decisions: patent lawyers, tax experts, certain economists and business professors could all make useful contributions to the committee decisions.

2. *The President of the university should appoint administrative members.*

The university counsel and someone whose duties are primarily the administration of research funds should be included. The latter may be the provost (or a member of his staff) or director of the office of research.

3. *Students should participate in the committee's deliberations.*

The graduate student organizations should be asked to send one student who is a degree candidate in one of the science department or in engineering. The undergraduate student organization should send one student. Student representation is important because students are themselves inventors, and are as affected by patent policy as faculty are. In addition, graduate students are salaried employees on the research grants and contracts that science faculty obtain, and are essential labor in the production of faculty publications that enable faculty to obtain outside research support. Students therefore have an equitable interest in the patenting activities of the faculty. Finally, students are a source of good ideas. Committees benefit from their advice. The restriction of student representation to the science and engineering departments, instead of including the medical school, is on practical grounds. First, a committee which is too big is unwieldy and does not get its work done. Second, students who are candidates for the M.D. degree, unlike candidates for the Ph.D. degree, are primarily engaged in course and clinical work rather than independent research. Post-doctoral fellows in the science departments, who are theoretically drawn from the most promising of the newly minted Ph.D. degree recipients, would be a valuable resource. Nevertheless, they are not included in the committee structure because they are transient (usual appointments are for one-year terms) and would not be able to provide any continuity of service.

4. *The committee will decide questions of policy and review records of inventions.*

The committee's responsibilities will include: (1) review of patentable subject matter; (2) review of the relationship between the university and the patent management firm; (3) review of licensing agreements; (4) identifying the source of funding which produced inventions; (5) identifying which inventions are in the field of medicine and health; and (6) allocation of proceeds.

Members of the committee will also be asked to assist in establishing priority in the conception of the basic idea of the inventor. To accomplish

this, faculty will have to keep time records of when their research itiated and conducted. Patent management firm representatives the responsibility of advising faculty on keeping these la notebooks on the progress of their research.[93] One member of mittee who understands the invention in question should rev sign the laboratory notebook of the inventor. If no member of the tee is qualified to do so, a committee member will serve as a w review and signature by a colleague who is competent to do so

III. CONFLICT OF INTEREST

A. Decisions on Conflict of Interest Which are Required Course of Patenting are Outside the Sphere of Responsi of the Patent Committee.

1. *General university policy will govern relationships faculty and interests outside the university.*

Full-time employment at the university requires a full-tim ment to the university's program of instruction and research. mitment conflicts with outside activity that (1) exceeds a limit of time; or that (2) influences the university's or individu member's relationship with outside interests in a way that lea sonal gain for anyone at the university. These principles are that affect everyone at the university, and are not patent issu They have come to be associated with the patenting of univer tions and discoveries because so much attention has been gi field of genetic engineering, in which there is a high comme on research results, and in which some aggressive faculty spe commercial enterprises has yielded enormous profits.

A few dramatic examples will illustrate the extent of menon. Stanford University, where the tradition of universi with genetic engineering is relatively long, has established th Integrated Systems, which is supported by about twenty electi panies in the neighboring area, Silicon Valley.

Stanford is also the home of individual faculty entrepre Djerassi, it is reported, returns most of his earnings to the Stanley Cohen of Stanford and Herbert Boyer of the Univer fornia (Berkeley), who developed the technique of gene-spl established their own commercial company, Genentech, with its to themselves and their institutions. The University of Cal lationship with Genentech stirred an inquiry by the Californi islature into potential conflict of interest problems resulting

[93] The importance of these notebooks, as well as their authenticatio who are not co-workers is stressed by COMM. ON GOV'T REL., NAT'L ASS'N OF CO BUS. OFFICERS, PATENTS AS COLLEGES AND UNIVERSITIES, GUIDELINES FOR THE I POLICIES AND PROGRAMS 19, 26 (1978).