

Eastern Kentucky University's
Intellectual Property Policy
September 30, 2004
DRAFT

I. Introduction/Background

The Intellectual Property (IP) Policy at Eastern Kentucky University (EKU) recognizes that universities are institutions committed to the creation and dissemination of knowledge. The IP Policy affirms the University's commitment to academic freedom, to a rich and vibrant public environment, and to a healthy local and regional economy. The University supports these endeavors by encouraging, fostering, and protecting scholarship, research, service and creativity.

EKU recognizes the need to protect the intellectual property rights of faculty, staff, students, and the University. It also acknowledges the importance of contributing to a supportive, enabling environment for the University regarding IP. The IP Policy addresses the customary distribution of any benefits arising from activities in which the University and its members are jointly engaged including public recognition and, where appropriate, financial remuneration. It *excludes* traditional academic scholarly works from its purview and attempts to articulate and balance the sometimes-competing interests involved in IP in a fair, manageable, and productive manner.

II. Objectives of the Intellectual Property Policy

The objectives of the IP Policy are:

- a. to delineate the University's policies and procedures with regard to IP
- b. to encourage research, scholarship, and a spirit of inquiry
- c. to promote the dissemination of knowledge and technology for the benefit of the University community and society
- d. to provide an administrative system to assist the University community and its external collaborators in bringing new discoveries and developments into public and/or private use
- e. to provide an administrative system to evaluate, where appropriate, the commercial significance of new discoveries and developments
- f. to provide for the equitable disposition of interests in shared IP among the creator(s), the University, and, where applicable, any external collaborators(s)
- g. to contribute to a university environment that encourages the creation of IP
- h. to assist the University community and its collaborators in seeking adequate and appropriate legal protection against unauthorized use
- i. to describe employee-excluded works that are not subject to University ownership under the policy

III. Definitions

- a. Collaborator (Internal or External) - A person with whom the creator works. The collaborator may be a person(s), either within the University or outside the University. Collaborators work together on a literary, artistic or scientific undertaking. This undertaking directly or indirectly results in the creation of intellectual property.
- b. Commercialization - The application, publication, development, use, assignment, licensing, sub-licensing, franchising, exploitation, or other utilization of IP in order to generate financial or other commercial gains.
- c. Copyright - A form of protection as defined in 17 U.S. Code, which may be amended from time to time. It generally grants protection to authors of “original works of authorship” which includes literary, dramatic, musical, artistic, and certain other intellectual works, both published and unpublished. These protection rights automatically attach to the work when it is fixed in a tangible medium and formal registration is not required. While registration is not required, it provides certain additional statutory protections. In addition, it is a prerequisite to seek legal redress for copyright infringement in a court of law. Copyrights give the author exclusive rights to reproduce the copyrighted work, to prepare derivative works, to distribute copies of the work, and to perform or display the work publicly. Copyrights also prevent those who are not the original author or otherwise the owner of the work from copying, performing, displaying, distributing or preparing derivative works without proper authorization. Copyrights only protect the particular expression of an idea, and not the underlying idea expressed. A work can be formally registered for copyright protection by the Copyright Office of the Library of Congress. (For more information go to <http://www.loc.gov/copyright/>)
- d. Discoveries – Acts of disclosing or revealing something that was not previously known to have existed. A disclosure of an object, process, or any other type of occurrence that causes the discoverer to realize the existence of or to uncover a certain idea or concept. A discovery requires that the discoverer is the first to expose or to find out about the revelation.
- e. Due Diligence - The degree of attention or care that is expected of a reasonable person in a given situation.
- f. Electronic Publications – Electronic publications includes software and other technologies and data used to support the capture, storage, retrieval, transformation, and presentation of electronic or digital data and information or to interface between electronic or digital forms and other communications and information media. Examples may include but are not limited to: software, course lecture video or audiotapes, whether electronic, magnetic or digital, electronic publications, electronic

textbooks and interactive textbook supplements, Internet-based and on-line courses, web pages, multimedia works, and distance learning materials. As used herein, software means a set of statements or instructions (usually lines of code) used directly or indirectly in a computer to bring about a certain result.

