# Virginia Polytechnic Institute and State University Intellectual Properties Committee August 20, 2003

#### **OWNERSHIP SUBCOMMITTEE**

The Intellectual Properties Ownership Subcommittee met August 20, 2003 with the following members present: Dr. Tim Pickering (in Dr. Jim Blair's stead), Mr. Wendell Vest (in Mr. Ken Miller's stead), and Dr. Tom Caceci. Dr. Pickering called the Ownership Subcommittee meeting to order at 12:03 p.m. Disclosures 03.084, 03.085, 03.088, 03.093 through 03.101 and 03.103 were presented for ownership determination. Dr. Pickering called for a motion that all disclosures be deemed university owned. The motion was made by Dr. Caceci, seconded by Mr. Vest and the motion was unanimously passed.

The subcommittee meeting adjourned at 12:04 pm.

#### **FULL COMMITTEE**

The Intellectual Properties Committee met August 20, 2003, with the following members present: Dr. Tim Pickering (in Dr. Jim Blair's stead), Mr. Wendell Vest (in Mr. Ken Miller's stead), Dr. Craig Nessler, Dr. Tom Caceci, Dr. Jacobus Van Wyk, Mr. Mark Sumner, Ms. Kay Heidbreder, and Mr. Mike Martin. Dr. Keith Jones and Dr. Kumar Krishen attended as guests. Ms. Debbi Lucas recorded the minutes.

#### Call to Order

Dr. Pickering called the Intellectual Properties Committee meeting to order at 12:05 p.m.

#### **Approval of Minutes**

Dr. Pickering called for a motion to approve the minutes of June 18 and July 16, 2003. The motion to accept the minutes was made by Dr. Nessler, seconded by Mr. Martin and the motion was unanimously passed.

#### **Other Business**

Dr. Pickering advised of two vacancies on the IPC since Dr. Mary Beth Rosson and Dr. Betty Heath-Camp have left. He believes that Dr. Tom Sherman has been appointed to replace Dr. Heath-Camp. Dr. Pickering is open to suggestions. Dr. Nessler suggested someone from VBI; Dr. Sumner suggested Dr. Glenda Scales of Information Technology; Mr. Martin suggested Dana Eckart from VBI, who is very active in the open source community.

Mr. Mike Martin commented on VTIP's plan and effort to convert the meeting to paperless. VTIP is under severe budget restraints due to the loss of revenue of an

expired patent and office resources used to prepare copies for the meetings. VTIP's plan is to scan each and every disclosure onto a secure website, providing each IPC member with a password. Prior to each meeting, the IPC members will receive an email directing them to the web site where they will be directed to the month's disclosures to be reviewed in addition to the disclosures assigned to them for evaluation. VTIP's goal is to get this process in place by October 2003.

## **Summary Reports and Recommendations from Evaluation Coordinators**

The following reports and recommendations were received:

03.026	Evaluator(s): Mr. Mark Sumner
03.060	Evaluator(s): Dr. J.D. Van Wyk
03.064	Evaluator(s): Drs. Ira Jacobs and Tom Caceci
03.065	Evaluator(s): Dr. J.D. Van Wyk
03.068	Evaluator(s): Dr. Tom Caceci
03.069	Evaluator(s): Dr. Tim Pickering
03.070	Evaluator(s): Drs. Tim Pickering and J.D. Van Wyk
03.072	Evaluator(s): Dr. Tim Pickering
03.074	Evaluator(s): Dr. Mark Sumner
03.079	Evaluator(s): Drs. Al Wicks and Mark Sumner
03.080	Evaluator(s): Dr. Tom Caceci
03.082	Evaluator(s): Dr. Tim Pickering

Comments of the reviewers can be found on file in VTIP office.

Dr. Caceci made a motion to approve the evaluations listed above, Mr. Sumner seconded and the motion was unanimously passed.

02.115	Evaluator(s): Drs. Ira Jacobs and Al Wicks
02.120	Evaluator(s): Drs. Ira Jacobs and Al Wicks
02.124	Evaluator(s): Drs. Ira Jacobs and J.D. Van Wyk

03.034	Evaluator(s): Dr. Al Wicks
03.035	Evaluator(s): Drs. Al Wicks and Mark Sumner
03.050	Evaluator(s): Dr. Al Wicks
03.052	Evaluator(s): Dr. Al Wicks
03.056	Evaluator(s): Dr. Mary Beth Rosson
03.058	Evaluator(s): Dr. Al Wicks
03.067	Evaluator(s): Dr. Mary Beth Rosson
03.075	Evaluator(s): Dr. Al Wicks
03.077	Evaluator(s): Dr. Ira Jacobs
03.078	Evaluator(s): Dr. J.D. Van Wyk
03.081	Evaluator(s): Dr. Ira Jacobs
03.083	Evaluator(s): Dr. Tim Pickering
03.086	Evaluator(s): Dr. Tim Pickering
03.089	Evaluator(s): Dr. Ira Jacobs
03.090	Evaluator(s): Dr. Tom Caceci
03.091	Evaluator(s): Dr. Tim Pickering
03.092	Evaluator(s): Mr. Mark Sumner

03.084	Evaluator(s): Dr. Joe Falkinham
03.085	Evaluator(s): Drs. Ira Jacobs and Tim Pickering
03.088	Evaluator(s): Drs. Tim Pickering and Joe Falkinham
03.093	Evaluator(s): None assigned; already licensed
03.094	Evaluator(s): Dr. J. D. Van Wyk

03.095	Evaluator(s): Mr. Mark Sumner
03.096	Evaluator(s): Dr. Ira Jacobs
03.097	Evaluator(s): Drs. Ira Jacobs and Tim Pickering
03.098	Evaluator(s): Dr. Ira Jacobs
03.099	Evaluator(s): Dr. Tom Caceci
03.100	Evaluator(s): Dr. Ira Jacobs
03.101	Evaluator(s): Dr. J.D. Van Wyk
03.103	Evaluator(s): Dr. Ira Jacobs

# Adjournment

Dr. Pickering announced the meeting adjourned at 1:00 p.m.

