

Virginia Polytechnic Institute and State University

Intellectual Property Committee Meeting

January 28, 2015, 12:00-1:00p.m.

325 Burruss Hall

FULL COMMITTEE

The Intellectual Property Committee (IPC) met on January 28, 2015.

The following members were present: Justin Barone, Anna-Marion Bieri, Steve Capaldo, Laurie Coble, Mark Coburn, Ed Dorsa, Srinath Ekkad (chair), Willard Eyestone, Joseph Falkinham, Kay Heidbreder, B.H. Kim, Barbara Lockee, Gerald Luttrell, Sarah Mazza, Gail McMillan, Ken Miller, Peggy Quesenberry, Elizabeth Tranter, Wendy Vaughn attended and recorded the minutes.

Call to Order

Srinath Ekkad called the meeting to order at 12:00p.m.

The November meeting minutes were approved.

Student IP Policy

Anna Bieri introduced a draft document of the Policy on Intellectual Property addressing student IP issues. In the policy specific items were underlined in regards to the student IP, and how to clarify this issue. If the ownership of IP is developed by the students, the university will not claim ownership unless the IP was developed by students who are university employees. A student may assign ownership rights he or she developed at the university.

How can an inventor ask for rights granted back to them: As a general rule there is a time limit of ninety days from the initial disclosure of the university IP to VTIP until the university notifies the inventor of the next steps. If the university chooses not to pursue the protection of the IP in question, the university will release the rights back to the inventor. An inventor may request that the university assigns the rights in IP back to him or her. It is the university's discretion to follow such a request if permissible under university policy, federal law, sponsorship agreements or other contractual obligations.

At the university students (GA, GRA) are considered an employee, and it is clear this supersedes the student status in regards to IP, and they would be subject to revenue sharing. The student club that uses university resources would be exempt from previous policy. The change would go through governance, and ultimately the Board of Visitors.

A question was raised regarding graduate students that have ideas that are potentially patentable. Does the university encourage that they pursue those while here as opposed to waiting until leaving the university? Language would need to be written stating that this is not part of the project they are a part of. It would need to be very specific in that employee status only applies to the particular job description and anything beyond that would revert back to student status. The Intellectual Property committee would decide the language, and procedure. This is currently not a rule, and can be potentially added.

The way the policy is currently written it is assumed that this is something that the student has created, however there are those instances where it is a collaborated effort. Many ideas are not a single inventor. These things will need to be considered and thought about how this should be addressed in the policy. A mechanism should be in the policy stating that each person involved knows what the obligations are for each other. In thought, perhaps there should be a statement in the policy for having an agreement with all of the parties involved.

As mentioned in a previous meeting, after the policy is finalized a brochure should be created for faculty and students explaining what capacity means. There is an on-line tutorial that will be amended to incorporate any changes that are appropriate. A copy of the current brochure will be sent to Dr. Ekkad for distribution to the group for ideas.

Another topic that was brought forward, the library has a question concerning policy 13000 and who owns the faculty/staff original creations used for teaching and learning and whether permission to openly license these resources with Creative Commons. Does that rest with the University Libraries according to the wishes of the various library departments, or with the faculty/staff creators? It was decided that more information is needed before more discussion on this topic.

Some of the items on the agenda such as the software ownership topic , and crowd funding need to be addressed and placed at the top of the agenda for the next meeting as new business.

The meeting was adjourned at 1:00p.m. The next scheduled meeting will be February 17, 2015.

Respectfully submitted,

Wendy Vaughn

OVPR Support