We believe innovation from academic research can make a positive difference in the world. The Purpose of OTD is to help OU researchers transform ideas into tangible impact for the betterment of society.

The Mission of OTD is to provide the highest level of fiduciary expertise for the perfection, conveyance and commercialization of OU IP.

To be recognized as a driving force for OU’s economic impact through education, expertise and efficiency.
1. What is intellectual property ("IP") and why does it matter?

2. The nexus between IP and sponsored research.


4. Copyrights and academic-related issues.
TYPES OF IP ASSETS

- **Patents** (35 U.S.C.)
  - Protects ideas, discoveries, concepts
  - Requirements: Patent Eligibility, Novelty, Non-obviousness, Utility

- **Copyrights** (17 U.S.C.)
  - Protects original works of authorship fixed in a tangible medium

- **Trademarks** (15 U.S.C.)
  - Identifies the source of a good or service so as create consumer confidence.

- **Trade Secrets** (often what corporate entities want us to protect)

- **Know-How** (non-traditional IP-asset that has commercial value)
What is the Impact/Importance of IP?

• IP-creation facilitates the advancement of scientific research by creating value (increased sponsored research funding).

• IP can impact and foster individual and institutional prestige and reputation.

• IP-based agreements facilitate the protection of a PI’s rights to teach, publish, and research.

• IP can generate individual and institutional revenue via commercialization activities.

• Coordinated effort by and between the PI, the Sponsored Programs Office (“ORS” and “ORA”), and the Office of Technology Development (“OTD”).

• IP Ownership Mantra: “Our’s is our’s, their’s is their’s, joint is joint.”
  • Fundamental research vs. Work-Made-For-Hire

• Preservation of publication rights and academic freedom(s).
Common IP-Based Agreements

- The vast majority of IP-based agreements/contracts are administered, negotiated, and managed by OTD and ORS/ORA.
  - Material Transfer Agreements (“MTA”)
  - Non-Disclosure/Confidentiality Agreements (“NDA”)
  - Inter-Institutional Agreements (“IIA”)
  - Intellectual Property Agreements (“IPA”)
  - License Agreements (Research and Commercial (Non-Exclusive, or Exclusive))
  - Sponsored Research Agreements (“SRA”)
  - Clinical Trial Agreements (“CTA”)
  - Service Agreements (“SA”)
  - Facility Use Agreements (“FUA”)

Common IP-Based Agreements
COPYRIGHTS AND ACADEMIC-BASED ISSUES

- Unlike other forms of IP-protection, there is NO requirement to formally-register a copyright to obtain protection.

- Ownership of rights in a copyrightable work hinge on the manner in which the work is created (University’s IP Policy, § 3.27.4(C)).
  - Funded vs. Unfunded
  - Commissioned v. Non-Commissioned
  - Significant Use of University Resources
  - Scope and Content Dictated by Creator vs. University

- Publishing Agreements (Assignment v. License)
NEXT “SOONER-TO-MARKET”™ DISCUSSION SERIES

“PUBLISH, PATENT, AND DON’T PERISH”

PRESENTED BY

DR. CHRISTOPHER CORBETT

OCTOBER 29, 2015

4:00 PM

DEH ROOM 220
QUESTIONS?