## Virginia Polytechnic Institute and State University Intellectual Properties Committee September 17, 2003

#### **OWNERSHIP SUBCOMMITTEE**

The Intellectual Properties Ownership Subcommittee met September 17, 2003 with the following members present: Dr. Jim Blair, Mr. Ken Miller, and Dr. Ira Jacobs. Dr. Blair called the Ownership Subcommittee meeting to order at 12:05 p.m. Disclosures 03.087, 03.102, 03.104, 03.106 through 03.111 were presented for ownership determination. Dr. Blair called for a motion that all disclosures be deemed university owned. The motion was made by Dr. Jacobs, seconded Dr. Nessler and the motion was unanimously passed.

The subcommittee meeting adjourned at 12:06 pm.

#### **FULL COMMITTEE**

The Intellectual Properties Committee met September 17, 2003, with the following members present: Dr. Jim Blair, Mr. Ken Miller, Dr. Craig Nessler, Mr. Mark Sumner, Dr. Ira Jacobs, Dr. Joe Falkinham, Dr. Al Wicks, and Mr. Mike Martin. Dr. Keith Jones and Dr. Kumar Krishen attended as guests. Ms. Debbi Lucas recorded the minutes.

#### **Call to Order**

Dr. Blair called the Intellectual Properties Committee meeting to order at 12:07 p.m.

#### **Approval of Minutes**

Dr. Blair called for a motion to approve the minutes of August 20, 2003. The motion to accept the minutes was made by Dr. Nessler, seconded by Mr. Martin and the motion was unanimously passed.

#### **Other Business**

Mr. Mike Martin commented on VTIP's plan and effort to convert the meeting to paperless. At this time the secure web site has been set up. Today after this meeting, Ms. Lucas will email each IPC member with the web site address and domain information. Another email will follow containing the password. This will be a test run to take a look at the site. On Thursdays, prior to each month's IPC meeting, Ms. Lucas will send an email to all IPC members listing the disclosures to be reviewed for that meeting. The disclosures and the agenda and minutes will be on the web site. During the IPC meeting, Mr. Martin will announce the evaluators assigned to each disclosure presented at the meeting. Evaluation reports received for the month will be copied and brought to the meeting for review. Please continue to send the evaluation reports electronically to Ms. Lucas. After each IPC meeting,

Ms. Lucas will send an email to the members advising of evaluations assigned. Members can then go to the web site to review disclosures assigned to them. Once an evaluation report has been presented at the IPC meeting, the disclosure will be removed from the web site. Evaluations will remain on the web site for 1 to 2 months.

## **Summary Reports and Recommendations from Evaluation Coordinators**

The following reports and recommendations were received:

02.115	Evaluator(s): Drs. Ira Jacobs and Al Wicks
03.035	Evaluator(s): Drs. Al Wicks and Mark Sumner
03.050	Evaluator(s): Dr. Al Wicks
03.077	Evaluator(s): Dr. Ira Jacobs
03.081	Evaluator(s): Dr. Ira Jacobs
03.084	Evaluator(s): Dr. Joe Falkinham
03.088	Evaluator(s): Drs. Tim Pickering and Joe Falkinham
03.095	Evaluator(s): Mr. Mark Sumner
03.096	Evaluator(s): Dr. Ira Jacobs
03.098	Evaluator(s): Dr. Ira Jacobs

Comments of the reviewers can be found on file in VTIP office.

Dr. Nessler made a motion to approve the evaluations listed above, Dr. Falkinham seconded and the motion was unanimously passed.

02.120	Evaluator(s): Drs. Ira Jacobs and Al Wicks
02.124	Evaluator(s): Drs. Ira Jacobs and J.D. Van Wyk
03.034	Evaluator(s): Dr. Al Wicks
03.052	Evaluator(s): Dr. Al Wicks
03.056	Evaluator(s): Dr. Mary Beth Rosson

03.058	Evaluator(s): Dr. Al Wicks
03.067	Evaluator(s): Dr. Mary Beth Rosson
03.075	Evaluator(s): Dr. Al Wicks
03.078	Evaluator(s): Dr. J.D. Van Wyk
03.083	Evaluator(s): Dr. Tim Pickering
03.085	Evaluator(s): Drs. Ira Jacobs and Tim Pikering
03.086	Evaluator(s): Dr. Tim Pickering
03.089	Evaluator(s): Dr. Ira Jacobs
03.090	Evaluator(s): Dr. Tom Caceci
03.091	Evaluator(s): Dr. Tim Pickering
03.092	Evaluator(s): Mr. Mark Sumner
03.094	Evaluator(s): Dr. J. D. Van Wyk
03.097	Evaluator(s): Drs. Ira Jacobs and Tim Pickering
03.099	Evaluator(s): Dr. Tom Caceci
03.100	Evaluator(s): Dr. Ira Jacobs
03.101	Evaluator(s): Dr. J.D. Van Wyk
03.103	Evaluator(s): Dr. Ira Jacobs

03.087	Evaluator(s): Drs. Al Wicks and Tom Caceci
03.102	Evaluator(s): Drs. Al Wicks and Mark Sumner
03.104	Evaluator(s): Dr. Tim Pickering
03.106	Evaluator(s): Dr. Tom Sherman
03.107	Evaluator(s): Dr. J.D. Van Wyk
03.108	Evaluator(s): Dr. J.D. Van Wyk

03.109	Evaluator(s): Dr. J.D. Van Wyk
03.110	Evaluator(s): Dr. J.D. Van Wyk
03.111	Evaluator(s): Dr. J.D. Van Wyk

# Adjournment

Dr. Pickering announced the meeting adjourned at 1:00 p.m.

## Virginia Polytechnic Institute and State University Intellectual Properties Committee December 17, 2003

#### **OWNERSHIP SUBCOMMITTEE**

The Intellectual Properties Ownership Subcommittee met December 17, 2003 with the following members present: Dr. Jim Blair, Mr. Ken Miller, Dr. Tim Pickering and Dr. Ira Jacobs. Dr. Blair called the Ownership Subcommittee meeting to order at 12:09 p.m. Disclosures 03.134, 03.136 through 03.141 were presented for ownership determination. Dr. Blair called for a motion that all disclosures be deemed university owned. The motion was made by Dr. Pickering, seconded by Mr. Miller and the motion was unanimously passed. Dr. Pickering commented on two past disclosures wherein the department head answered a question on the disclosure form indicating that the work was assigned to the employees. This issue does not effect ownership but would effect royalty sharing. Mr. Martin advised that according to a review of the remainder of the disclosure, it appears that the question was answered incorrectly. The committee commented on the fact that this question may not be clear to the parties answering and it was decided to include a brief explanation of this question on the disclosure form. Dr. Pickering will write up a brief explanation and forward to VTIP. This will be added to the disclosure form and also on the VTIP web site.

