or agencies of the Jefferson Medical College of Philadelphia; provided however, that Jefferson's Board of Trustees reserves the right to make exceptions to the aforesaid policy if the Board shall determine that, in any case, circumstances of an unusual nature indicate that an exception should be made and also to determine any patent problem which may not be covered by the aforesaid policy.

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 Research Corporation, the inventor may receive such share of any income derived from the sale or exploitation of patents, as is determined in each particular case by the Board of Trustees of the College on recommendation of the Research and Research Funds Committee and the Executive Faculty of the College.

JUNIATA COLLEGE

Huntingdon, Pennsylvania

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

KING'S COLLEGE

Wilkes-Barre, Pennsylvania

No formalized research or patent policy; as a general practice, the College reserves the right to determine the disposition of inventions and discoveries made by faculty and students which are not controlled by contract or agreement, the disposition to be made in the best interests of the College and the inventors after consultation with the parties concerned. No patent management agency other than the Administrative Council of the College.

LA SALLE COLLEGE

Philadelphia 41, Pennsylvania

No formalized research or patent policy; all research undertaken on College premises is subject to approval by the head of the department concerned and the Vice President for Academic Affairs. No patent management agency.

LEHIGH UNIVERSITY

Bethlehem, Pennsylvania

Formalized research and patent policy, adoopted 25 April 1924 by the Board of Trustees of the University in connection with the establishment of the Lehigh Institute of Research as an administrative unit of the University; under contracts for sponsored research all patent rights are usually assigned to the sponsor; employees of the University engaged on such research are permitted to sign patent waiver agreements with the sponsor, sometimes with the reservation of a royalty to the University or the inventor; applicable on a university-wide basis and administered by the Director of the Institute of Research:

(a) Any member of the scientific or teaching staff of Lehigh University who has made a valuable discovery or invention as the direct result of his regular duties on University time and at University expense may be required to patent his discovery or invention, the expenses connected therewith to be borne by the University.

(b) Application for a patent to cover such discoveries or inventions shall be made in such cases as are recommended by the Director of the Lehigh Institute of Research and approved by the Board of Trustees of the University.

(c) If a patent is issued the patentee shall assign the patent to the Board of Trustees of Lehigh University for a nominal consideration.

(d) A patent thus assigned shall be administered by the Board of Trustees in such manner as it may determine; provided, however, that if the patent is sold or a royalty for its use is paid, one-half of the money thus realized by the University shall be paid to the patentee, and the other half assigned to the Lehigh Institute of Research for the furtherance of research.

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

(f) These regulations shall not be construed to include questions of ownership in copyrights on books or of inventions or discoveries made by members of the teaching or scientific staffs outside their regular duties and at their own expense.

No patent management agency other than the Board of Trustees of the University; 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 patents obtained on the invention.

LINCOLN UNIVERSITY

Lincoln University, Pennsylvania

No formalized research or patent policy; currently the University observes a laissez-faire attitude, but a faculty research committee has been given a mandate to develop a policy. No patent management agency.

MUHLENBERG COLLEGE

Allentown, Pennsylvania

No formalized research or patent policy; as a general practice the College observes a laissez-faire attitude, except that faculty members receiving research grants are asked to discuss them with the President and Dean of the College. No patent management agency.

PENNSYLVANIA STATE UNIVERSITY

University Park, Pennsylvania

Formalized research and patent policy, originally adopted 18 January 1926 by the Board of Trustees of the University and revised in February 1940; sponsored research, which is administratively handled through a Contract Negotiator and Coordinator in the Office of the Vice President for Research, is conducted in accordance with prescribed procedures developed by an Advisory Committee on Research; applicable on a university-wide basis:

1. Investigations financed wholly by the University. In the case of research workers engaged for or assigned to specific research projects, the contract of the University with such an employee requires that he patent results of his researches and assign the same to the University in which event the University will pay the cost of obtaining such patents; but if the University should dispose of a patent of a discovery or invention of a member of its staff on such terms as to yield a return in excess of the cost of such patent, then the Board of Trustees, or the designated representatives of the Board, will consider a just compensation to the discoverer or inventor from the net proceeds. If the University fails to pay the costs of obtaining a patent within a year after the discovery is announced to the University, then all rights and title to the patent remain in the name of the inventor.

If the University does not require a contract with the employee, then it is understood by both parties that the law covering rights to patents shall prevail. In this case, it is generally assumed that the title remains with the inventor unless the University can show that the patent was a result of investigations on which the inventor was employed, or a result of the studies made by him under the direction of the University, or on University time and facilities or with a com-

bination of these factors, which would warrant the University in claiming the patent rights.

