Proposal to Rescind and Replace Rules 3335-13-06 and 3335-13-07

Rules 3335-13-06 and 3335-13-07 concern the university’s role in managing intellectual property, patents and copyrights (IPPCs) and participation in technology commercialization companies. The drafting of new IPPC policies requires revision of these rules.

WHEREAS The university has drafted policies concerning intellectual property, patents and copyrights to be approved by the University Senate and forwarded to the Board of Trustees for their approval; and concerning

Rule 3335-13-06:

WHEREAS Faculty rule 3335-13-06 supporting the old IPPC policy is now obsolete in light of the new policies; and

WHEREAS The new policies are of particular interest to faculty, staff and students, and should therefore be subject to annual review by the faculty, staff and student members of the Committee on Intellectual Property, Patents, and Copyrights and subject to approval by the University Senate following substantial revision; and

WHEREAS Procedures for appeal of decisions concerning IPPCs are critical for preserving faculty, staff and student rights; and

WHEREAS The revisions to faculty rule 3335-13-06 resulted in greater than 50% change to that rule;

BE IT THEREFORE RESOLVED that the University Senate approve rule 3335-13-06 be rescinded and replaced with the following and respectfully request concurrence of the Board of Trustees, said proposal to be effective upon approval of the Board of Trustees.
Rule 3335-15-07:

WHEREAS Faculty rule 3335-13-07 contains within it the old IPPC policy and is now obsolete in light of the new policies; and

WHEREAS The Ohio Revised Code allows for faculty, staff, and student participation in university technology commercialization companies under certain conditions; and

WHEREAS Those conditions, together with the rights and responsibilities of faculty, staff, and students must be clearly explained in the Faculty Rules as specified by the Ohio Revised Code 3335.14, which delineates all parties’ responsibilities to the university and to each other, and defines minimum acceptable standards for the management of conflicts of interest for the protection of all parties; and

WHEREAS The Rules Committee, together with the assistance from individuals from the Offices of Academic Affairs, Legal Affairs, Compliance and Integrity, and Technology Commercialization, and other University Committees, has revised rule 3335-13-07 to comply with the Ohio Revised Code, to be consistent with the university policy, and to protect the rights and explain the responsibilities of faculty, staff, and students; and

WHEREAS Administration of participation in technology commercialization endeavors requires formal agreements between faculty, staff and students and the university technology commercialization companies that comply with all applicable university policies and provide oversight and mechanisms for the management of conflicts of interest; and

WHEREAS The approval of such formal agreements must involve the faculty, staff and students who are the creators of the technology to be commercialized, the technology transfer oversight committee, supervisors, unit heads or unit leaders, the technology commercialization office, and the office of legal affairs who, together, must avoid conflicts of interest; and

WHEREAS The revision to faculty rules 3335-13-07 resulted in greater than 50% change to that rule;

BE IT THEREFORE RESOLVED that the University Senate approve rule 3335-13-07 be rescinded and replaced with the following and respectfully request concurrence of the Board of Trustees, said proposal to be effective upon approval of the Board of Trustees.