SUPA Questionnaire Concerning

University Patent Policies and Patent Administration

1. Name of Institution University of Wisconsin
2. Who authorized your Patent Policy?
   a. Trustees or Regents _____
   b. Faculty _____
   c. President or Chancellor President
   d. Other (please specify) _____
3. What office administers the Patent Policy? Vice Pres. & Controller
4. To whom is that office responsible? Board of Regents through the President
5. Is there a Patent Committee? No.
6. What is its composition? _____
7. What are the functions of the Patent Committee? _____
8. Does the Patent Policy cover:
   a. Faculty yes
   b. Professional Staff yes
   c. Nonprofessional Staff yes
   d. Graduate students employed by University yes
   e. Graduate students not employed by University No
   f. Undergraduates employed by University yes
   g. Undergraduates not employed by University No

9. Does your institution control the disposition of patent rights by either (it is understood that a sponsor may subsequently take control):

   Taking title to inventions no

   or Directing or approving disposition by inventors no

   or is the referral of an invention to the university voluntary if there is no sponsor requirement Yes (as to disposition of rights)

10. Do you enter into agreements with possible inventors (see 8 above) to establish patent rights (complete only one response):

   a. For all possible inventors from 8 above (specify a,b,c,d...etc)

   no

   b. For all possible inventors from 8 who participate in sponsored research (specify a,b,c.....etc) Yes (a,b,c,d,f)

   c. For all possible inventors from 8 who are employed (specify a,b,c....etc) no

   d. For all possible inventors from 8 who are employed just in sponsored research (specify a,b,c...etc) no

11. Do you use or have you considered using a single agreement to cover both patents and copyrights? no

12. Is one or more patent management firm utilized and if so give names?

   Yes. Wisconsin Alumni Research Foundation (WARF)

13. If the institution (not a patent management firm) decides to make a patent application, what office makes this decision?

   Institution does not decide

14. Does your patent policy require reporting by those covered by the policy (see 8) of:

   a. All inventions made even though there is no institutional or sponsor equity Yes - to establish rights and options of all parties, or

   b. All inventions made on which patents are applied for, even though there is no institutional or sponsor equity

   no, or

c. All inventions made where there is some institutional or sponsor equity no, or

d. Only those inventions made which must be reported to a sponsor no

15. What is the basis of the institution's claim for institutional equity in an invention, i.e. what is the legal consideration for the university to obtain rights?

a. Payment of salary or stipend

b. Provision of funds or facilities

c. Other The University of Wisconsin has never claimed that it has proprietary rights in any invention generated at the University

16. Is arbitration or some other form of decision-making provided for in the event of a disagreement as to the institution's equity or rights in an invention? No

17. Does the institution ever relinquish its rights to an invention back to the inventor? . If yes, under what circumstances?

The University does not claim rights to its employee's inventions

18. Does the institution handle inventions for inventors in which it has no equity? No. If yes, what are the conditions?

Inventor may assign his invention to WARF for patent filing and licensing. Inventor will receive 15% of net royalties.

19. If the institution retains patent rights for inventions, what share of royalties is paid to inventor(s)? Net or gross?

Institution does not claim any interest in employee inventions

20. What disposition is made of institution's share of royalties?

Royalties come to the institution as gifts from WARF and are Administered by institution in support of research activities.

21. What steps if any are taken to assure that all inventions are properly disclosed? Mandatory disclosure is a systemwide policy published in a General Administrative Policy Paper. Enforcement of policy is the responsibility of the respective dean.

22. Does your institution have any institutional patent agreements (IPA's) with federal agencies? yes. If so, list agencies

Department of Health, Education, and Welfare
National Science Foundation

23. In negotiating sponsored research agreements with industry, do you accept requirements for sponsor to obtain:

a. Title to all inventions no

b. Exclusive license no

c. Exclusive license for limited period no

d. Exclusive license for limited period with march-in rights for lack of diligence no

e. Nonexclusive license no

f. Other Restrictive patent clauses not accepted with funds from private sources.

24. Under the arrangements described in 23 above, is there any provision for royalties or other reimbursements to the university, such as increased indirect costs? no

25. For inventions owned or controlled by the institution and not assigned to a patent management organization, which of the categories of 23 above best describe the institution's policies for assignment or licensing?

Institution does not own or control inventions

26. How many patents were applied for on your institution's inventions during the last ten years by:

Inventor unknown

Institution none

Patent Management Organization 1/67-1/77 - 138

Industrial Sponsor unknown

Government Sponsor unknown

27. How many of the above patents issued. 87

28. How many of the patents in 27 were licensed? 38