



POLICY STATEMENT ON PATENTS  
ADOPTED BY THE ADMINISTRATION OF THE  
UNIVERSITY OF WISCONSIN ON  
(date)

The research work conducted at the University of Wisconsin is of a fundamental or basic nature and is generally designed to discover new facts and to understand existing facts as distinguished from applied research which is designed to develop products or methods of immediate commercial value. <sup>†</sup> The primary interest of investigators in the University is to publish their findings in scientific journals and such publication is always encouraged by department heads and by the University administration. Patents are <sup>an occasional by-product</sup> ~~secondary results~~ of the research activities.

*Preparation and prosecution of patent applications as well as the exploitation of resulting patents, are not a part of the University's function.*

If a patentable invention should result from the research which an investigator is conducting, ~~then~~ the investigator is the sole owner of the invention and is the sole judge in the determination of the disposition of his invention unless his invention results from a grant which contains a "patent clause" giving the granting agency certain rights in such inventions. When such grants are accepted by the University of Wisconsin on behalf of the investigator, the investigator is required to agree in writing to abide by the terms of the grant.

In those instances when investigators in the University of Wisconsin develop patentable inventions, in the absence of a "patent clause" in a grant supporting the work, the investigators may wish to and frequently do (though not obligated to do so) offer these inventions to the Wisconsin Alumni Research Foundation and this act is approved by the University administration because the Foundation <sup>set up by public spirited donations to develop research assigned to it by UW and</sup> has a record of administering inventions in the public interest, and any net

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income which the Foundation receives from its patent licensing program is put into a fund from which grants are made to the University for further scientific research. Such grants from the Foundation to the University are made without any conditions or limitations being imposed by the Foundation as regards the specific disposition of the funds.

Research work at the University financed by an outside sponsor comes under the provisions of the grant supporting the work. (Frequently, research projects are financed by more than one sponsor under contracts containing patent provisions with the result that there can be conflicts of interest.)

The University administration believes that the public interest can best be served if the patent provisions of grants from outside sponsors can be modified to provide that the investigators will be allowed to either

- a. Refer their inventions to the sponsor if that is presently required, or
- b. Assign whatever inventions might result from the work to the Wisconsin Alumni Research Foundation for patenting and licensing in the public interest.

The Foundation has agreed that it will act as patent advisor to the University administration on all patent matters which are brought to it by staff and employees of the University.

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