Two disclosures from the November IPC meeting, 03.125 and 03.127, required follow-up action regarding royalty sharing issues. The IPC Chair will follow-up on these issues upon receipt of an email from VTIP outlining the issues which require action.

The subcommittee meeting adjourned at 12:16 pm.

#### **FULL COMMITTEE**

The Intellectual Properties Committee met December 17, 2003, with the following members present: Dr. Jim Blair, Mr. Ken Miller, Dr. Craig Nessler, Dr. Ira Jacobs, Ms. Kay Heidbreder, Dr. Tim Pickering, and Mr. Mike Martin. Mr. Ryan Lanham and Dr. Keith Jones attended as quests. Ms. Debbi Lucas recorded the minutes.

#### **Call to Order**

Dr. Blair called the Intellectual Properties Committee meeting to order at 12:17 p.m.

#### **Approval of Minutes**

Dr. Blair called for a motion to approve the minutes of November 19, 2003. The motion to accept the minutes was made by Dr. Nessler, seconded by Dr. Pickering and the motion was unanimously passed.

#### **Other Business**

At the November IPC meeting, Dr. Jacobs entertained a suggestion that a requirement be made for the inventors to submit their disclosures electronically, which can then be posted to the web site. Members of the committee agreed and this motion was tabled to be presented at this meeting. After much discussion, the decision was made to request the disclosures electronically with an original hard copy being kept on file at VTIP. An email will be circulated by VTIP to all deans, department heads and directors advising that "Effective January 1, 2004, the IPC has requested that all disclosures submitted to VTIP shall be sent electronically in addition to the original hard copy." This request will be posted on the VTIP web site and sent to Susan Trulove for posting to the Spectrum.

## **Summary Reports and Recommendations from Evaluation Coordinators**

The following reports and recommendations were received:

03.056	Evaluator(s): Dr. Tom Sherman
03.067	Evaluator(s): Dr. Tom Sherman
03.091	Evaluator(s): Dr. Tim Pickering
03.114	Evaluator(s): Dr. Ira Jacobs and Mr. Mark Sumner
03.120	Evaluator(s): Dr. Ira Jacobs

Comments of the reviewers can be found on file in VTIP office.

Dr. Jacobs made a motion to approve the evaluations listed above, Dr. Blair seconded and the motion was unanimously passed.

02.120	Evaluator(s): Drs. Ira Jacobs and Al Wicks
02.124	Evaluator(s): Drs. Ira Jacobs and J.D. Van Wyk
03.034	Evaluator(s): Dr. Al Wicks
03.052	Evaluator(s): Dr. Al Wicks
03.058	Evaluator(s): Dr. Al Wicks
03.075	Evaluator(s): Dr. Al Wicks
03.078	Evaluator(s): Dr. J.D. Van Wyk

03.087	Evaluator(s): Drs. Al Wicks and Tom Caceci
03.090	Evaluator(s): Dr. Tom Caceci
03.092	Evaluator(s): Mr. Mark Sumner
03.094	Evaluator(s): Dr. J. D. Van Wyk
03.099	Evaluator(s): Dr. Tom Caceci
03.101	Evaluator(s): Dr. J.D. Van Wyk
03.107	Evaluator(s): Dr. J.D. Van Wyk
03.108	Evaluator(s): Dr. J.D. Van Wyk
03.109	Evaluator(s): Dr. J.D. Van Wyk
03.112	Evaluator(s): Dr. J.D. Van Wyk
03.113	Evaluator(s): Dr. J.D. Van Wyk
03.117	Evaluator(s): Dr. J.D. Van Wyk
03.118	Evaluator(s): Dr. Al Wicks
03.119	Evaluator(s): Ira Jacobs
03.122	Evaluator(s): Tom Caceci and Joe Falkinham
03.123	Evaluator(s): Ira Jacobs
03.124	Evaluator(s): Ira Jacobs
03.125	Evaluator(s): Al Wicks
03.126	Evaluator(s): Ira Jacobs
03.127	Evaluator(s):Al Wicks
03.128	Evaluator(s): Mark Sumner
03.129	Evaluator(s): Al Wicks
03.131	Evaluator(s): Ira Jacobs and Tom Cacecí
03.132	Evaluator(s): Ira Jacobs

03.134	Evaluator(s): Dr. Tom Caceci
03.136	Evaluator(s): Dr. Tom Caceci
03.138	Evaluator(s): Dr. Tim Pickering
03.139	Evaluator(s): Dr. Al Wicks
03.140	Evaluator(s): Dr. Tim Pickering
03.141	Evaluator(s): Dr. Ira Jacobs

# Adjournment

Dr. Blair announced the meeting adjourned at 12:54 p.m.

# Virginia Polytechnic Institute and State University Intellectual Properties Committee January 21, 2004

#### **OWNERSHIP SUBCOMMITTEE**

The Intellectual Properties Ownership Subcommittee met January 21, 2004 with the following members present: Dr. Tim Pickering (in Dr. Jim Blair's stead), Mr. Ken Miller, and Dr. Ira Jacobs. Dr. Pickering called the Ownership Subcommittee meeting to order at 12:05 p.m. Disclosures 03.142 through 03.145, and 03.147 through 04.002 were presented for ownership determination. Dr. Pickering mentioned that one disclosure, 04.002, lists a classified employee and there may be an issue with royalty sharing. The IPC Chair will send a memo to the supervisor requesting a job description for the classified employee. Dr. Pickering called for a motion that all disclosures be deemed university owned. The motion was made by Dr. Sherman, seconded by Dr. Jacobs and the motion was unanimously passed.

The subcommittee meeting adjourned at 12:16 pm.

#### **FULL COMMITTEE**

The Intellectual Properties Committee met January 21, 2004, with the following members present: Dr. Tim Pickering (in Dr. Jim Blair's stead), Mr. Ken Miller, Dr. Craig Nessler, Dr. Ira Jacobs, Ms. Kay Heidbreder, Dr. Tom Sherman, Dr. Joe Falkinham, Mr. Mark Sumner and Mr. Mike Martin. Mr. Michael Borzilleri and Dr. Keith Jones attended as guests. Ms. Debbi Lucas recorded the minutes.

#### Call to Order

Dr. Pickering called the Intellectual Properties Committee meeting to order at 12:17 p.m.