- g. Equity Interest – Shares of ownership interest in a commercial venture dealing with intellectual property created under this policy.
- h. Intellectual Property (IP) – Intellectual property includes works of authorship, inventions, and discoveries whether or not subject to protection by patents, copyrights, trademarks, or trade secrets. For the purposes of this policy, Tangible Research Property (as defined below) is included in the definition of Intellectual Property. As defined here, Intellectual Property also includes any new form of Intellectual Property receiving legal protection that may be added to the categories above during the time that this policy is in effect.
- i. Instructional Text - An “instructional text” is a literary, pictorial, or graphic work prepared or otherwise used for commercial publication and with the purpose of use in systematic instructional activities.
- j. Invention - A product or process providing a new way of doing something, or offers new, innovative, technical solution(s) to a problem. Also refers to any new and useful process, machine, manufacture or composition of matter (e.g., life forms, etc) or any new and useful improvement thereof, relating to creative works, research property, and Trade Secrets.
- k. Patent - The exclusive property rights granted to the creator of an invention issued by the United States Patent and Trademark Office. A patent is defined in 35 U.S. Code, which may be amended from time to time. It generally grants its owner the protection for his/her invention excluding others from making, using, selling, or importing the invention. The requirements for patentability of an invention include that the invention has utility, novelty and is nonobvious. A patent is granted for a limited period of time, which is usually 20 years from the date it is filed. (For more information, see <http://www.uspto.gov/>.)
- l. Principal Investigator – The primary person in charge of investigating or researching a particular matter that may result in the creation of intellectual property.
- m. Royalties - The revenue that is received as a result of licensing IP. Royalties may be based on a use rate or a flat rate based on allowing others to use the creation in some fashion for financial gain.

- n. Sponsor – A person or organization that pays for or plans and carries out a project or activity.
- o. Sponsor-assisted Project – A project in which a private or governmental sponsor may assist one or more members of the University’s faculty, staff, or students by such means as furnishing funds, equipment, or other resources to support research, the creation of a creative work, or any other educational or scientific activity that may result in the creation of IP.
- p. Sponsor-supported Project - Any grant, contract, or similar arrangement between the University and a private or governmental sponsor furnishing funds, equipment, or other resources to support research, the creation of a creative work, or any other educational or scientific activity to be performed by one or more members of the University’s faculty, staff, or students that may result in the creation of IP.
- q. Supplementary Work - A “supplementary work” is a work prepared for publication as a secondary adjunct to a work by another author for the purpose of introducing, concluding, illustrating, explaining, revising, commenting upon, or assisting in the use of the other work, such as forwards, afterwards, pictorial illustrations, maps, charts, tables, editorial notes, musical arrangements, answer material for tests, bibliographies, appendixes, and indexes.
- r. Tangible Research Material – Tangible Research Material means materials used or produced in the course of University research projects, examples of which may include but are not limited to: (1) hybridoma or clonal cell lines that produce monoclonal antibodies or recombinant proteins, (2) plants protected by the Plant Variety Protection Act, and (3) non-patented drugs protected by the Orphan Drug Act. Tangible Research Material is subject to the provisions of this policy.
- s. Trademark - A distinctive mark or sign that identifies certain goods or services as those that are provided or produced by a specific person or entity. Some examples of trademarks include but are not limited to words, names, logos, sounds and product configurations that uniquely identify a product. The exclusive rights of trademarks are derived from the frequent use of them by the owner or creator and registration of trademarks is not required. Federal registration provides formal protection of trademarks from unauthorized use of the same or very similar types of symbols and can be obtained through the United States Patent and Trademark Office (For more information see <http://www.uspto.gov/>)
- t. Trade Secrets - Information that a person or entity may keep secret to give them an advantage over their competitors. Trade secrets cannot be

formally registered; it is the owners' responsibility to take appropriate steps to protect the trade secret's confidentiality.

- u. Traditional Copyrightable Academic Work - These shall be defined as a subset of copyrightable works created independently and at the creator's initiative for traditional academic purposes. Examples include class notes; books; theses and dissertations; articles; non-fiction, fiction and poems; musical works; dramatic works including any accompanying music; pantomimes and choreographic works; pictorial, graphic, and sculptural works; or other works of artistic imagination that are not created as an institutional initiative. Traditional Copyrightable Academic Works are employee-excluded works pursuant to Section IVb, i; however, see Sections IVb ii-iv for those works that are not excluded from this policy. (Reference Section IVb, part i, ii, iii, iv)
- v. Working Days – These days include full days, Monday through Friday, excluding at least half days and full days in which Eastern Kentucky University is closed.

