

Institutional Technology Transfer Policies

Institutional intellectual property policies generally provide the legal parameters of the rights and responsibilities that affect the entire research community. Intellectual property policies are all encompassing and involve, among other things, ownership rights and financial considerations and seek to limit risk and liability exposure. Additionally, the process of establishing an intellectual property policy is extensive, as many entities within the institution such as boards of directors, regents, faculty groups, and foundation directors need to agree on the intent and content of the policy. The technology transfer business is ever-changing, and, thus, differences in technology transfer missions, changing cultures, economy, and regulatory environments are reflected in the many institutional policies whose content and style are varied.

Some issues covered by policies include

- Who owns the invention?
- Does the policy cover students?
- Are there different policies for copyrighted vs. patentable technologies or is there one combined policy?
- What is the revenue distribution? Can an inventor waive his or her rights to royalties?
- What are the options for commercialization of an inventor's technologies (e.g., will the university reassign to the inventors)?
- How is equity treated?
- Are there appeal processes?

There is much overlap in topics within institutional intellectual property policies, including sponsored research, institutional and employee conflict of interest, and equity. Each published policy should clearly state when it was implemented, who is responsible for the policy, how a policy change would occur, and how the policy relates to other institutional policies. High-level issues are usually dealt with at the institutional-wide policy level, but those that are very detailed and less strategic in scope and that require more frequent revision are usually handled at the departmental level as internal

procedures.