2. Investigations in which a part of the material requirements or personal service involved are provided at the expense of the University, the remainder being contributed by an organization of an industrial or other character, or by individuals not connected with the University. The cooperative nature of research of this category should be recognized by an equitable understanding or agreement between the University and the cooperating party or parties providing for the sharing of the proceeds from resulting patents, and specifying the terms of publication of results. In the absence of an agreement all rights to publication and to patents should belong to the University, provided that this condition had been put before the cooperating agencies.

3. Investigations financed wholly by an organization of an industrial or other character. It is important that research of this category be prosecuted under a contract determining the rights of publication and the ownership of patents which may result from such research.

4. Investigations performed by members of the University staff on their own time and at their own expense. The results of such research are obviously the private property of the investigator.

Patent management agencies: the Pennsylvania Research Corporation, a separately incorporated nonprofit organization established 24 February 1934, and also Research Corporation and the Battelle Development Corporation under patent development agreements with the Pennsylvania Research Corporation, 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 Pennsylvania Research Corporation or 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, the percentage to be determined by the President of the University in each individual instance.

PHILADELPHIA COLLEGE OF PHARMACY AND SCIENCE

Philadelphia 4, Pennsylvania

No formalized research or patent policy, although the formulation of such a policy is currently under consideration; as a general practice the College at present observes a laissez-faire attitude; arrangements and agreements with respect to sponsored research are made either directly with the sponsors by faculty members and research workers or through their department heads. No patent management agency.

PHILADELPHIA COLLEGE OF TEXTILES AND SCIENCE

Philadelphia 44, Pennsylvania

No formalized research or patent policy; as a general practice each case is handled individually and, in the case of sponsored research, by letter agreement or contractual arrangements with the sponsor. No patent management agency.

TEMPLE UNIVERSITY
Philadelphia 22, Pennsylvania

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 is generally coordinated under an Office of Research and Specialized Services, including sponsored research.

No patent management agency other than the Board of Trustees of the University; in some cases the equities of inventors in their inventions are recognized to a limited degree by a nominal payment to the inventor from any income derived by the University from the sale or exploitation of any patents obtained on his invention.

UNIVERSITY OF PENNSYLVANIA
Philadelphia 4, Pennsylvania

Formalized research and patent policy, adopted 10 January 1941 by the Board of Trustees of the University; sponsored research is administratively handled through an Office of Project Research and Grants under prescribed procedures; every employee of the University engaged on or concerned with research is required to execute an appropriate patent waiver agreement; applicable on a university-wide basis:

> The Trustees have declared it to be the policy of the University of Pennsylvania that any invention or discovery which may in any manner affect the public health, such as a new drug, process or apparatus intended primarily for medical or surgical use, shall not be patented for profit, either by an individual in the employ of the University or by the University itself. However, in order to prevent the capitalization and exploitation by others of any such discoveries or inventions and in order to protect the public, the Executive Board may consider it advisable from time to time to patent such inventions or discoveries with the sole intention of protection without profit.
>
> Where researches in fields other than those affecting public health are carried out on University time or at University expense by special grants or otherwise, patents on inventions or discoveries may be applied for, with the approval of the President of the University, in which case the inventor shall assign his rights in the patent to the University upon the payment to the patentee of his expense in securing the patent. The University will then exercise its ownership of such patent with or without profit, with due regard for the interests of all persons concerned.
>
> An appropriate patent release shall be signed by every employee engaged on or concerned with a research contract of the University.

Patent management agency: Research Corporation under a patent development agreement with the University; the equities of inventors in their inventions are recognized, except with respect to inventions and discoveries which may in any manner affect the public health; as indicated in the policy statement above, such inventions and discoveries shall not be patented for profit, either by the inventor or by the University itself; 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 PITTSBURGH

Pittsburgh 13, Pennsylvania

Formalized research and patent policy, adopted 9 May 1961 by the Chancellor of the University after long study by faculty committees and the Council of the University Senate; administered by an Advisory Committee on Patents and applicable on a university-wide basis to both staff members and students:

A. Patent rights resulting from research carried on by staff members or students in connection with projects supported entirely or largely by University resources shall be assigned to and controlled by the University, which shall give to the inventor 15% of the gross financial returns from the sale or exploitation of such patents.

B. Patents resulting from inventions and discoveries made by staff members or by students in the course of their personal research and with little or no use of University resources shall be the sole property of the inventors.

C. Research carried on by a student in fulfillment of course requirements or other requirements for an academic degree, including the preparation of a thesis or dissertation, shall be construed as making use of University resources and shall be subject to the provisions of section A above.

D. Patents resulting from inventions or discoveries made by members of the staff or by students in connection with government-sponsored research contracts shall be controlled by the terms of those contracts. Staff members accepting government-sponsored research shall execute such agreements as will enable the University to meet its obligations to the sponsoring agencies.