### **Approval of Minutes**

Dr. Pickering called for a motion to approve the minutes of December 17, 2003. The motion to accept the minutes was made by Dr. Falkinham, seconded by Dr. Sherman and the motion was unanimously passed.

#### **Other Business**

At prior meetings, there has been discussion regarding the way some department heads are answering the question on the disclosure form related to the issue of royalty sharing. It appears that some inventors and/or department heads may be incorrectly answering the question on the disclosure form "Was the work specifically and explicitly assigned to the employee(s) by your unit?" because the implications may not be clear enough. After much discussion, the members decided to revise the

question to include the statement "If you answer yes, then the employee can not participate in revenue sharing." Dr. Pickering called for a motion to approve this revision. The motion was made by Dr. Falkinham, seconded by Mr. Martin and the motion was unanimously passed.

Another issue regarding the IP disclosure form is the section outlining the breakdown of royalty sharing. Mr. Martin advised that there is some confusion on the part of the inventors in understanding the breakdown. In order to clarify the issue, Mr. Martin recommended the following change:

Gross Royalty Revenue \$10,000 Less VTIP OH @ 12% (\$ 1,200)

Less Legal Fees or other expenses of development (\$ 3,500)

Balance to be distributed \$ 5,300

VTIP-40% \$ 2,120

change VTIP to University

INVENTOR - 50% \$ 2,650

University- 10% \$ 530

change University to Department and/or Center

Dr. Sherman made a motion to accept the revision as noted, seconded by Dr. Nessler and the motion was unanimously passed.

## **Summary Reports and Recommendations from Evaluation Coordinators**

The following reports and recommendations were received:

03.034	Evaluator(s): Dr. Al Wicks (presented by Mike Martin)
03.052	Evaluator(s): Dr. Al Wicks (presented by Mike Martin)
03.092	Evaluator(s): Mr. Mark Sumner
03.119	Evaluator(s): Dr. Ira Jacobs
03.122	Evaluator(s): Dr. Joe Falkinham
03.138	Evaluator(s): Dr. Tim Pickering
03.140	Evaluator(s): Dr. Tim Pickering

Comments of the reviewers can be found on file in VTIP office.

Dr. Sherman made a motion to approve the evaluations listed above, Dr. Falkinham seconded and the motion was unanimously passed.

02.120	Evaluator(s): Drs. Ira Jacobs and Al Wicks
02.124	Evaluator(s): Drs. Ira Jacobs and J.D. Van Wyk

03.058	Evaluator(s): Dr. Al Wicks
03.075	Evaluator(s): Dr. Al Wicks
03.078	Evaluator(s): Dr. J.D. Van Wyk
03.087	Evaluator(s): Drs. Al Wicks and Tom Caceci
03.090	Evaluator(s): Dr. Tom Caceci
03.094	Evaluator(s): Dr. J. D. Van Wyk
03.099	Evaluator(s): Dr. Tom Caceci
03.101	Evaluator(s): Dr. J.D. Van Wyk
03.107	Evaluator(s): Dr. J.D. Van Wyk
03.108	Evaluator(s): Dr. J.D. Van Wyk
03.109	Evaluator(s): Dr. J.D. Van Wyk
03.112	Evaluator(s): Dr. J.D. Van Wyk
03.113	Evaluator(s): Dr. J.D. Van Wyk
03.117	Evaluator(s): Dr. J.D. Van Wyk
03.118	Evaluator(s): Dr. Al Wicks
03.123	Evaluator(s): Ira Jacobs
03.124	Evaluator(s): Ira Jacobs
03.125	Evaluator(s): Al Wicks
03.126	Evaluator(s): Ira Jacobs
03.127	Evaluator(s):Al Wicks
03.128	Evaluator(s): Mark Sumner
03.129	Evaluator(s): Al Wicks
03.131	Evaluator(s): Ira Jacobs and Tom Caceci
03.132	Evaluator(s): Ira Jacobs

03.134	Evaluator(s): Dr. Tom Caceci	
03.136	Evaluator(s): Dr. Tom Caceci	
03.139	Evaluator(s): Dr. Al Wicks	
03.141	Evaluator(s): Dr. Ira Jacobs	
Assignment of Evaluation Coordinators		
03.142	Evaluator(s): Dr. J.D. Van Wyk	
03.143	Evaluator(s): Dr. Tim Pickering	
03.144	Evaluator(s): Dr. Tim Pickering	
03.145	Evaluator(s): Dr. J.D. Van Wyk	
03.147	Evaluator(s): Dr. Tom Caceci	
03.148	Evaluator(s): Dr. Ira Jacobs	
03.149	Evaluator(s): Dr. Ira Jacobs	
04.001	Evaluator(s): Dr. Ira Jacobs	

# Adjournment

04.002

Dr. Pickering announced the meeting adjourned at 1:05 p.m.

Evaluator(s): Dr. Tim Pickering

# Virginia Polytechnic Institute and State University Intellectual Properties Committee February 18, 2004

#### **OWNERSHIP SUBCOMMITTEE**

The Intellectual Properties Ownership Subcommittee met February 18, 2004 with the following members present: Dr. Jim Blair, Dr. Tim Pickering and Dr. Ira Jacobs. Dr. Blair called the Ownership Subcommittee meeting to order at 12:03 p.m. Disclosures 03.130, 03. 146, 04.004 through 04.010 were presented for ownership determination. Dr. Blair called for a motion that all disclosures be deemed university owned. The motion was made by Dr. Pickering, seconded by Dr. Jacobs and the motion was unanimously passed.

The subcommittee meeting adjourned at 12:05 pm.

#### **FULL COMMITTEE**

The Intellectual Properties Committee met February 18, 2004, with the following members present: Dr. Jim Blair, Dr. Tim Pickering, Dr. Craig Nessler, Dr. Ira Jacobs, Dr. Tom Sherman, and Mr. Mike Martin. Mr. Michael Borzilleri, Mr. Ryan Lanham, and Dr. Keith Jones attended as guests. Ms. Debbi Lucas recorded the minutes.

#### Call to Order

Dr. Blair called the Intellectual Properties Committee meeting to order at 12:06 p.m.

#### **Approval of Minutes**

Dr. Blair called for a motion to approve the minutes of January21, 2003. The motion to accept the minutes was made by Dr. Nessler, seconded by Dr. Sherman and the motion was unanimously passed.

