

## 10.02 Responsibilities of University Personnel

1. University personnel who, either alone or in association with others, make an invention in which the university has or may have an interest shall disclose such inventions on forms provided for this purpose by the university's legal counsel (Appendix A-page 94). The university legal counsel will promptly acknowledge its receipt of completed disclosure forms and will distribute such forms to the university patent committee for consideration at its next meeting.

The patent committee will review each written disclosure promptly. The inventor or the inventor's representative shall be allowed to examine all written materials submitted to the committee in connection with the inventor's disclosure and make a written and, where practicable, oral presentation to the committee. The committee will decide on the proper disposition of the invention to secure the interests of the university, the inventor, the sponsor if any, and the public. Its decision may include, but is not limited to, one or a combination of the following:

- (1) To submit the disclosure for review by a patent or invention management firm;
- (2) To make inquiries of potential licensees that may have an interest in the invention, including the financing of a patent application, where applicable;
- (3) To study the practicality of applying for a patent with university resources (an option with limited application because of financial constraints);
- (4) In proper cases, to release its rights to the inventor subject to an agreement to protect the interests of the university, the sponsor if any, and the public, including an obligation to pay to the university a percentage of future royalties; and
- (5) To dedicate the invention to the public.

Within four weeks of the receipt of the disclosure, the inventor will be notified in writing of the decision of the committee on (1) the equities involved including financial participation, (2) whether the university plans to file a patent application, or (3) whether the university will accept assignment of the invention for patenting, licensing and/or commercial handling as applicable. If the university chooses neither to file a patent application or otherwise make available commercially nor to dedicate to the public an invention in which it asserts its rights, the invention at the committee's discretion may be released in writing to the inventor, with the permission of the sponsor, if any. If, after the university has filed a patent application, it decides to abandon the patent, the inventor will be promptly notified in writing, and all rights at the committee's discretion may be released by written agreement to the inventor, with the permission of the sponsor, if any.

In those cases in which the university has obtained a patent without obligation to sponsors, if no arrangement has been made for commercial development within a reasonable period from the date of the issuance of the patent, the inventor(s) may request in writing a release of the university's patent rights. The patent committee will promptly either grant the request or will advise the inventor of the university's plans for the development of the invention.

As to any invention in which the university has an interest, the inventor, upon request, shall execute promptly all contracts, assignments, waivers or other legal documents necessary to vest in the university or its assignees any or all rights to the invention, including complete assignment of any patents or patent applications relating to the invention.

2. University personnel may not: (a) sign patent agreements with outside persons or organizations which may abrogate the university's rights and interests as stated in the Patent Policy or as provided in any grant or contract funding the invention, nor (b) without prior authorization use the name of the university or any of its units in connection with any invention in which the university has an interest.