E. Since the University carries on research for the purposes of extending knowledge and educating students, it accepts research grants from non-government sources with these purposes primarily in view. If inventions result from such research, the University and the inventor or inventors will handle these inventions in accordance with the terms of section A above and will grant a non-exclusive license without charge to the organization for which the research was undertaken.

F. Except in time of war or comparable national emergency, the University reserves for itself and its staff all rights to the publication of the results of sponsored research, subject to the following conditions:

(1) Where a possible patent is involved, publication will be withheld for a period not to exceed six months so that a patent application can be filed. The sponsoring agency will be expected to use its best efforts to expedite such application.

(2) Any patented or commercial product mentioned in such a publication shall not be referred to by its trade name except with the consent of both the University and the sponsoring agency.

(3) Although the University will if requested submit to the sponsoring agency any proposed publication before printing it and will try to meet all reasonable requests and suggestions, the University reserves full authority as to the form, scope and content of such publication.

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 the University 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.

WESTMINSTER COLLEGE

New Wilmington, Pennsylvania

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

WOMAN'S MEDICAL COLLEGE OF PENNSYLVANIA

Philadelphia 29, Pennsylvania

No formalized research or patent policy, but an informal policy which opposes the patenting, either by the College or by a member of the staff, of any medical appliance or any medical preparation; this is merely an expression of opinion by the faculty, no formal resolntion has ever been adopted by the faculty or administration of the College. No patent management agency.

Puerto Rico

UNIVERSITY OF PUERTO RICO

Rio Piedras, Puerto Rico

Formalized research and patent policy, enacted 20 March 1951 by the Legislature of Puerto Rico, covering discoveries and inventions made by all public employees, including those of the University; applicable on a university-wide basis:

1. Inventions by employees of government. Any employee of the Commonwealth of Puerto Rico or of any of its instrumentalities, agencies, dependencies and public corporations, who, while in the discharge of the duties of his position or employment, may discover or invent any process or device that can, due to its originality and usefulness, be registered in the Patent Office at Washington, D. C., shall inform in writing about his scientific invention or discovery, to the Committee hereinafter established, requesting that he be permitted to register said invention, or that the same be registered, in the Patent Office at Washington, D. C., in his name and for the benefit of the Commonwealth of Puerto Rico and of said employee.

2. Committee for promotion of scientific and technical research. A committee is hereby created for the promotion of scientific and technical research in Puerto Rico, composed of the Dean of the Faculty of Engineering of the College of Agriculture and Mechanic Arts of Mayaguez, the Director of the Agricultural Experiment Station of Puerto Rico, the Director of the Department of Technical Research of the Economic Development Administration, the Secretary of Public Works and the Secretary of Health.

3. Chairman; hearing for employee; release if valueless. The Dean of the Faculty of Engineering of the College of Agriculture and Mechanic Arts of Mayaguez shall be the Chairman of the Committee. He shall call a meeting as soon as he receives an application for the registration of an invention patent. The Committee shall invite by mail the employee who has filed his application to a private hearing at which said employee shall briefly explain his invention or discovery, and he shall leave with the Committee, for further study, the plans and the description of his process or device. The Comittee shall decide, not later than

30 days after the hearing is held, whether or not the invention or discovery is worthy of being patented. If it is believed that the invention or discovery is valueless, the interested party shall be so informed, in order that he may then take by himself the necessary steps to obtain a patent on his invention or discovery, and, in case he does, the Commonwealth of Puerto Rico would have no share in the profits received by the inventor.

4. Employee free if Committee fails to act. If for any reason the Committee is unable to make a decision within 30 days after the hearing is held, the inventor shall be at liberty to act by himself and he may then take the necessary steps for patenting his invention or discovery; if he secures the patent certificate, the Commonwealth of Puerto Rico would then have no right or share in the invention or discovery.

5. Share in patent and royalties. Should the Committee resolve that the invention or discovery is sufficiently worthy, then it shall determine that The Commonwealth shall assume and defray all necessary expenses to have the invention or discovery patented in the name of the inventor and assigned to The Commonwealth of Puerto Rico, and The Commonwealth of Puerto Rico shall receive a share of 66⅔% of all royalties and other receipts derived from the use or other disposition of the patent, and the inventor shall receive a share of 33⅓% of such receipts.

6. Preparation of application for patent. As soon as the Committee shall have studied the invention or discovery and resolved it is worthy of being patented, it shall so notify the inventor, so that he may, as soon as possible, prepare the statements, the proper documeuts, and the necessary diagrams and details to be sent to a firm of lawyers conversant with the matter, and which is satisfactory to the inventor, so that said firm may study the case and file the necessary documents with the United States Patent Office in Washington, D. C. In case the inventor requests technical assistance from the Committee to prepare all the necessary documents for patenting the invention or discovery, the Committee may utilize for the purpose the services of the employees of the Commonwealth of Puerto Rico and of its agencies, instrumentalities and public corporations.