IV. General Policy

a. Overview

- i. Intellectual property (IP) includes, but is not limited to, copyrights, patents, trade secrets, trademarks, and plant variety protection. Activities resulting in the creation of IP may also contribute to professional development, enhance the institution's reputation, promote additional educational opportunities, and promote collaborative or cooperative arrangements. Therefore, when faculty, staff, administrators, student employees, students, and/or visiting faculty or researchers develop intellectual property, their IP rights and privileges must be protected and preserved.
- ii. Under federal copyright law, the creator of a work is usually the owner. However, this is not the case when a work is created within the scope of employment. Works created within the scope of employment are known as "work made for hire," and are works where the employer is considered the author and owner of such works. Copyright law generally defines a work made for hire as:
 - 1. A work prepared by an employee within the scope of his/her employment; or
 - 2. Certain types of work specially ordered or commissioned where the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire. These types of work include a contribution to collective work, a part of a motion picture or other audio/visual work, a translation, a compilation, an instructional text, a test, answer material for a test, an atlas or a supplementary work.

EKU's IP Policy allows for a determination of whether a change will be made regarding ownership or assignment of works made for hire. This policy permits assignment of individual ownership to the creating employee of certain scholarly, artistic, literary, musical, and educational materials within the creator's field of expertise, as set forth below, which have historically been treated by institutions of higher education as belonging to the creator, so long as ECU retains a non-exclusive license in IP that was created for and that uses significant university resources for educational, research and service use whenever practicable.

The determination of ownership may be complicated. Some categories of works that used to be distinct and about which there were few issues of ownership may now be merged. Examples include, but are not limited to, software, courseware and distance learning. Therefore, ECU's IP Policy establishes guidelines to be applied in determining ownership interests in the IP and permits the University to recover expenses incurred in the work's creation and/or share in royalties if the work is commercialized.

- iii. When ECU faculty, staff, administrators, or students create IP, which, under the terms of this policy, may be owned or shared by ECU, the creator shall report the IP to the Provost/VP by completing a Disclosure Form (Attachment 1). The IP creator(s) will cooperate in the execution of legal documents and in the review of literature and prior art (e.g., patent searches); will be given the opportunity to assist in the further commercial development of the IP as defined in Section VI; and will receive consideration regarding any income derived from the commercialization of such property.

b. IP Creation and Ownership Scenarios

- i. **Employee-excluded Works.** ECU assigns to the creator all ownership of IP in the following categories of work:

1. Traditional Copyrightable Academic Works
2. Student works (unless the student work is created in a University employment capacity or is part of a sponsor-supported ECU project.)

- ii. **University-assigned Projects.** University-assigned work, developed in the course and scope of employment, constitutes a work made for hire. Therefore, IP resulting from this work is the property of ECU. Work produced in the course and scope of employment includes, but is not limited to, research, instruction, service, and other assigned activities. The creator(s) will cooperate with the University to execute any and all documentation necessary to assign ownership and, if necessary, to secure protection of this IP.

- iii. University-assisted Projects.** EKU shares ownership of IP developed by University employees through an effort which makes *significant use* of University resources. The distribution of possible income based on such IP will be determined in accordance with the Administrative Procedures Section V. of this policy. The University and IP creator(s) will cooperate to execute any and all documentation necessary to assign ownership and, if necessary, to secure protection of the IP. It should be noted that this policy does not construe the use of office space, library resources, personal workstations, or personal computers as constituting significant use of University resources. Significant use of University resources includes, but is not limited to, use of:
1. Research funding
 2. Funding allocated for asynchronous or distance learning programs
 3. University-paid time within employment period
 4. Assistance of support staff
 5. Telecommunication services (excluding telephone service)
 6. University central computing resources
 7. Instructional design or media production services
 8. Research equipment and facilities, or production equipment and facilities
- iv. Sponsor-supported Projects** Sponsor-supported projects are university activities that are funded/supported by an external agency/organization. EKU's Office of Sponsored Programs (<http://www.research.eku.edu/>), formerly the Office of Grants and Contracts, reviews and approves these contracts. Sponsored Programs provides assistance to facilitate negotiations among the Principal Investigator, the Sponsor, and the University, including issues related to IP ownership. While the Principal Investigator should refer to this policy to address the protection of IP, in some instances federal and state law may define ownership. Before the contract is accepted and executed, Sponsored Projects will work to ensure that the Principal Investigator and the University are satisfied with the terms before accepting and executing the contract, including:
1. Due diligence milestones should be negotiated on a case-by-case basis in an effective and timely manner. The milestones will provide objectively measurable goals and timetables by which it may be determined if a good faith effort has been made. A reassignment right will be included, exercisable on the part of EKU, when the Sponsor has not made a good-faith effort to meet the milestones.

