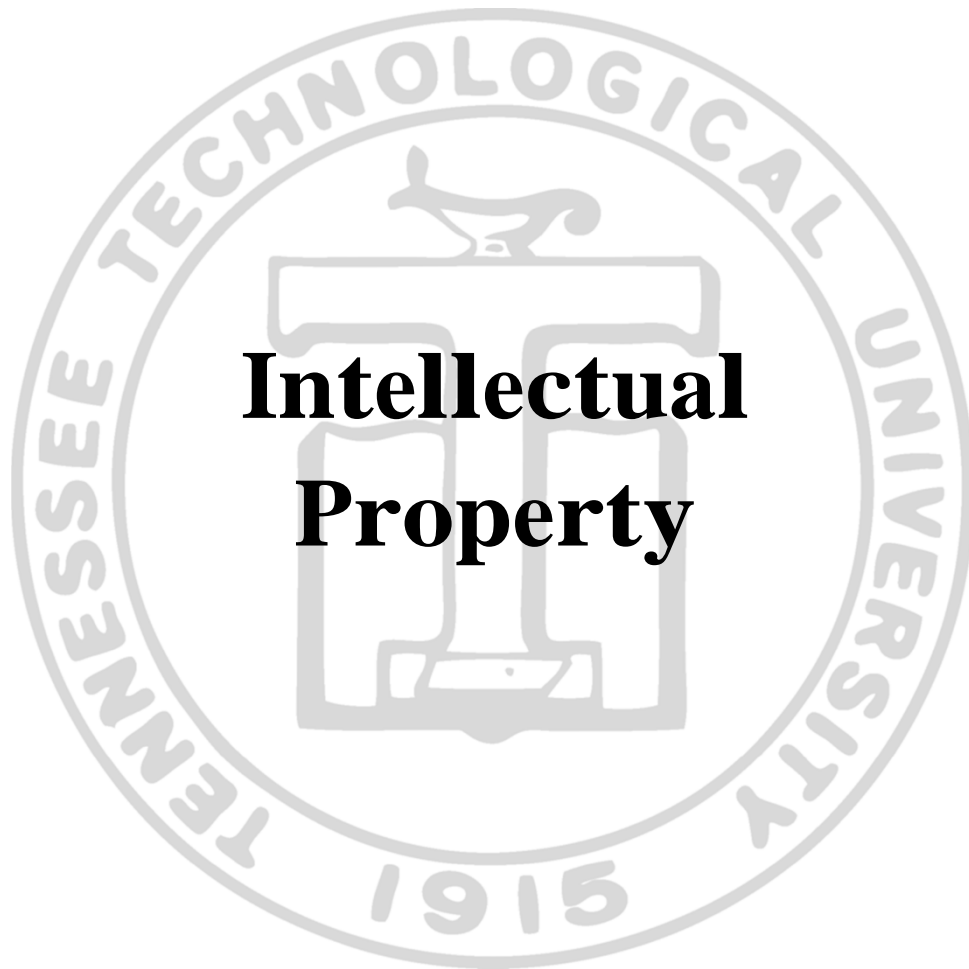


**Tennessee Technological University**  
**Policy No. 732**



Effective Date: January 27, 2016

**Policy No.:** 732

**Policy Name:** Intellectual Property

## **I. Purpose**

It is the policy of Tennessee Tech to encourage inventions and the production of copyrightable works; facilitate the utilization of such inventions and works to the benefit of the public and members of Tennessee Tech community; and provide for the equitable sharing of any proceeds derived from the commercial exploitation of inventions and copyrightable works in which, pursuant to this policy, Tennessee Tech is determined to have an interest. This policy is intended to protect the interests of all concerned parties: members of the Tennessee Tech community, external sponsors of research, and the public.

The Intellectual Property Advisory Committee (IPAC) is composed of faculty, students, and staff experienced in intellectual property matters, and is responsible for administering the policies and enforcing the rules and regulations related to intellectual property. The functions of IPAC are provided in TBR Policy 5:01:06:00, Administrative Responsibilities, Section IV, Item B, as may be amended from time to time.