7. Sale of patent rights; hearing for inventor. Whenever the Committee shall decide to sell or make any transaction with the patent rights obtained in accordance with Article 5 of this title, by permitting its use or utilization by other persons or entities, said Committee shall give the inventor an opportunity to appear before it and express his opinion with regard to the terms and conditions of the transaction, before final action is taken thereon.

8. Special fund. A fund to be known as Special Fund for the Promotion of Scientific and Technical Research in Puerto Rico is hereby created in the Treasury of Puerto Rico, into which fund shall be covered all profits or receipts obtained by the Commonwealth of Puerto Rico from the royalties, sale or other disposition or use made of the patents registered.

Patent management agency: Committee for the Promotion of Scientific and Technical Research in Puerto Rico, for the Commonwealth of Puerto Rico; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the Commonwealth of Puerto Rico, the inventor receives 33⅓% of the gross income derived from the sale or exploitation of patents obtained on the invention.

BROWN UNIVERSITY

Providence 12, Rhode Island

No formalized research or patent policy; except as required under sponsored research arrangements, the University does not require faculty and staff members to assign their patent rights in their own discoveries or inventions. No patent management agency.

PROVIDENCE COLLEGE

Providence 8, Rhode Island

Formalized research and patent policy, adopted 16 December 1961 by the administration of the College; each situation is handled on an individual basis, with the College having no interest in acquiring patents, preferring publication of the results of faculty research; applicable on a college-wide basis:

> All rights and benefits from patents and copyrights issued to members of the Providence College faculty are exclusively the possessions of the faculty member to whom they are issued, subject to the special conditions and provisions of the granting agency supporting the research leading to the patent or copyright in question.

No patent management agency; all patent rights are left to the inventor, unless proscribed by the terms of a research grant or contract.

UNIVERSITY OF RHODE ISLAND

Kingston, Rhode Island

Formalized research and patent policy, originally adopted in April 1943 by the Board of Trustees of the University and revised 18 January 1950 and 23 March 1951; applicable on a university-wide basis:

> Whenever patentable inventions or discoveries of potential commercial value are developed by members of the University staff in the Agricultural Experiment Station, the Engineering Experiment Station or other divisions of the University, such inventions or discoveries should be so controlled as to effect the greatest public benefit.
>
> In the several divisions of the University concerned with research and development, three classes of projects are recognized:
>
> 1. Projects financed wholly from institutional funds (including State and Federal appropriations).
>
> 2. Cooperative projects financed wholly or in part by grants from non-institutional sources (industrial corporations, foundations, individuals or private interests).
>
> 3. Personal or unorganized research completed on the individual's own time and at personal expense.
>
> In research projects financed wholly from institutional funds, Class 1, all inventions or discoveries shall be the property of the University because such research is considered part of the regular assigned duties. If, in such a case, it is the

opinion of the University Research Committee that the interests of the public will be best served under patent protection, the individual investigator who made the invention or discovery, and his associates if any, may be required to apply for a patent, the expense to be borne by the University. At the time of filing the application for a patent the investigator may be required to assign it to the Board of Trustees of the University of Rhode Island, to be administered in the public interest. However, in case the University does not wish to assume the full responsibility for the patent, the investigator may be authorized to enter into a written contract with a collaborating agency for the purpose of securing a patent and developing it commercially. In either case, the rights of both the investigator and the University to share in any financial returns by way of royalties or license fees shall be recognized. Any contract made with a collaborating party shall be written and shall safeguard these rights. If the patent is obtained by the University, the inventor or discoverer will be paid the first $1,000 received as income from the patent after the University has been reimbursed for all expenses incident to securing or defending the patent, and 20% of the income above the original $1,000. If more than one inventor or discoverer is involved, the $1,000 and any additional income received is to be divided as agreed by the inventors or discoverers. When two or more patentees are involved and there is disagreement on the division of royalties and any additional income, the dispute must be referred to the Research Committee for decision. If the University fails to pay the costs of obtaining a patent within a year after the invention or discovery is announced to the University, or decides that it does not wish to assume full responsibility for a patent, then all rights and title to the patent shall remain in the name of the inventor or discoverer. If the inventor or discoverer contracts with a collaborating agency for the purpose of securing a patent and developing it commercially, the inventor or discoverer shall pay to the University 20% of the net proceeds from license fees, royalties or other income resulting from the patent in excess of $1,000.

