

## Patent Rights

**3335-13-06 Rights to and interests in patentable discoveries and inventions, copyrights, and related materials: [intellectual property, patents, and copyrights.](#)**

~~(A) This rule shall apply to all products of university research (where "university research" is as defined in the current university policy on patents and copyrights), defined to be inventions and other legally protectable material arising out of university research, including any discovery, invention, know-how, design, model, work of authorship, and any strain, variety or culture of an organism, or any portion, modification, translation or extension of these items. Products of research will not include works of artistry, academic instruction, or traditional scholarship insofar as these works were not produced in connection with a sponsored program or as a part of a specific university duty or assignment.~~

[The university shall have a policy or policies on intellectual property, patents, and copyrights \(hereinafter referred to as "the policy"\).](#)

[\(A\) The intellectual properties, patents and copyrights committee of the university senate shall maintain the policy. Specifically, the committee shall review all proposed changes to the policy, and shall also have the power to initiate its own proposed changes to the policy. The chair of the committee shall also be designated as a member of the policy writing group for any revisions to the policy. Revisions shall be promulgated through the university policy process and then recommended to faculty council and the university senate. All revisions to the policy must be approved by the faculty council and the university senate, in addition to the other approvals required by the university policy process.](#)

[\(1\) Membership, duties, and organization of the intellectual property, patents and copyrights committee shall be in accordance with rule 3335-5-48.19 of the Administrative Code](#)

[\(2\) The policy on intellectual property, patents, and copyrights shall include specific procedures for appeals to the intellectual property, patents and copyrights committee.](#)

(B) The board of trustees deems it in the best interest of the university, its faculty, staff, and students, and in the interest of the promotion of research and development to provide for participation by faculty, staff, and students in the proceeds from ~~products of research~~[intellectual property](#) conceived or developed by them in the absence of any prior agreements relating to sponsored activities and insofar as allowed by any contract or grant agreements in support of the activity leading to the product of research,~~as determined by the policy. The term "intellectual property products of research" shall be defined in the policy.~~

(C) The board of trustees shall establish a policy on patents and copyrights to be administered under the direction of the president of the university through the office of the senior vice president for research. The provisions of the policy shall be subject to review by the faculty committee on patents and copyrights and recommended to the board of trustees by the university senate.

~~(1) The faculty committee on patents and copyrights shall be composed primarily of members of the faculty and shall elect its own chair. Five members shall be elected by the faculty council in a manner to be determined by the council. One graduate student shall be appointed by the council of graduate students in a manner to be determined by that council. Five members shall be appointed by the president in consultation with the senior vice president for research, the executive vice president and provost, and other appropriate officials of the university. Service on the committee shall be for terms not to exceed three years. An individual may become eligible for committee service again after an absence from the committee of at least one year.~~

~~(2) The specific duties of and the procedures for appeals to the committee shall be as described in the policy on patents and copyrights.~~

(C) The university recognizes that copyright protections are fundamental to the academic mission, and that traditional scholarly and artistic intellectual works created by faculty, staff, and students generally belong to those individual creators. There are, however, instances defined in the policy in which specific rights, titles, and/or interests in copyrightable works created by faculty, staff, and students may vest in whole or in part in the university or other entities. As such, the policy shall establish the ownership of all rights, titles, and interests for copyrightable works created by faculty, staff, and students. The technical meaning of “copyrightable works” shall be defined in the policy.

~~(D) Subject to the authority of the president of the university, the senior vice president for research is hereby assigned the responsibility for the acquisition, protection and disposition of rights in products of university research in accord with the policy on patents and copyrights.~~

(D) The policy shall be administered under the direction of the president of the university or his/her designee.

(Board approval dates: 4/12/1963, 5/8/1969, 10/4/1985, 4/4/1986, 11/2/1990, 4/4/1997, 12/4/1998, 5/7/2004, 6/6/2014)