#### **Other Business**

Dr. Blair advised that he received a telephone call from a faculty member with a question relating to open source software. The faculty member made an addition to the open source software he has already created. There is nothing yet written in the policy regarding this issue and guidelines will ultimately need to be developed to put into IP policy. Determination needs to be made whether this should be treated as a scholarly work. After much discussion, the committee decided that this shall be deemed scholarly work and the IPC Chair shall advise the faculty member to proceed. Dr. Pickering proposed a workshop to explain open source so that each member of this committee will understand what is involved prior to revising the IP policy. Mr. Martin suggested that a local attorney specializing in open source or possibly a representative from VBI could be invited to speak to this committee regarding these issues.

Dr. Pickering addressed the issue of the new IP brochure. Susan Trulove would like to post it on the Research web site, if it has been approved. Dr. Blair called for a motion to approve the brochure, redistribute, and advise Ms. Trulove to post to the web site. The motion was made by Dr. Pickering, seconded by Dr. Nessler and the motion was unanimously approved.

## **Summary Reports and Recommendations from Evaluation Coordinators**

The following reports and recommendations were received:

03.123	Evaluator(s): Ira Jacobs
03.124	Evaluator(s): Ira Jacobs
03.126	Evaluator(s): Ira Jacobs
03.132	Evaluator(s): Ira Jacobs
03.141	Evaluator(s): Dr. Ira Jacobs
03.143	Evaluator(s): Dr. Tim Pickering
03.144	Evaluator(s): Dr. Tim Pickering
03.148	Evaluator(s): Dr. Ira Jacobs
03.149	Evaluator(s): Dr. Ira Jacobs
04.001	Evaluator(s): Dr. Ira Jacobs
04.002	Evaluator(s): Dr. Tim Pickering

Comments of the reviewers can be found on file in VTIP office.

Dr. Nessler made a motion to approve the evaluations listed above, Dr. Pickering seconded and the motion was unanimously passed.

02.120	Evaluator(s): Drs. Ira Jacobs and Al Wicks
03.058	Evaluator(s): Dr. Al Wicks
03.075	Evaluator(s): Dr. Al Wicks
03.087	Evaluator(s): Drs. Al Wicks and Tom Caceci

03.090	Evaluator(s): Dr. Tom Caceci
03.094	Evaluator(s): Dr. J. D. Van Wyk
03.099	Evaluator(s): Dr. Tom Caceci
03.101	Evaluator(s): Dr. J.D. Van Wyk
03.107	Evaluator(s): Dr. J.D. Van Wyk
03.108	Evaluator(s): Dr. J.D. Van Wyk
03.109	Evaluator(s): Dr. J.D. Van Wyk
03.112	Evaluator(s): Dr. J.D. Van Wyk
03.113	Evaluator(s): Dr. J.D. Van Wyk
03.117	Evaluator(s): Dr. J.D. Van Wyk
03.118	Evaluator(s): Dr. Al Wicks
03.125	Evaluator(s): Al Wicks
03.127	Evaluator(s): Al Wicks
03.128	Evaluator(s): Mark Sumner
03.129	Evaluator(s): Al Wicks
03.131	Evaluator(s): Ira Jacobs and Tom Caceci
03.134	Evaluator(s): Dr. Tom Caceci
03.136	Evaluator(s): Dr. Tom Caceci
03.139	Evaluator(s): Dr. Al Wicks
03.142	Evaluator(s): Dr. J.D. Van Wyk
03.145	Evaluator(s): Dr. J.D. Van Wyk
03.147	Evaluator(s): Dr. Tom Caceci

03.130 Evaluator(s): Dr. Tim Pickering

03.146	Evaluator(s): Mr. Mark Sumner
04.005	Evaluator(s): Dr. Tom Sherman
04.006	Evaluator(s): Dr. Tim Pickering
04.007	Evaluator(s): Drs. Al Wicks and J.D. Van Wyk
04.008	Evaluator(s): Dr. J.D. Van Wyk
04.009	Evaluator(s): Dr. Tim Pickering
04.010	Evaluator(s): Dr. Ira Jacobs

# Adjournment

Dr. Blair announced the meeting adjourned at 1:05 p.m.

# Virginia Polytechnic Institute and State University Intellectual Properties Committee March 17, 2004

#### **OWNERSHIP SUBCOMMITTEE**

The Intellectual Properties Ownership Subcommittee met March 17, 2004 with the following members present: Dr. Jim Blair, Mr. Ken Miller, Dr. Tim Pickering and Dr. Ira Jacobs. Dr. Blair called the Ownership Subcommittee meeting to order at 12:03 p.m. Disclosures 03.133, 04.012 and 04.015 were presented for ownership determination. Dr. Blair called for a motion that all disclosures be deemed university owned. The motion was made by Dr. Pickering, seconded by Dr. Jacobs and the motion was unanimously passed.

The subcommittee meeting adjourned at 12:05 pm.

#### **FULL COMMITTEE**

The Intellectual Properties Committee met March 17, 2004, with the following members present: Dr. Jim Blair, Dr. Tim Pickering, Dr. Craig Nessler, Dr. Ira Jacobs, Dr. Tom Sherman, Dr. J.D. Van Wyk, Mr. Ken Miller and Ms. Kay Heidbreder. Mr. Mark Sumner and Dr. Keith Jones attended as guests. Dr. Keith Jones (in Ms. Lucas' stead) recorded the minutes.

#### Call to Order

Dr. Blair called the Intellectual Properties Committee meeting to order at 12:06 p.m.

#### **Approval of Minutes**

Dr. Blair called for a motion to approve the minutes of February 18, 2004. The motion to accept the minutes was made by Dr. Nessler, seconded by Dr. Sherman and the motion was unanimously passed.

#### **Other Business**

Dr. Blair suggested the acceptance of the evaluation reports in written format, but not having a presentation on each report unless a committee member requests it. All committee members present agreed.

Dr. Blair called for a motion that this committee should begin to look into the necessity of a re-write of the IP Policy. The motion was made by Ms. Heidbreder, seconded by Dr. Sherman and the motion was unanimously passed.

Discussion ensued regarding the Wake Forest Revenue Sharing Agreement. Dr Blair pointed out significant problems in the current draft. It was discussed that VTIP needs to be the managing party rather than Virginia Tech and that all participants

in the WFU/VT collaboration would need to sign an acknowledgment that part of the income may go to the other institution.