Research projects financed wholly or in part by grants from outside sources, Class 2, require a written agreement or contract between the Board of Trustees of the University and the collaborating party which shall be executed before the project is started, covering matters of expenses and the disposition of patent rights. Patents resulting from such research may be assigned either to the Board of Trustees or directly to the collaborating party, according to the previously written agreement. The agreement must be approved by the University Committee on Research, the President and the Board of Trustees of the University. If the patent is retained by the Board of Trustees, the rights of the individual inventor or discoverer are protected according to the regulations for Class 1 projects. If the patent is assigned to the collaborating party, it shall be provided that the University shall participate in the royalties and license fees resulting from such patent, the proportionate share to be specified in the contract. The University will pay to the inventor or discoverer the first $1,000 received by the University as income from the patent after all expenses have been paid, and 20% of the University share of all income above $1,000 thereafter.

Except in cases of unusually large earnings, the balance of the income received by the University on any patent, Class 1 and Class 2 projects, will be used to finance research in the school responsible for the invention or discovery.

Research and development projects in Class 3 have no relation to the research program or position of the University. The inventor or discoverer owns all rights and no claims are made by the University except that if institutional facilities are used, an agreement between the inventor or discoverer and the University is prepared by the Committee on Research equitably to reimburse the University for the use of such facilities. Ten per cent of the net earnings will be paid to the

University after the inventor or discoverer has been reimbursed for all expenses incident to securing and/or defending the patent. However, this payment may be waived or reduced if it is evident to the Committee on Research that University facilities and time were not used in developing the invention or discovery or were used to such a slight extent that a 10% charge might be considered exorbitant. This agreement should be completed at the beginning of the research or development program.

All graduate students who spend substantially full time at the University in the combination of study, research and teaching will be required to accept the provisions of this patent policy.

The final decision on matters coming within the purview of this patent policy shall rest with the President and the Board of Trustees of the University or such authority as they may designate.

A member of the staff of the University of Rhode Island, in consideration of the employment by the University and of the salary to be paid by said University, for the purpose of definitely eliminating any possible controversy which may arise as to the ownership of any patent which may be granted, upon and by acceptance of appointment, agrees that if any discovery or invention is conceived, devised or developed in the course of employment by or through the use of the facilities and equipment of the University, the same shall, at the option of the University, be and become the property of the University under the terms and conditions of the patent policy established by the Board of Trustees of the University.

The University of Rhode Island shall have exclusive rights to publish the results of all investigations conducted by members of the University staff in whatever form is considered desirable. By written agreement, publication may be deferred at the request of a collaborating party for a period depending upon the requirements of public interest. At the expiration of one year the University will then reserve the right to publish without the consent of the investigator.

No patent management agency other than the Board of Trustees of the University; the equities of inventors in their inventions are recognized and, as indicated in the policy statement above, they share in the income derived from the sale or exploitation of patents obtained on their inventions.

CLEMSON COLLEGE

Clemson, South Carolina

Formalized research and patent policy, adopted 15 June 1934 by the Board of Trustees of the College and included as Article 126, Section 178 in the by-laws of the College; a revision of the policy is currently under study; applicable on a college-wide basis:

> The principle is recognized that the results of experimental work carried on by or under the direction of any College employee or employees, where any of the facilities of the College are used or where any part of the expense involved is paid from funds controlled by the College, belong to the College and the public and shall be used and controlled in ways to produce the greatest benefits to the College and the public.
>
> In the event of any discoveries or inventions resulting from such experimental work, the Board of Trustees shall have the right to determine what use may be made of them in the best interests of the public.
>
> The ownership of copyrights on books or inventions or discoveries made by College employees outside of their regular duties and at their own expense shall not be in the name of the College.

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

MEDICAL COLLEGE OF SOUTH CAROLINA

Charleston 16, South Carolina

No formalized research or patent policy; each situation is subject to individual negotiation, but ordinarily new discoveries and inventions are published, not pateuted; sponsored research is coordinated through a Research Grants-in-Aid Office and is conducted in accordance with terms of the research contract. No patent management agency other than the business manager of the College.

UNIVERSITY OF SOUTH CAROLINA

Columbia 19, South Carolina

No formalized research or patent policy, although the formulation of a policy is currently under study by a committee as part of an extensive analysis and reinterpretation of University policies; at present each situation is handled on an individual basis. No patent management agency.

