

The Senate of Michigan Technological University

PROPOSAL 4-75

AMENDMENTS TO THE FACULTY PATENT POLICY

The Audio-Visual Instructional Material Committee recommends that the Senate request the following amendments be made to the Board of Control to the Patent Policy, as found in Appendix C to the Handbook for Academic Faculty, interim ed., 1974, pp. 46-48:

Section 5a

From: "The University may permit the sponsor or sponsors royalty-free, non-exclusive, non-transferable right to use the invention"

To: "The University may assign its share of patent rights to the sponsor or sponsors on a royalty-free, non-exclusive, non-transferable basis. The assignment of the inventor's share will be negotiated between him and the sponsor or sponsors."

Section 5c

New: "The inventor or his designated agent has the right to an annual audit of the records pertaining to his patent and royalty income."

Section 7

From: "Subject to administrative decision, the University may relinquish its equity in any invention to the inventor or inventors."

To: "The Director of Research may relinquish the University's equity in any invention to the inventor or inventors.

- a. The Director of Research has the authority to decide whether the University will exercise its option to patent a disclosure.
- b. If, after 90 days have elapsed, no decision has been made on a disclosure, the inventor has the right to withdraw it and obtain a patent at his own expense and under his own name."

Section 8

From: ". . . at its discretion"

To: ". . . on application of the inventor."

Section 11

From: ". . . professional employee."

To: ". . . member of the research faculty."

Add: "Other faculty who engage in research using University funds, facilities, or equipment, must sign the patent agreements."

Section 12

From: "Where an inventor reduces to practice a conception with the use of University facilities or in the course of his employment the University may claim rights even though the conception may have occurred outside of his University employment."

To: "Where an inventor reduces to practice a conception with the use of University funds or facilities, the University may claim the rights to such inventions."

The committee further requests that the "Patent and Research Agreement" prepared by the administration to implement the Board of Control policy be revised to reflect the amended patent policy, above and respectfully suggests that no agreement form be introduced without participation and approval of the Faculty Senate.

Proposal Adopted by Senate: 19 March 1975
Not approved by the Board of Control