2. A windfall provision where a specified payment is made upon some mutually agreed upon threshold event. This should be determined on a case-by-case basis.

When a contract is silent on the ownership of the Intellectual Property, ownership will vest with the University.

Prior to receiving a grant award to engage in sponsored projects or research, the Principal Investigator (PI) must first participate in the Office of Sponsored Project's orientation meeting. During this meeting, the PI will give the Office of Sponsored Projects a brief overview of the IP that may result from their project. This meeting will help establish whether IP is an issue with the project before a budget number is assigned.

- v. **Visiting Faculty, Researchers and Scientists.** Visiting faculty, researchers, and scientists will be held to the same policies as permanent faculty, researchers, and scientists.
- vi. **Outside Consulting.** If an employee engages in outside consulting that will involve University resources, then a contract must be executed with the Office of Sponsored Projects and a Disclosure Form must be filed with the Provost/VP.
- vii. **Individual Projects.** If an employee engages in projects that will involve the use of University resources and will result in the creation of IP, then ECU will share in the ownership of such property. Therefore, the employee is required to complete and submit a Disclosure Form.
- viii. **Other Works.** Other works not expressly addressed in this policy will require the creator(s) to submit a Disclosure Form and will be reviewed on a case-by-case basis, including:
 1. Electronic publications
 2. Online courses
 3. Patents
 4. Other materials
- ix. **IP Gifts.** ECU may accept gifts of IP through the ECU Foundation. The receipt of an IP gift may require actions on the part of the University and/or Foundation, and the necessary actions will be evaluated as part of the consideration of acceptance. Gifts may be accepted through the ECU Foundation in accordance with the ECU Gifts Acceptance Policies and Procedures and in consultation with the Intellectual Property Committee and the University administration.

V. **Administrative Procedures**

a. **Oversight of the Policy**

The interests of ECU and its faculty, staff, and students in the development of IP, except exempted works as described in Section IV.b. 1, shall be determined by the Provost/VP or designee and the Intellectual Property Committee (IPC), in accordance with this policy. The Provost/VP serves as

the administrative officer for matters concerning IP, regardless of whether they are generated from an academic or non-academic unit.

The IPC shall be a standing committee consisting of twelve official members appointed by the President. The committee shall consist of four ex-officio members:

- University Counsel (non-voting)
- Vice President for University Advancement (or designee) (voting)
- Director of Sponsored Programs (voting)
- Provost (or designee) (non-voting)
- President (or designee) (non-voting)

Other members of the faculty and staff will be appointed by the President to provide broad technical expertise across various disciplines. These shall include six members of the teaching faculty, one representing each college, and one from the Library, selected from a slate submitted by the Executive Committee of the Faculty Senate and two members from the professional staff. Additional expertise in the form of ad hoc resource members may be sought by the IPC as needed in the consideration of IP matters.

The University administrative contact for issues regarding IP covered under this policy and the disclosure of IP shall be the Provost/VP . Actions of the IPC are forwarded to the Provost/VP as recommendations.

b. Duties.

The IPC shall serve as the custodian of the IP Disclosure form and will identify the IP Category and Ownership structure pursuant to Section V.b. of this policy.

- i. Custodial Function.** The IPC shall review the IP policy, as needed, and make revision recommendations to the Provost. The IPC will also recommend revisions to the Disclosure Form or to any other form required in the disclosure of IP. The IPC will meet at least quarterly.
- ii. Disclosure Function.** When University faculty, staff, other employee, or student, operating under the scope of this Policy, creates IP, the creator shall notify the Provost/VP of the IP by completing the Disclosure Form. Should the Provost/VP be the creator of IP, the completed Disclosure Form will be submitted to the President. The Disclosure Form must be completed and submitted to the Provost/VP upon the recognition of the existence, or potential existence, of intellectual property. The completed Disclosure Form must be submitted to the Provost/VP with an information copy to the appropriate chair or director and dean. A receipt notification will be mailed to the creator acknowledging receipt of the Disclosure Form within one workweek of its receipt,

with a copy of this acknowledgement sent to the members of the IPC.

