
The following members were present: Dr. Tom Inzana, Ms. Kay Heidbreder, Dr. Elizabeth Grabau, Dr. Barbara Lockee, Dr. Steve Sheetz, Mr. Ken Miller, Ms. Christa Thomas, Dr. Robert Broadwater, Ms. Cindy Wilkinson, and invited guests, Ms. Carol Roberson, Dr. Tim Pickering, Ms. Denisa Olteanu, Mr. Steve Capaldo, Mr. Greg Hess. Shelly Key recorded the minutes.

Those members not in attendance were: Dr. Robert Walters, Mr. Mark Coburn, Dr. Robert Harvey, Dr. Stephen Boyle, Dr. Jack Lesko.

Call to Order

Dr. Inzana called the IP Committee meeting to order at 12:05 p.m.

Dr. Inzana called for a motion to approve the minutes from the last meeting on December 20, 2006. The motion was made by Ms. Heidbreder, seconded by Dr. Lockee and the motion was unanimously passed.

Dr. Inzana opened the meeting stating that there were no particular issues to discuss and that today’s meeting is a new meeting for the new group of members and to review IP polices and procedures. Introductions followed.

Tim Pickering passed out information and stated that he would present an overview of the IP process at Virginia Tech, what the responsibilities and duties of the committee members are, and general information on how we operate.

Overview: The IP process is a sequential process beginning with the faculty members who have ideas, get sponsorship, and conduct research. If they find something that they feel may have commercial value, they submit a disclosure which comes in to this committee. When the committee during the process determines that the IP is university-owned, our vehicle for examining the commercial exportation of intellectual property is to transfer it to a separate and independent organization from Virginia Tech – Virginia Tech Intellectual Properties (VTIP). VTIP has recently considerably expanded their staff with licensing associates so we now have greater capability to really make some diligent pursuits of a lot of the IP that is developed here at Virginia Tech.
Typically, we will have 120-130 disclosures from university faculty during the year. Of these, approximately 100-110 will be judged as premature to go out and try to license them because they are in early stage development. Maybe 25-30 might be licensable and so the licensing associates will pursue likely candidates. The idea is to sign up licensees so we can generate revenue. We might have 1-3 million dollars worth of revenue per year from all licenses. VTIP has a revenue sharing agreement back with the university so they take off some administrative costs off the top and take the rest of the revenues—50% comes back to the inventors and 50% comes back into the university and is divided up equally within departments and other entities.

**Policy on Intellectual Properties:** Dr. Pickering provided the annotated version with commentary. The officially approved version doesn't have the annotations in it. This policy is a part of the employee’s contract of employment with the university. If you signed an employment agreement with VT, you are governed by the IP policy. Ms. Heidbreder pointed out that it is actually a State law that you are bound to this policy when you accept your paycheck. The Policy on Intellectual Properties combines both policy and administration and was developed in 1991. The committee structure and organization in the first part of the policy would probably not need to be in the policy because they are more about how the group administers the policy rather than what the actual policy is. Regarding the information on Authority and Responsibility of the Committee, some of these we don’t observe too closely anymore in the way we operate but they are still enforced and perhaps done by a different method. The main responsibility with the way we are operating now is to evaluate disputes as they come about issues related to IP or to consider whether or not we need to make changes or recommendations to university administration about better ways to deal with intellectual property issues. The committee used to meet monthly and review all the invention disclosures and everybody had to write up reports and send them out to VTIP. At this time VTIP only had two people working for them so this was an effort to help VTIP get a handle on what the commercial potential might be. Since the staff and their capabilities at VTIP have increased, the committee has gone out of the business of trying to do evaluations of the disclosures. That’s why we don’t necessarily meet on a monthly basis anymore and only on an as-needed basis. We do ask that you hold the monthly meeting date (third Wednesday of each month), but we are not going to have a meeting unless we send you a notice to confirm that there will be a meeting. Dr. Inzana asked if the policy should be updated to reflect this. Dr. Pickering suggested that when a major change needs to be made, then that would be a good time to make this relatively minor change due to the process involved in making changes.

Dr. Pickering reviewed the Policy Guidelines as outlined in Section 2.4:

A. **Ownership:** There are two types of intellectual property: academic scholarship (owned by author) and research (owned by university). Dr. Pickering then
reviewed special exception areas: Sponsor Rights, Federal Agency Rights, Student Ownership, Joint Inventorship, special situations).

B. Obligation to Disclose: Covers all employees.
C. Revenue Sharing
D. Management Responsibility
E. Right of Appeal

**Intellectual Property Committee Practices:** This hand-out is a thumbnail description of cases that have come up in the past and how the committee has determined the application of the policies to those particular cases. One area that comes up quite frequently and our university policy is vague on is how to deal with is consulting. For example, if you are a faculty member and you want to either consult or go on sabbatical, what happens to any intellectual property that you develop under those agreements? If you are on *unpaid* sabbatical, the university has no ownership. If on *paid* sabbatical, there is university ownership.

**Practices Pertaining to Transfer of Ownership and Role of the Governor:** This was developed by Dr. Fenwick when he was VP for Research with involvement from Kay Heidbreder and Carol Roberson. This covers the legal background that encompasses what the university can and cannot do in terms of IP issues. Our position is that in general the university puts resources into sponsored work and even if the sponsor pays for the work, he normally doesn’t pay the full cost, so the university usually has an interest. We are reluctant to give away the ownership of our intellectual properties when it has been developed here and it could be declared university owned.

**Information on the Office of the Vice President for Research:** Most of this info is available on the web (OVPR home page), but can be hard to locate. Go to search box and enter research/formsandpolicies/index and under Intellectual Properties you will find most of the handouts that were given out today. Also posted there is the Invention Disclosure form which you can use to fill out and send to OVPR. After review, required signatures are obtained and then they go out to VTIP usually within a week or two.

**Adjournment**

Dr. Inzana asked for any other business. There being no other business, a motion was made and unanimously passed to adjourn. The meeting adjourned at 12:40 p.m.