## **II. Review**

This policy will be reviewed every three years or whenever circumstances require review, whichever is earlier, by the Associate Vice President for Research or his designee with recommendations for revision presented to the Vice President for Research and Economic Development.

## **III. Policy**

- A.** Tennessee Tech hereby adopts TBR Policy [5:01:06:00](#) (Intellectual Property) and TBR Guideline A-75 (Distance Education and Intellectual Property) with regard to authorization, applicability of policy, ownership of intellectual property, administrative responsibilities, appeals, and income from intellectual property.
- B.** Pursuant to TBR Policy 5:01:06:00, Tennessee Tech adopts rules regarding income distribution between Tennessee Tech and Inventors or Authors,
  - 1.** Except that the Inventor's or Author's share shall be 50 percent of the annual net income from the intellectual property.
  - 2.** The remaining 50 percent of net income shall be shared as follows: 20 percent to the department(s) or unit(s) which sponsored the development of the intellectual property, 10 percent to the origination college(s) and 20 percent to the Patents and Copyrights Account maintained in the Office of Research and Economic Development.

3. The inventor(s) and unit(s) involved shall have written, signed agreement (refer to intellectual property income distribution form) relative to the distribution of income prior to approaching the committee to pursue a patent or copyright.
  4. Where Tennessee Tech sponsorship or significant Tennessee Tech resources are involved, the agreement with an individual shall provide Tennessee Tech an exclusive license, and Tennessee Tech shall provide for reservation to the Tennessee Board of Regents a nonexclusive, irrevocable license in the invention, discovery, or copyrightable materials with power to grant licenses for all governmental and educational purposes.
- C. TBR Policy 5:01:06:00 governs the rights and responsibilities which persons affiliated with the TBR and Tennessee Tech have regarding intellectual property developed during the term of their affiliation with the TBR. Among the responsibilities enumerated in the policy is that of disclosure of inventions and those copyrightable works that may be reasonably expected to have commercial value that they have jointly or solely developed or created during their affiliation with the TBR and its Institutions.
- D. Tennessee Tech faculty, students, and staff interested in protecting and licensing their inventions, technologies, processes, software, trademarks or other intellectual property must take the critical first step of submitting an Invention Disclosure Form. Intellectual Property guidelines and forms can be accessed [here](#).
- E. By participating in a sponsored project and/or by making significant use of Tennessee Tech resources and/or by participating in teaching, research, or service projects, individuals (including non-compensated individuals) accept the principles of ownership of Intellectual Property as stated in this policy, and TBR Policy 5:01:06:00 and TBR Guideline A-070.
- F. Non-compliance with the intellectual property policy is a serious violation of Tennessee Tech policy, and the matter will be referred to the Office of Internal Audit to determine appropriate actions that will be taken.
- G. Tennessee Tech is committed to complying with intellectual property regulations in research, teaching, and other scholarly pursuits. Policy and procedures for preventing and reporting fraud, waste, or abuse with regard to intellectual property can be found in TTU Policy 131.
- H. All researchers must comply with TTU Policy 132 (Conflict of Interest), as may be amended from time to time.
- I. All researchers must comply with TTU Policy 735 (Conflict of Interest in Research), as may be amended from time to time.

**J.** Tennessee Tech will comply with TTU Policy 770 (Whistleblower Protection in Research), as may be amended from time to time.

**K.** The policies set forth in this document shall be administered by the Intellectual Property Advisory Committee (IPAC) whose procedures and guidelines can be accessed [here](#), as may be amended from time to time.

#### **IV. Interpretation**

The Vice President for Research and Economic Development and or his/her designee has the final authority to interpret the terms of this policy.

#### **V. Citation of Authority for Policy**

TBR Policy 5:01:06:00; U. S. C. 35; 45 CFR 650 NSF Patent Policy; Public Law 107-273

#### **Approved by:**

Administrative Council: 2016-01-27

University Assembly: 2016-04-20