# **Summary Reports and Recommendations from Evaluation Coordinators**

The following reports and recommendations were received:

03.094	Dr. J. D. Van Wyk
03.107	Dr. J.D. Van Wyk
03.108	Dr. J.D. Van Wyk
03.109	Dr. J.D. Van Wyk
03.112	Dr. J.D. Van Wyk
03.113	Dr. J.D. Van Wyk
03.130	Dr. Tim Pickering
03.142	Dr. J.D. Van Wyk
04.005	Dr. Tom Sherman
04.006	Dr. Tim Pickering
04.008	Dr. J.D. Van Wyk
04.009	Dr. Tim Pickering

Comments of the reviewers can be found on file in VTIP office.

Dr. Pickering made a motion to approve the evaluations listed above, Dr. Wicks seconded and the motion was unanimously passed.

02.120	Evaluator(s): Drs. Ira Jacobs and Al Wicks
03.058	Evaluator(s): Dr. Al Wicks
03.075	Evaluator(s): Dr. Al Wicks
03.087	Evaluator(s): Drs. Al Wicks and Tom Caceci
03.090	Evaluator(s): Dr. Tom Caceci
03.099	Evaluator(s): Dr. Tom Caceci
03.101	Evaluator(s): Dr. Ira Jacobs
03.118	Evaluator(s): Dr. Al Wicks
03.125	Evaluator(s): Al Wicks
03.127	Evaluator(s): Al Wicks
03.128	Evaluator(s): Mark Sumner
03.129	Evaluator(s): Al Wicks
03.131	Evaluator(s): Ira Jacobs and Tom Caceci
03.134	Evaluator(s): Dr. Tom Caceci
03.136	Evaluator(s): Dr. Tom Caceci
03.139	Evaluator(s): Dr. Al Wicks
03.1 <del>4</del> 5	Evaluator(s): Dr. J.D. Van Wyk
03.146	Evaluator(s): Mr. Mark Sumner
03.147	Evaluator(s): Dr. Tom Caceci
04.007	Evaluator(s): Drs. Al Wicks and J.D. Van Wyk
04.010	Evaluator(s): Dr. Ira Jacobs

03.133 No evaluator assigned; already licensed

04.012 Dr. Tom Caceci

04.015 Dr. Joe Falkinham

# Adjournment

Dr. Blair announced the meeting adjourned at 1:05 p.m.

# Virginia Polytechnic Institute and State University Intellectual Properties Committee April 21, 2004

#### **OWNERSHIP SUBCOMMITTEE**

The Intellectual Properties Ownership Subcommittee met April 21, 2004 with the following members present: Dr. Jim Blair, Dr. Tim Pickering, Dr. Ira Jacobs, and Dr. Al Wicks. Mr. Ken Miller was absent but provided input by email. Dr. Blair called the Ownership Subcommittee to order at 12:03 pm. Disclosures 04.011, 04.014, 04.016, 04.017, 04.025, 04.026, and 04.028 through 04.033 were presented for ownership determination. Disclosure 04.025 was mentioned regarding a classified staff person and 04.030 wherein the incorrect box was checked by the department head. Dr. Blair will follow-up on 04.025 for clarification and VTIP will follow up on 04.030. Dr. Blair called for a motion that all disclosures be deemed university owned. The motion was made by Dr. Pickering, seconded by Dr. Jacobs and the motion was unanimously passed.

The subcommittee meeting adjourned at 12:05 pm.

#### **FULL COMMITTEE**

The Intellectual Properties Committee met April 21, 2004 with the following members present: Dr. Jim Blair, Dr. Tim Pickering, Dr. Ira Jacobs, Dr. Al Wicks, Ms. Kay Heidbreder and Mr. Mike Martin. Mr. Mark Sumner, Mr. Ryan Lanham, Mr. Michael Borzilleri, Dr. Keith Jones and Dr. Kumar Krishen attended as guests. Ms. Debbie Nester (in Ms. Lucas' stead) recorded the minutes.

#### Call to Order

Dr. Blair called the Intellectual Properties Committee meeting to order at 12:06 p.m.

#### **Approval of Minutes**

Dr. Blair called for a motion to approve the minutes of March 17, 2004. The motion to accept the minutes was made by Ms. Heidbreder, seconded by Dr. Pickering and the motion was unanimously passed. (An email was received from Ken Miller, who is absent, but requested that the minutes be corrected to reflect that he was absent from the March 17 meeting but provided input by email.)

#### **Other Business**

Dr. Blair opened with asking the committee if they had any questions. Dr. Pickering made a comment if the evaluations could be looked up on the web site before Debbi's reminder. Dr. Martin said that he thought that it could possibly be viewed a week before.

Dr. Blair distributed handouts of 1987 guidelines from SCHEV and Education Institution Code of Virginia provided by Ms. Heidbreder. Ms. Heidbreder explained the handouts and the committee discussed them.

The committee discussed modifying Policy 13000 or starting from scratch. Dr. Blair asked that they set a timeline to complete this. Dr. Blair asked Ms. Heidbreder to talk about the legal issues of this. Dr. Blair suggested that they take the existing Policy 13000, come up with issues and revise it. The committee discussed areas for update to the policy.

## **Summary Reports and Recommendations Received**

The following reports were received:

#### None received

The written reports and recommendations can be reviewed on the VTIP IPC web site.

03.058	Dr. Al Wicks
	Dr. Al Wicks
03.075	
03.087	Drs. Al Wicks and Tom Caceci
03.090	Dr. Tom Caceci
03.099	Dr. Tom Caceci
03.101	Dr. Ira Jacobs
03.118	Dr. Al Wicks
03.125	Dr. Al Wicks
03.127	Dr. Al Wicks
03.128	Mr. Mark Sumner
03.129	Dr. Al Wicks
03.131	Drs. Ira Jacobs and Tom Caceci
03.134	Dr. Tom Caceci
03.136	Dr. Tom Caceci
03.139	Dr. Al Wicks
03.145	Dr. Ira Jacobs
03.146	Mr. Mark Sumner
03.147	Dr. Tom Caceci
04.007	Drs. Al Wicks and J.D. Van Wyk
04.010	Dr. Ira Jacobs
04.012	Dr. Tom Caceci
04.015	Dr. Joe Falkinham
<del></del>	

04.011	Dr. J.D. Van Wyk
04.014	Dr. Tim Pickering
04.016	Drs. Tim Pickering and Joe Falkinham
04.017	Dr. Tim Pickering
04.025	Dr. Tim Pickering
04.026	Dr. Tim Pickering
04.028	Dr. Ira Jacobs
04.029	Dr. Ira Jacobs
04.030	Dr. Ira Jacobs
04.033	Dr. Al Wicks

# Adjournment

Dr. Blair announced the meeting adjourned at 1:24 p.m.