WOFFORD COLLEGE

Spartanburg, South Carolina

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

SOUTH DAKOTA SCHOOL OF MINES AND TECHNOLOGY
Rapid City, South Dakota

Formalized research and patent policy, adopted 6 April 1956 by resolution of the South Dakota Board of Regents, rescinding the policy originally adopted 12 April 1940; sponsored research is administered in accordance with the terms of the research grant or contract negotiated either through the South Dakota School of Mines Research and Development Association, a separately incorporated nonprofit organization established 2 December 1942 to aid in the growth and development of the School and to promote its educational interests, or by the School itself; in his employment contract, every faculty or research employee of the School agrees to assign to the School the patent rights in any invention he makes while in the employ of the School; applicable on a school-wide basis:

> Whereas it is essential to the continuing development and growth of a member of a college faculty that there be an atmosphere of research on the campus and that faculty members participate actively and personally in research projects and
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> Whereas these benefits accrue to the college somewhat in direct proportion to the encouragement which the college provides for research on its campus and
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> Whereas research in the sciences and in engineering can be expected, from time to time, to lead to patentahle inventions and
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> Whereas the college can provide incentive for research and development by virtue of an enlightened patent policy.
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> Now, therefore be it resolved that the contract with each employee of the South Dakota School of Mines and Technology provide that he assign any invention made while such an employee to the South Dakota School of Mines and Technology and that the President be authorized to pay out of college funds, as approved by the Board of Regents, the costs of processing any invention deemed suitable by him for patenting and the President be further authorized to negotiate and to recommend to the Board of Regents a contract for the equitable division of proceeds from any such patented invention and
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> Be it further resolved that the President of the South Dakota School of Mines and Technology be empowered to negotiate an agreement with a research foundation for the exploitation of patentable ideas, subject to approval and confirmation by the Board of Regents.

No patent management agency at present other than a faculty Patent Administration Committee, although the President of the School is empowered to negotiate a patent development agreement with an acceptable nonprofit research foundation, such as Research Corporation; as indicated in the policy statement above, the equities of inventors in their inventions are recognized and, when an invention is assigned to the School, the President is authorized to negotiate and recommend to the Board of Regents a contract with the inventor providing for the equitable division of the net income derived from the sale or exploitation of any patents obtained on the invention.

SOUTH DAKOTA STATE COLLEGE

Brookings, South Dakota

Formalized research and patent policy, adopted 18 November 1960 by the South Dakota Board of Regents; applicable on a college-wide basis:

> When a staff member's work at South Dakota State College leads to an apparently patentable invention, this fact should be called to the attention of the department head, the divisional dean, and the chairman of the Research Committee. The chairman of the Research Committee will then advise the inventor as to procedures for processing a patent application.
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> Usually, patent applications will be processed through the facilities of the Research Corporation in accordance with an agreement between that agency and South Dakota State College. Other channels may, however, be used for processing patent applications upon recommendation of the Research Committee and approval of the President.
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> The agreement between Research Corporation and South Dakota State College provides for the participation of the inventor or inventors in proceeds from ownership or management of the patent concerned. The details of this arrangement are included in the agreement. In brief, they provide that the inventor (s) will receive a total of 15% of the income from the patented invention.
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> Where patent applications are processed other than through Research Corporation, it is intended that the inventor or inventors, their heirs, assigns or personal representatives will be paid not later than March 15, in each year a fixed percentage (to be determined by the President upon recommendation of the Research Committee) not exceeding a total of 15% of all moneys received by South Dakota State College against the preceding calendar year as a result of ownership and/or management of the patent concerned.
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> When more than one inventor is involved, the portion of the proceeds which will accrue to each will be determined by the President upon recommendation of the Research Committee.

Patent management agency: Research Corporation under a patent development agreement with South Dakota State College; 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 or, when an invention is patented other than through Research Corporation, the inventor receives a fixed percentage, determined by the President of the College on the recommendation of the Research Committee but not exceeding 15%, of all income derived by the College from the exploitation of the patent.

STATE UNIVERSITY OF SOUTH DAKOTA

Vermillion, South Dakota

No formalized research or patent policy; each situation is considered on an individual basis; the South Dakota Regents of Education has authorized the establishment of a South Dakota Research Foundation to handle sponsored research at the University. No patent management agency.

EAST TENNESSEE STATE COLLEGE

Johnson City, Tennessee

Formalized research and patent policy, adopted 18 October 1961 by the Council of Directors of the College; applicable on a college-wide basis:

I. Research done for a degree

1. It is usually the custom that research done for a degree is accomplished on campus with facilities of the various departments of East Tennessee State College.

2. Research done for a degree frequently leads to publication of some phase of the material. This publication implies widespread availability of the results of such investigations.

3. Should such an investigation lead to the issuance of patents, then properly benefits accruing from such patents should revert to East Tennessee State College and the faculty member directing the research and the student.

4. Patents shall be assigned to the college, with distribution of royalties to the student and his research director according to a previously established formula.

5. If the thesis research is sponsored by an outside benefactor, the college shall exercise full control of the quality and quantity of work accepted for the research and the report.

