



POLICY STATEMENT 68 UNIVERSITY INTELLECTUAL PROPERTY RIGHTS IN SPONSORED RESEARCH PROJECTS

POLICY DIGEST

Monitoring Unit: Office of Research & Economic Development

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I. PURPOSE

All research conducted at Louisiana State University has the potential for generating, in addition to scholarship, potentially valuable intellectual property including but not limited to patentable technology, copyrightable materials (e.g., software), specialized knowhow, or research products of a unique or proprietary nature (microbial cultures, monoclonal antibodies, etc.).

When this intellectual property is expected and generated in the course of research carried out under projects sponsored and funded by outside entities, it is necessary to define (usually as part of the sponsored agreement) what rights to intellectual property, if any, will accrue to the sponsor.

This policy outlines the rationale for university sponsored research agreement standards and defines the acceptable limits for various sponsor categories.

The principal purposes of carrying out research at the university are:

- A. to expand human knowledge
- B. to place and maintain faculty at the leading edge of their field of endeavor and thus enhance their teaching capabilities
- C. to increase the stature and reputation of the faculty and help in attracting quality faculty
- D. to increase the stature and reputation of the university and help in attracting quality students

It is also an integral part of the university's mission to give the results of research the widest possible dissemination and, if indicated, the broadest feasible utilization by the public.

II. DEFINITIONS

For the purpose of this policy, sponsors are divided into the following groups:

- A. Governmental Agency: federal, state, and local government entities. The principal aims of a governmental agency are to achieve national goals, promote economic development, fulfill mandated missions, and resolve specific in-house problems.

- B. Common Interest Association: entities (non-profit) representing groups having commonalities of interest (potato growers associations, library councils, poultry growers' societies, gas research institutes, electric power institutes, etc.). The principal aim of a common interest association is usually to generate useful information for its membership.
- C. Private Sector Company: for-profit entities or other non-governmental entities. The principal aim of a private sector company is to return profits to its ownership by gaining a competitive advantage through world class research and development.

For clarity, terms referred to in the singular are also applicable in the plural.

III. GENERAL POLICY

- A. LSU holds all right, title, and interest to all university intellectual property in all countries, as defined in [Chapter VII of the Regulations of the LSU Board of Supervisors](#).
- B. Governmental agency agreements may grant to the sponsoring agency a non- exclusive, non-transferable, royalty-free license in accordance with applicable federal laws.
- C. Common interest association agreements may grant to the sponsor a portion of the university royalties that are a direct result of the intellectual property resulting from the agreement. The grantor and its member institutions shall have no other intellectual property rights or claim to further revenue sharing.
- D. Private sector company agreements may grant to the sponsor an exclusive right, for a limited period of time, to negotiate with the University for a royalty-bearing License under inventions that may result from the funded research, under mutually agreeable terms.

III. PROCEDURES

- A. The [Office of Sponsored Programs](#) (OSP) will review sponsored agreement terms for compliance with [Chapter VII of the Regulations of the LSU Board of Supervisors](#), and the limits of intellectual property sharing herein.
- B. Sponsored agreements which include non-standard terms related to assignment or ownership of university intellectual property will be forwarded to the [Office of Innovation & Technology Commercialization](#) (ITC).
- C. ITC will review non-standard terms and ensure conformance with applicable federal and state laws and university policies.
 - 1. Exceptions to this policy will be determined by ITC, OSP and the Vice President for [Research & Economic Development](#) in consultation with other LSU officials, as necessary or appropriate.

IV. SOURCES

[Chapter VII of the Regulations of the LSU Board of Supervisors](#)