# Virginia Polytechnic Institute and State University Intellectual Properties Committee May 19, 2004

#### **OWNERSHIP SUBCOMMITTEE**

The Intellectual Properties Ownership Subcommittee met May 19, 2004 with the following members present: Dr. Jim Blair, Dr. Tim Pickering, and Mr. Ken Miller. Dr. Blair called the Ownership Subcommittee to order at 12:07 pm. Disclosures 03.135, 04.023, 04.024, 04.034 through 04.037 and 04.039 were presented for ownership determination. Two disclosures have royalty sharing issues which Dr. Blair will follow up on. Dr. Blair called for a motion that all disclosures be deemed university owned. The motion was made by Mr. Martin, seconded by Mr. Miller and the motion was unanimously passed.

The subcommittee meeting adjourned at 12:09 pm.

#### **FULL COMMITTEE**

The Intellectual Properties Committee met May 19, 2004 with the following members present: Dr. Jim Blair, Dr. Tim Pickering, Mr. Ken Miller, Dr. Joe Falkinham, Dr. Tom Sherman, and Mr. Mike Martin. Mr. Mark Sumner, Mr. Ryan Lanham, and Mr. Michael Borzilleri attended as guests. Ms. Debbi Lucas recorded the minutes.

#### Call to Order

Dr. Blair called the Intellectual Properties Committee meeting to order at 12:10 p.m.

## **Approval of Minutes**

Dr. Blair called for a motion to approve the minutes of April 21, 2004. The motion to accept the minutes was made by Dr. Sherman, seconded by Mr. Sumner and the motion was unanimously passed.

# **Summary Reports and Recommendations Received**

The following reports were received:

03.128	Mr. Mark Sumner
03.146	Mr. Mark Sumner
04.014	Dr. Tim Pickering
04.015	Dr. Joe Falkinham
04.016	Drs. Joe Falkinham and Tim Pickering
04.017	Dr. Tim Pickering
04.025	Dr. Tim Pickering
04.015 04.016 04.017	Dr. Joe Falkinham  Drs. Joe Falkinham and Tim Pickering  Dr. Tim Pickering

The written reports and recommendations can be reviewed on the VTIP IPC web site.

#### Other Business

Dr. Blair opened with discussing the revision of IP Policy 13000. He distributed a handout with issues to be discussed. The consensus of the committee is to first establish guidelines. After a lengthy discussion with comments on ideas for revising the policy, the committee came up with the following guidelines:

- 1) Inspire and empower university employees (faculty, staff, students)
- 2) Meet "legal responsibilities"
- 3) Define IP (all forms)
- 4) Define rights and obligations
- 5) Administration/Organization of the IPC (duties/responsibilities)
- 6) Interaction with other various policies (i.e. COI and consulting)

The committee will use these guidelines to revise the IP policy.

03.058	Dr. Al Wicks
03.075	Dr. Al Wicks
03.087	Drs. Al Wicks and Tom Caceci
03.090	Dr. Tom Caceci
03.099	Dr. Tom Caceci
03.101	Dr. Ira Jacobs
03.118	Dr. Al Wicks
03.125	Dr. Al Wicks
03.127	Dr. Al Wicks
03.129	Dr. Al Wicks
03.131	Drs. Ira Jacobs and Tom Caceci
03.134	Dr. Tom Caceci
03.136	Dr. Tom Caceci
03.139	Dr. Al Wicks
03.145	Dr. Ira Jacobs
03.147	Dr. Tom Cacecì
04.007	Drs. Al Wicks and J.D. Van Wyk
04.010	Dr. Ira Jacobs
04.011	Dr. J.D. Van Wyk
04.012	Dr. Tom Caceci
04.028	Dr. Ira Jacobs
04.029	Dr. Ira Jacobs

04.030	Dr. Ira Jacobs
04.033	Dr. Al Wicks

03.135	Dr. Tim Pickering
04.023	Dr. Al Wicks
04.024	Drs. Tim Pickering and Mark Sumner
04.034	Dr. Ira Jacobs
04.035	Dr. Mark Sumner
04.036	Drs. Tim Pickering and Tom Caceci
04.037	Dr. Tim Pickering
04.039	Dr. Ira Jacobs

# Adjournment

Dr. Blair announced the meeting adjourned at 1:10 p.m.

# Virginia Polytechnic Institute and State University Intellectual Properties Committee June 16, 2004

#### **OWNERSHIP SUBCOMMITTEE**

The Intellectual Properties Ownership Subcommittee met June 16, 2004 with the following members present: Dr. Tim Pickering (in Dr. Blair's stead), and Dr. Ira Jacobs. Dr. Pickering called the Ownership Subcommittee to order at 12:05 pm. Disclosures 04.027, 04.042 through 04.045, 04.047, and 04.049 were presented for ownership determination. Dr. Pickering called for a motion that all disclosures be deemed university owned. The motion was made by Dr. Jacobs, seconded by Dr. Pickering and the motion was unanimously passed.

The subcommittee meeting adjourned at 12:06 pm.

#### **FULL COMMITTEE**

The Intellectual Properties Committee met June 16, 2004 with the following members present: Dr. Tim Pickering, Dr. Joe Falkinham, Dr. Tom Sherman, Ms. Kay Heidbreder, Dr. Craig Nessler, Dr. Ira Jacobs, and Mr. Mike Martin. Mr. Mark Sumner, Mr. Ryan Lanham, Ms. Carol Roberson and Dr. Keith Jones attended as guests. Ms. Debbi Lucas recorded the minutes.

#### **Call to Order**

Dr. Pickering called the Intellectual Properties Committee meeting to order at 12:07 p.m.

## **Approval of Minutes**

Dr. Pickering called for a motion to approve the minutes of May 19, 2004. The motion to accept the minutes was made by Dr. Nessler, seconded by Dr. Falkinham and the motion was unanimously passed.