6. Patents shall be assigned to the college, with the college approved researcher, research director and the college participating in direct financial returns from the control of the patent.

7. For each piece of research which might lead to a patent, a contract setting forth the details, both as to procedure and financial arrangement, shall be entered into prior to the beginning of the research.

8. It may be stipulated in contractual agreement that the firm which makes available the facilities requisite to conduct of au investigation which results in potential profit be permitted to use the development at a nominal fee.

9. All negotiations pertaining to the above shall be handled by the President or his appointee.

II. Other research

1. Any member of the college personnel or other individuals working with college facilities or otherwise under college jurisdiction engaged in research resulting in patents shall make prior clearance with the college administration, with mutual benefits to both parties.

2. Should such investigation lead to the issuance of patents, then the benefits accruing from such patents shall be shared among the college, researcher, research director and the benefactor according to contractual agreements.

3. For each piece of research a contract setting forth the details, both as to procedure and financial arrangements, shall be entered into prior to the beginning of the research.

4. It may be stipulated in contractual agreement that the firm which makes available the facilities requisite to conduct of an investigation which results in potential profits be permitted to use the development at a nominal fee.

5. All negotiations pertaining to the above shall be handled by the President or his appointee.

No patent management agency other than the State Board of Education; 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 participates in any income derived from the sale or exploitation of patents obtained on the invention.

FISK UNIVERSITY

Nashville 8, Tennessee

Formalized research and patent policy, adopted 25 April 1958 by the Board of Trustees of the University and included in the agreement signed by all employees of the University engaged in research requiring such an agreement; applicable on a university-wide basis:

> The title to a patent for any discovery or invention made by an employee of Fisk University belongs to the said employee and he is free to develop or handle it in any manner he sees fit, subject to the following provisions:
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> When total royalties or other compensations are $750 or less, no payment to the University is required.
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> When royalties or other compensations amount to more than $750 and $5,000 or less, 25% of such royalties or other compensations above the sum of $750 and $5,000 or less shall be paid to the University and, if the royalties amount to more than $5,000, then 50% of the amount above $5,000 shall be paid to the University.
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> Recognizing that such discoveries are seldom the result of single experiments, even though a single experiment may produce the actual patentable result, and at the same time recognizing the right of participants in the project, the principal investigator shall be recognized as the inventor and the rights of the other participants shall be limited to a total of 20% of the amount received by the inventor.
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> These statements do not preclude agreements suggested by grant agencies, such as the Public Health Service, which give them certain patentable rights.
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> In determining the amount of royalties, the cost of obtaining the patent shall be deducted and the balance of the royalties shall be divided in the manner hereinbefore set out. Cost shall include preliminary expense of models and drawings, filing fees and attorney's fees, but shall not include expenditures incident to research.

No patent management agency; as indicated in the policy statement above, patent rights in an invention are left to the inventor, but the University shares in the net income derived from the sale or exploitation of the invention in accordance with the provisions of the agreement signed by the employee.

MEHARRY MEDICAL COLLEGE

Nashville 8, Tennessee

No formalized research or patent policy; as a general practice each situation is handled individually on its merits as part of the overall research program initiated in 1947 at the time of the establishment of the now liquidated Meharry Biological Fund, under the direction and control of a special research committee, for the stimulation and development of research at the College. No patent management agency other than the Board of Trustees of the College; the equities of inventors in their inventions are recognized and, when an invention is assigned

to the College, the inventor receives a percentage of the gross income derived from the sale or exploitation of any patents obtained on the invention.

SOUTHWESTERN AT MEMPHIS

Memphis 12, Tennessee

No formalized research or patent policy; as a general practice, the college observes a laissez-faire attitude, except with respect to sponsored research which is conducted under arrangements made by Southwestern Research Institute, an unincorporated division of the college established in the fall of 1957, and subject to the approval of the President of the college. No patent management agency.

UNIVERSITY OF TENNESSEE

Knoxville, Tennessee

No formalized research or patent policy; as a general practice each case is handled on an individual basis; sponsored research at the University is handled through a Coordinator of Research; inventors are encouraged to use the facilities of the University of Tennessee Research Corporation which relieves them of all concern with the legal, administrative and commercial aspects of patent management.

Patent management agency: the University of Tennessee Research Corporation, a separately incorporated nonprofit organization, established 24 October 1934, the main purposes of which are to hold title to patents obtained on inventions growing out of research by members of the University staff and to promote the use of the inventions and discoveries covered by the patents; the equities of inventors in their inventions are recognized and, when an invention is assigned to the Corporation, the inventor shares liberally in any income derived from patents obtained on the invention, the amount in each case being covered by an agreement reached at the time the assignment is made.

