

## **INTELLECTUAL PROPERTIES COMMITTEE.**

MEETING: SEPTEMBER 22, 2020

The Intellectual Properties Committee met Thursday May 14, 2020 via Zoom.

Attendees: Brandy Salmon, Grant Brewer, Laurel Miner, Mark Mondry, Katherine Nicewander, Kay Heidbreder, Don Taylor, Melinda West, Dominic LoPinto, Saied Mostaghimi, Jennifer Wayne, Kevin Edgar, Mauricio Ramos, Stefan Duma, Cristen Jandreau, Lisa Young

### **CALL TO ORDER & WELCOME**

Brandy Salmon, Chair, called the meeting to order at 1:05pm.

Members were welcomed and Brandy expressed appreciation for this meeting and service of members. IPC reviewed historical context and need for the Committee, a vital part of university governance.

Introductory remarks included:

- That tech transfer activities at Virginia Tech have not been a priority for a number of years; however, over the last year, tech transfer has made significant gains; team is fielding healthy influx of invention disclosures, faculty queries, patent filings, licenses, and start-ups.
- IPC plays a critical role in fielding disputes, a common occurrence in technology transfer.
- Some disputes do relate to Invention Disclosure matters, as intended, but at the same time, the office receives many queries that relate to other offices and matters, including those that relate to faculty contracts, conflict of interest, and HR.
- The IPC is part of our governance structure at Virginia Tech.

IPC thanked April Meyers and Laurel Miner for assisting in the recreation of the committee.

IPC reviewed agenda. Laurel Miner made a motion to approve the agenda. Saied Mostaghimi seconded the motion. All members were in favor and the agenda was approved.

### **MEMBER INTRODUCTIONS**

*Dr. Laurel Miner*, Chief of Staff, Office of Vice President for Research and Innovation

*Dr. Saied Mostaghimi*, Associate Dean for Research, College of Ag and Life Sciences

*Katherine Nicewander*, Intellectual Property Coordinator, Virginia Tech

*Dr. Kevin Edgar*, Sustainable Bio Materials, CNRE, and Associate Dean, Grad School

*Dominic LoPinto*, Master Student, Representative for Graduate Student Assembly and pursuing degree in Mechanical Engineering and Industrial and Systems Engineering

*Grant Brewer*, Executive Director, License

*Dr. Mark Mondry*, Associate Director, Launch

*Dr. Cristen Jandreau*, Director, Research Conflict of Interest Program and the Division of Scholarly Integrity and Research Compliance

*Lisa Young*, Executive Assistant/Project Coordinator, Link + License + Launch

*Dr. Don Taylor*, Interim Vice President, Office of Vice President for Research and Innovation; Executive Vice Provost starting November 1

*Mauricio Ramos*, Director, University Ombuds Office

*Dr. Kay Heidbreder*, University Legal Counsel

*Melinda West*, Interim University Controller representing Finance

*Dr. Jennifer Wayne*, Department Head, Biomedical Engineering and Mechanics

*Dr. Brandy Salmon*, Chairman of IPC, Associate Vice President for Innovation and Partnerships and leads LINK + LICENSE + LAUNCH

## **FIT WITHIN GOVERNANCE**

IPC reviewed fit within university governance:

- Councils
- Committees
- Commissions

The IPC is a committee and part of our shared governance. The IPC members are listed on the website. Policy 13000 guides the IPC.

## **LINK + LICENSE + LAUNCH**

Overview of the unit was provided, with reference to the new [LINK + LICENSE + LAUNCH website](#) and example partnerships, including:

- Rolls-Royce and Ford Alliance;
- Dive Technologies is a newer partnership;
- Fralin – based start-ups, including by Rob Gourdie, a distinguished faculty member in Fralin Bioscience Research Institute, who is passionate about start-ups; recently founded Tiny Cargo.

## **INVENTORSHIP**

Inventorship is a legal definition. More about inventorship can be referenced at the USPTO.gov site: <https://www.uspto.gov/web/offices/pac/mpep/s2109.html>

## **POLICY 13000**

Policy 13000 is the guiding policy for this work and can be found among university policies: <https://policies.vt.edu/assets/13000.pdf>

IPC discussed if Virginia Tech had established an arrangement for intellectual property around collaborations with Carilion. In the absence of an overarching, Virginia Tech/VTIP could enter into an Inter Institution Agreement (IIA), a standard process for shared inventions. It would be a case by case agreement.

Kevin Edgar asked, as someone who often talks to faculty and colleagues about inventorship and industry collaborations, about educating faculty members especially young faculty on inventorship and how important that is, disclosure and disclosure rules and different continents.

Brandy responded that the team does offer regular training across various groups, including new faculty orientations, but the team is always happy to plug in in new ways and reach faculty in a variety of forums.

## **IPC CHARGE**

IPC charge as outlined in Policy 13000 was reviewed.

Three scenarios were presented that represent the types of queries IPC may be asked to review.

## **NEXT STEPS: STANDARD OPERATING PROCEDURE**

IPC determined the benefit of a specific, transparent process for addressing disputes. Develop a formalized request for the IPC to review. Process should:

- Factor in that many possible disputes are, in fact, not appropriate for IPC
- Allow opportunities for parties to resolve matters outside of IPC
- When a matter should go to the IPC, it should be initiated through a formal request
- The request should include informing the other parties
- The form should inquire about informing Departmental leadership unless request includes specific reason why Department Head should not be notified
- Allow review of a subset of the committee and possibly support by technical consultants to review; allow full IPC to review recommendations.

IPC affirmed the value in appointing a subgroup to work on a problem and then bring it back to the Committee in a more advanced form.

IPC discussed that Invention Disclosure Forms are signed by Department Heads; Committee discussed concerns that such a requirement could dissuade raising issues. Members discussed that the Department Head is the faculty member's supervisor. IPC agreed to include a prompt on the Request to Review form but allow for situations in which a Department Head may not be notified (e.g., if part of the dispute) and, in these cases, Legal may be involved instead.

Action: IPC will review a proposed process in the next meeting.

### **MEETING FREQUENCY**

IPC suggested to schedule every other month and in cases when there is nothing to discuss, meetings can be cancelled.

If urgent, IPC members suggested creating a meeting and if not needed, defer to the next scheduled meeting.

### **SCHEDULING NEXT MEETING**

IPC suggested scheduling the next meeting as close to a month if possible.

### **MEETING ADJOURNMENT**

The meeting was adjourned at 2:07 p.m.

Respectfully Submitted,

Brandy L. Salmon, Chair of the Intellectual Property Committee