# **Summary Reports and Recommendations Received**

The following reports were received:

03.101	Dr. Ira Jacobs
04.010	Dr. Ira Jacobs
04.028	Dr. Ira Jacobs
04.029	Dr. Ira Jacobs
04.030	Dr. Ira Jacobs
03.135	Dr. Tim Pickering
04.024	Drs. Tim Pickering and Mark Sumner

04.034	Dr. Ira Jacobs
04.036	Drs. Tim Pickering and Tom Caceci
04.037	Dr. Tim Pickering
04.039	Dr. Ira Jacobs

The written reports and recommendations can be reviewed on the VTIP IPC web site.

#### **Other Business**

Dr. Pickering reminded this committee that at the last meeting, goals were set up to guide the discussion regarding the revision of the IP policy. Committee will need to further discuss the IP policy revision. Much discussion ensued regarding the issue of the university applying for charter status and how this relates to the IP policy revision. Decision was made to stay with the existing format of the current IP policy and make revisions from that. Dr. Pickering made a motion to prepare a resolution for this committee to express support of the Charter University status for VT, further expressing this committee's belief that it should be released from current SHEV guidelines in respect to IP policy. Motion was seconded by Dr. Falkinham and the motion was unanimously passed. Dr, Pickering will prepare the resolution and forward via email to all members for input. The resolution will then be forwarded to Ms. Heidbreder who serves on the university group that is working on the Charter University proposal.

Further discussion regarding the IP Policy revision led to members being assigned certain sections of the policy for draft revisions. Members requested that the proposed draft revisions from the previous attempt at revision be sent out so that the members do not repeat same. Revision assignments are as follows:

Section 1 Purpose - Dr. Joe Falkinham Dr. Al Wicks

Section 2.1 Organization - Dr. Tom Caceci

Section 2.2 Authority and Responsibility

of the Committee - Mr. Mark Sumner

Section 2.3 IPC Working Groups - Dr. J.D. Van Wyk
Section 2.4 Policy Guidelines - Dr. Ira Jacobs

Dr. Craig Nessler Dr. Tom Caceci Mr. Ryan Lanham

# **Summary Reports and Recommendations Outstanding**

03.058	Dr. Al Wicks
03.075	Dr. Al Wicks
03.087	Drs. Al Wicks and Tom Caceci
03.090	Dr. Tom Caceci
03.099	Dr. Tom Caceci
03.118	Dr. Al Wicks
03.125	Dr. Al Wicks
03.127	Dr. Al Wicks
03.129	Dr. Al Wicks
03.134	Dr. Tom Cacecì
03.136	Dr. Tom Caceci
03.139	Dr. Al Wicks
03.145	Dr. Ira Jacobs
03.147	Dr. Tom Caceci
04.007	Drs. Al Wicks and J.D. Van Wyk
04.011	Dr. J.D. Van Wyk
04.012	Dr. Tom Caceci
04.023	Dr. Al Wicks
04.033	Dr. Al Wicks
04.035	Dr. Mark Sumner

# Adjournment

Dr. Pickering announced the meeting adjourned at 1:03 p.m.

# Virginia Polytechnic Institute and State University Intellectual Properties Committee July 21, 2004

#### **OWNERSHIP SUBCOMMITTEE**

The Intellectual Properties Ownership Subcommittee met July 21, 2004 with the following members present: Dr. Jim Blair, Dr. Tim Pickering, Mr. Ken Miller, and Dr. Ira Jacobs. Dr. Blair called the Ownership Subcommittee to order at 12:04 pm. Disclosures 03.053, 04.038, 04.040, 04.041, 04.046, 04.050 through 04.054, 04.056, 04.057, 04.058, and 04.062 through 04.065 were presented for ownership determination. There are two disclosures, 04.064 and 04.065, that claim inventor ownership. It was determined that there is insufficient information in the disclosures to make an ownership determination so Dr. Blair will request additional information from the inventors. Dr. Blair called for a motion that all disclosures, except 04.064 and 04.065, be deemed university owned. The motion was made by Mr. Miller, seconded by Dr. Pickering and the motion was unanimously passed.

The subcommittee meeting adjourned at 12:06 pm.

#### **FULL COMMITTEE**

The Intellectual Properties Committee met July 21, 2004 with the following members present: Dr. Jim Blair, Mr. Ken Miller, Dr. Tim Pickering, Dr. Tom Sherman, Ms. Kay Heidbreder, Dr. Ira Jacobs, Dr. Al Wicks, and Mr. Mike Martin. Ms. Carol Roberson attended as guest. Ms. Debbi Lucas recorded the minutes.

#### **Call to Order**

Dr. Blair called the Intellectual Properties Committee meeting to order at 12:07 p.m.

#### **Approval of Minutes**

Dr. Blair called for a motion to approve the minutes of June 16, 2004. The motion to accept the minutes was made by Dr. Sherman, seconded by Ms. Heidbreder and the motion was unanimously passed.

## **Summary Reports and Recommendations Received**

The following reports were received:

03.058 Dr. Al Wicks 03.075 Dr. Al Wicks Dr. Blair extended a thank you on behalf of Mr. Martin to all evaluators for the great input he receives on the evaluation reports. The written reports and recommendations can be reviewed on the VTIP IPC web site.

#### **Other Business**

Discussion ensued regarding the revision of the current IP Policy. Ms. Heidbreder mentioned that there have been several attempts to revise the policy starting in 1996 which never made it to the governing board due to other issues that had nothing to do with the IP policy. Dr. Blair raised the question of whether this committee should go to the governing board to receive input on the revision or just develop a policy and then present it. Another question raised was the procedure for the approval process. Ms. Heidbreder stated that the process is for this committee to work on revision; present a draft to the Commission on Research; then University Council which will forward the draft policy to certain areas; the draft will be voted on by University Council; then needs to be presented and approved by the Board of Visitors. It is politically correct to present the draft through the governing system, but it is not necessary to gain approval. Ms. Heidbreder commented that she is of the opinion that we need to educate the Board of Visitors on IP policy and mandates, then go before the faculty for input. Discussion regarding the consulting policy in regards to the IP policy lead this committee to address the idea of starting the process on revising the consulting policy also. Dr. Jacobs circulated a handout from Dr. Falkinham that suggested a possible revision to the section of the policy that he was assigned to review. Dr. Blair requested that Dr. Jacobs email this revision to the committee and the revision can be used as a guide to steer the committee in the revision process. Dr. Blair suggested that at the next meeting this committee should expand on the paragraphs in the policy to further explain and make it clearer and to continue to look into issues in the consulting policy parallel to the IP policy.