The creator(s) shall make available, upon request, originals or copies of all documents and designs, including logs, research workbooks, etc. that are necessary to support an understanding of the IP and its scope and value. Moreover, as necessary the creator(s) shall assist the IPC in obtaining and maintaining legal protection for the IP by disclosing essential information, signing applications and other necessary documents, and assigning technology rights. ECU will reimburse the creator(s) for any/all reasonable expenses incurred complying with IPC requests for additional information.

The IPC will evaluate the merits of the IP and the equities involved. This evaluation may be made using the materials/information submitted by the creator(s) and/or with the assistance of other university resources or a consultant(s). The VP/Provost will advise the creator(s) within one-hundred and twenty (120) calendar days, following the receipt of the Disclosure Form, as to whether or not the University will retain an interest or ownership in the IP, unless the parties mutually agree upon an extension. The Provost/VP may extend the deadline if further examination of the IP is needed or additional information is required. This will be done by notifying the creator(s) in writing of the intent to extend the deadline fifteen (15) days prior to the end of the initial 120 calendar day period. The Provost/VP must notify the creator(s) of the reason for such an extension. The extended period may not exceed forty-five (45) calendar days. However, the extension may be extended for a longer period of time if mutually agreed upon by all parties.

If ECU elects to release some or all legal rights to the creator(s), or if written notice of the IPC is not given to the creator(s) upon the expiration of 120 calendar day period following receipt of the disclosure or the new deadline, the creator(s) shall be free, subject to law and prior agreements, to proceed independently only with respect to the specific, disclosed IP.

iii. Review Function

1. The IPC will review disclosures for the purpose of classifying them into one of the categories outlined in Section IV.b. of this document. Part of the review process will involve developing an estimate for the market value for the IP. Working alone or with internal or external collaborators, the IPC will estimate the value of the IP so

that ECU better understands the potential commercial value. The IPC, and any other additional resource partners shall have 120 calendar days from the disclosure of the IP to assess the scientific, technical and economic merit as well as decipher the potential commercial value. If this evaluation has not taken place during the 120 days then the time shall have lapsed and primary ownership rights to it shall be returned to the creator.

- If the IPC determines that the IP under consideration is exempt under Section IV.b.1., the property shall be released to the creator and ECU will not claim ownership, except the non-exclusive right to use the IP for educational, research or service reasons.
- If the IPC determines that ECU has an interest in the IP, but that the chances of successful commercialization are minimal or the costs of pursuing such commercialization outweigh the income potential, the IPC shall release the property to the creator(s), as above.
- If the IPC determines that ECU has an ownership right but that the creation has not been developed to the point where a decision as to patentability or commercialization is possible, the IPC shall place the creation in a pending status, provide the creator(s) with the reasons for taking such action and request that the creator(s) report back at some specified date.

If the IPC determines that ECU has ownership interest in the property and an interest in retaining the ownership, the IPC will make a recommendation to the Provost to:

1. Inform the creator(s) in writing that ECU claims its ownership rights to the IP
2. Negotiate and record the rights of the creator(s) to share in any income with ECU in accord with Section VII. Typical and anticipated revenue sharing from royalties are:
 - 50% to the creator
 - 15% to the IP Fund
 - 15% to the General Fund
 - 15% to the Department
 - 5% to the College

3. Inform the President of the IPC's recommendation as to the appropriate course of action.
 - a. The President will authorize the execution of an acknowledgment and, where applicable, an assignment of ownership rights
 - b. The process for licensing, selling, or otherwise conveying IP will comply with any applicable federal or state statutes. All costs associated with these actions shall be borne by EKU, except that such costs shall be offset against future income in accord with Section VII.c.

iv. Resolution of Grievances

- a. If any creator does not agree with any decision made by the VP/Provost, an appeal may be made to the President within seven working days of the issuance of the decision.
- b. The appeal shall be made in writing, delivered to the President and copies shall be made to the VP/Provost.
- c. Any appeal shall set forth the specific reasons supporting the position of the party and include any supporting documentation.
- d. Upon receipt of an appeal of the VP/Provost's decision, the President shall review the information provided and, within twenty (20) working days, shall issue a written decision on the appeal. The decision on this review will be the final decision of the University.

