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POLICY STATEMENT ON PATENTS ADOPTED BY THE ADMINISTRATION OF THE UNIVERSITY OF WISCONSIN ON (date)

The research work conducted at the University of Wisconsin is of a fundamental or basic nature and is generally designed to discover new facts and to understand existing facts as distinguished from applied research which is designed to develop products or methods of immediate commercial value.

The primary interest of investigators in the University is to publish their findings in scientific journals and such publication is always encouraged by department heads and by the University administration. Patents are an occasional by-product of the research activities.

Preparation and prosecution of patent applications, as well as the exploitation of resulting patents, are not a part of the University's functions. When a patentable invention results from the research of an investigator and, in the absence of patent restrictions imposed by outside sponsors, the investigator is the sole owner of the invention and may dispose of his discovery as he wishes. He may pursue and administer ~~the~~ a patent at his own expense, assign his rights to private interests, or publish without obtaining a patent at all. As another alternative, he may elect to offer his invention to the Wisconsin Alumni Research Foundation. Assignment of inventions to the Foundation is completely compatible with University policy and has the approval of the University administration.

The only exception to this policy is an invention arising from a

grant containing a "patent clause" which reserves for the granting agency certain rights in such inventions. When this kind of grant is accepted by the University of Wisconsin on behalf of the investigator, the latter agrees in writing to its terms and has no choice other than to refer the invention to the grantor. Frequently, research projects are financed by more than one sponsor under contracts containing patent provisions with the result that there can be conflicts of interest.

The University administration believes that the public interest can best be served if the patent provisions of grants from outside sponsors are modified to allow investigators the following alternatives:

a. Refer their inventions to the sponsor if that is presently required, or

b. Assign whatever inventions may result from their work to the Wisconsin Alumni Research Foundation for patenting and licensing in the public interest.

The Wisconsin Alumni Research Foundation was established in 1925 by public spirited alumni to develop inventions assigned to it by University of Wisconsin inventors and has an excellent record of administering patents in the public interest. Net income received by the Foundation from its patent licensing program is put into a fund from which grants are made to the University to further scientific research. These grants are made with no restrictions or limitations as to the specific disposition of the funds.

The Foundation has agreed to act as patent advisor to the University administration on all patent matters which are brought to its attention

by faculty, staff and students of the University.