VANDERBILT UNIVERSITY

Nashville 5, Tennessee

Formalized research and patent policy, adopted 13 May 1940 by the Board of Trust of the University; sponsored research is administratively coordinated under a Division of Sponsored Research and Grants in accordance with prescribed procedures; applicable on a university-wide basis:

1. That the administration of Vanderbilt University appoint a University Patent Committee.

2. That faculty members and employees be made aware that all inventions or other subject matter apparently capable of protection by patent made by a member of any faculty or by any employee of Vanderbilt University pertaining to the subject matter of any development initiated or financed by the University or Faculty should be submitted to the University Patent Committee.

3. That all inventions or other subject matter apparently capable of protection under the Patent Law made by any faculty member outside the scope of section 2 above may be submitted to the University Patent Committee.

4. That the function of the University Patent Committee shall be to review and to ascertain the facts in individual cases submitted to it involving a question of patent and to make a specific recommendation to the administration as to action and procedure in each instance.

5. That the University Patent Committee be empowered to carry out the wishes of the administration with respect to the Committee's recommendation in each case.

No patent management agency other than the Board of Trust of the University; the equities of inventors in their inventions are recognized, subject to recommendation to the administration by the University Patent Committee.

Texas

BAYLOR UNIVERSITY

Waco, Texas

No formalized research or patent policy, although the formulation of such a policy is currently under study; as a general practice each situation is presently handled on an individual basis, with inventions growing out of sponsored research subject to the terms of the research contract. Patent management agency: Research Corporation, under a patent development agreement with the Board of Trustees of the University; the equities of inventors in their inventions are recognized and as a general practice, especially in the College of Medicine located in Houston, when an invention is assigned to the University, the inventor receives a percentage of the gross income derived from the sale or exploitation of any patents obtained on the invention.

EAST TEXAS STATE COLLEGE

Commerce, Texas

No formalized research or patent policy; as a general practice each situation is handled on an individual basis and ordinarily patentable discoveries and inventions have been left to the inventor, except when the research from which they resulted was conducted entirely with funds provided by the College or under contract with an outside sponsor. No patent management agency other than the Board of Trustees of the College.

LAMAR STATE COLLEGE OF TECHNOLOGY

Beaumont, Texas

No formalized research or patent policy; all research at the College is handled through the Lamar Research Center, a division of the College established in 1953; as a general practice, all patent rights are left to the inventor, except when assigned to the sponsor of a research project, and agreements are made with the inventor that a percentage of the gross income derived from the sale or exploitation of any patents obtained on his invention be paid to the Lamar Research Center, on a graduated scale according to the amount of such income. No patent management agency.

NORTH TEXAS STATE UNIVERSITY

Denton, Texas

No formalized research or patent policy, although a proposed policy, especially with respect to sponsored research, has been formulated by a faculty Research Committee and will be considered for formal adoption by the Board of Regents of the University in August 1962; for the present, as a general practice, each situation is considered on an individnal basis and, in the event that anything of patentable nature should develop from a sponsored research project, the patent obtained thereon would be assigned to the University.

No patent management agency other than the Board of Regents of the University, but it is contemplated that the University will enter into a patent development agreement with Research Corporation; the equities of inventors in their inventions are recognized and, both currently and under the proposed policy, when an invention is assigned to the University, the inventor will share in the income derived from the sale or exploitation of any patents obtained on the invention, as determined by the faculty Research Committee.

RICE UNIVERSITY

Houston 1, Texas

No formalized research or patent policy, although the formulation of such a policy is currently under study by a faculty committee; at present the University observes a laissez-faire attitude, except with respect to externally supported research which is conducted under mutual agreements between the sponsor and the University, usually assigning to the sponsor all patent rights resulting from such research but reserving to the University publication rights. No patent management agency.

TEXAS AGRICULTURAL AND MECHANICAL COLLEGE SYSTEM

College Station, Texas

Formalized research and patent policy, adopted 23 November 1949 by the Board of Directors of the Texas Agricultural and Mechanical College System and included as Sections 2 and 3 in Chapter V of the Rules and Regulations for the Texas Agricultural and Mechanical College System; applicable on a system-wide basis, including the Agricultural and Mechanical College of Texas, Arlington State College, Tarleton State College, Prairie View Agricultural and Mechanical College of Texas and the other units of the System:

> 2. Memoranda of Understanding or Agreement for Cooperative Research
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> a. It shall be the policy of the System and its parts to cooperate whenever possible, within the limits of its means and responsibilities, with individuals, government agencies, corporations, or other outside parties, in the solution of problems of mutual interest. The initiative for effecting such cooperative arrangements, including the establishment of grants-in-aid for the support of existing research work, may be assumed either by a college service or agency of the System or by an outside party.