

33592-05 University research, copyright, and patent policy.

(A) University research policy. It is the policy of the university of Akron, ("University university"), with reference to all creative endeavors of its faculty, staff members and students conducted ~~on~~ university university time or with its facilemr reserves the

determined by its board of trustees (consist) from with the public interest as

(1) ~~Copyrights of the university, in which the university is participating, shall be assigned to the university. The university shall have the right to participate in any agreement or arrangement with the faculty.~~

(2) Publications. The ~~university university~~ encourages the publication

(3) Policy regarding unofficial employment.

(a) ~~Since the independence of the member's faculty is to a~~ creative educator in the academic field, it is desirable that

the faculty member be encouraged to carry on constructive professional work, to support professional organizations both national and local, and to contribute to public service. Such efforts, if rightly undertaken, will not only increase the value of the individual as an educator but also afford the university legitimate and desirable recognition. However, in publicizing unofficial work, faculty should make a conscious effort to avoid the exploitation of trivial results or the dissemination of misleading or exaggerated statements.

- (b) Since the primary obligation of a fulltime faculty member ~~as stated in paragraph (A)(5) of rule 33502 of the Administrative Code,~~ is to the university, the faculty member should hold paramount in arranging outside appointments the duty of maintaining the quality of work, avoiding the danger of overtaxing energies with an undue burden of outside activity, and adhering to instructional schedules and other definite college engagements.
- (4) General conditions and restrictions. The following general conditions and restrictions will be observed for the best interests of all parties concerned:
 - (a) Research will be the type of work that will enhance the reputation of the university as a seat of higher learning.
 - (b) Research will be restricted to the type of work for which the university can provide adequate staff and facilities.
 - (c) No extra compensation will be paid any faculty member for participating in sponsored and contract research during the academic year; however, participation in research during the summer months will be paid for at the same salary rate received by a faculty member during the academic year.
 - (d) The university will not pay salary or wages for work done by a candidate for academic credit leading to a degree; however, students pursuing degree programs may receive university awards, scholarships or fellowships.

(5) Contract research.

- (a) ~~The director of research services and special programs~~ office of research administration shall coordinate all contract research ~~in accordance with the provisions of rule 33598-02 of the Administrative Code~~
- (b) Faculty members who wish to pursue specific projects shall consult the ~~director~~ office of research administration and the approach to the sponsor shall be made by the director or by the director's authorized designee.
- (c) All contracts shall be approved by the president of the university or the vice president for research before any work thereunder is begun or any commitments are made.
- (d) The president may appoint advisory committees in any research areas as the president deems appropriate.
- (e) A faculty member shall have the right to accept or decline participation in any contract ~~re~~search made available.
- (f) A plan for graduate assistantships should be put into effect to facilitate contract research whenever such research becomes available.

(6) Patent rights and licensing procedure.

- (a) The board seeks to stimulate innovative ~~res~~earch and to encourage the development and utilization of the

or research facility of the university.

- (c) It is the policy of this board that intellectual property rights belong to the university unless otherwise expressly approved by the board of trustees and stipulated in a written agreement to which the ~~Vice President~~ the president for research, or president is a signatory. In the instance of research developed with the support of funding from governmental agencies, the regulations of such funding agencies may take precedence to this policy.
- (d)

research, five percent of net funds will be placed in an account to be used for college purposes by the dean(s) of the college(s) in which the inventors have primary appointment, five percent of net funds will be placed in an account to be used for departmental purposes by the chair(s) of the department(s) in which the inventors have primary appointment

factors should be considered in establishing a royalty. The royalty should be based upon an easily audited item, such as "net sales."

- (k) The university has an equity interest in any invention or discovery of its employees, faculty, staff, or students resulting from research that involves a significant use of funds, space, or facilities administered by the university. The university seeks to stimulate innovative research and to encourage the development and utilization of the discoveries and inventions of its research in a manner consistent with the public interest. The university believes it should make inventions resulting from its research available to industry or the public on a reasonable and effective basis. In this regard, the university actively seeks licensing of its patented technology on the best available terms, subject to the following conditions:
 - (i) The university should not be expected to expend additional funds to improve the viability of the patent.
 - (ii) The stipulations of P.L. 9647 relative to terms of exclusivity, etc., become effective if any federal funds have supported research leading to the invention.
 - (iii) The potential licensee should provide sufficient credentials of financial and marketing capability for university review.
 - (iv) Any agreement should include, as applicable, a royalty fee schedule, term and termination, considerations of "due diligence" provisions which establish levels of expectation and performance of the licensee, and provision for possible license renewal.
- (l) The university should retain for itself and, whenever possible, for other public or private institutions, the free right to use nonconfidential technology for research and

(8) Waiver of rights in intellectual property

Upon written recommendation of the applicable chair/institute director and dean, and written approval of the vice president for research and the president, the associate vice president for research and director and associate director of the office of research services and sponsored programs of the office of research administration are authorized to execute materials and information testing

- (9) Guidelines for use of university research and services for economic development.
- (a) University research and services may expend funds and utilize lands, facilities, equipment, and the services of employees and students to benefit the people of the state of Ohio by creating or preserving jobs and employment opportunities or improving the economic development and welfare of the people of the state when all of the following factors are present:
- (i) There is reasonable assurance that the proposed use and/or activity would not interfere with or compromise the university's academic and research mission.
 - (ii) There is reasonable assurance that the proposed use and/or activity would not unfairly interfere with, displace or compete with any existing private or public entity's performance of the same or similar activity.
 - (iii) There is reasonable assurance that the proposed activity would result in revenues to the university which shall at least be sufficient to recoup any direct expenses to the university. Depending upon the extent of use and/or activity, as determined by the controller of the university, the revenues established for any use and/or activity may include a factor to recover all or a portion of the university's actual or potential indirect costs, including but not limited to any unrelated business income tax liability.
 - (iv) There is reasonable assurance that the activity to be undertaken will allow public or private entities or enterprises the opportunity to compete more effectively in the marketplace and/or fulfill needs that are being inadequately met by the private market.

- (v) There is a reasonable assurance that the proposed use and/or activity is incidental to a viable academic program. All such use and/or activity shall contain substantial and appropriate academic content consistent with the university's academic and research mission.
- (vi)