VI. Commercialization

- a. In commercializing IP, EKU, through the IPC, shall be guided by the following principles:
 - i. Active creator(s)' participation in all commercialization will be vigorously sought.
 - ii. The primary objective and responsibility of EKU shall be to assure that the products of its intellectual activity are brought into the widest possible use for the general benefit of society.
 - iii. IP is treated as an asset and an appropriate return should be sought.
- b. In an effort to commercialize IP, EKU will seek a variety of arrangements such as licenses, outright assignments or sale of rights, partnerships, and joint ventures. The selection of particular arrangements will depend upon the individual circumstances.
- c. In some instances, it may be in the best interests of the creator, EKU, and the general public to enter into a commercialization arrangement with entities wholly or partially owned or controlled by the faculty, staff, or

students who originated the property. Because these arrangements have the potential of contributing to economic development, such arrangements may be considered and accepted, provided they are not specifically prohibited by law and that adequate provisions, including full disclosure of interests, are made to avoid or otherwise protect against conflict of interest on the part of those involved.

- d. Commercialization of IP can be risky. Based on national data, the process fails more often than it succeeds. If no commercialization has occurred within two years after the property is disclosed, the creator(s) may request that all rights be transferred to the creator. The request should be addressed to the IPC. It should explain what efforts have been made to date and why the creator(s) should receive ownership. The IPC will make a determination as to whether reasonable efforts to commercialize have been taken and will forward a recommendation to the President.

VII. Royalty Income Sharing Policy

- a. Except as otherwise provided, net revenues derived from the commercialization of IP shall be shared as follows:
 - 50% to the creator
 - 15% to the IP Fund
 - 15% to the General Fund
 - 15% to the Department
 - 5% to the College
- b. The IP Fund, the Department Fund, and the College Fund shall be allowed to build across fiscal years. Costs associated with securing IP will be borne by ECU with such costs offset against future income. All costs directly related to the acquisition of IP rights will be reimbursed from the first receipt of revenue, before distribution is made to the creator, department, college, general fund and IP fund. Similarly, future necessary costs for securing IP rights will be reimbursed by revenues prior to distribution (as above).
- c. The creator's rights to share in revenue as stated above (but not including the department's share) shall remain with the individual or pass to the individual's heirs and assigns for so long as net income is derived from the property.
- d. When two or more individuals have made substantial creative contributions to IP, they will determine among themselves and in writing the individual share each will receive. A copy of that agreement will accompany the IP disclosure form. In the event that agreement cannot be reached, the IP disclosure should be filed and the IPC will hear oral and written statements. After such presentation, the IPC will make a recommendation to the Provost who will issue a finding.
- e. Due to conditions of employment and/or the nature of work assignments, it may be appropriate to agree to alternate distribution of net income for employees and/or the distribution ratios. Such modifications must be

submitted to the Provost/VP, in writing, and will be considered by the IPC.

- f. This policy shall not change revenue-sharing agreements entered into prior to the adoption of this policy.

VIII. Binding Nature of this Policy

The policies set forth here constitute an understanding that is binding on ECU faculty, staff, and students as a condition of their participation in ECU research, teaching, and service programs and for their use of ECU funds, facilities, or other resources.

EASTERN KENTUCKY UNIVERSITY
INTELLECTUAL PROPERTY DISCLOSURE FORM (Draft 9.24.03)

This form must be completed and submitted to the Office of the Provost with information copies to your chair or director and dean when the existence of intellectual property is recognized. For more information see EKU's Intellectual Property Policy. Please attach additional sheets as needed. (Please Type)

- A. Descriptive title of the intellectual property.

- B. Describe the intellectual property. If needed, attach additional sheets. Please include examples, drawings or other data supporting your intellectual property. If the intellectual property is described in a manuscript that is being prepared for publication, attach a copy, and indicate when it will appear in print.

- C. Describe the prospective commercial use of the intellectual property and your best assessment of what companies or firms might be interested in the technology.

- D. If this intellectual property was extramurally supported, provide the name and type of agency and contract number(s). Identify and attach any contract-related progress reports.

**If the intellectual property was made with industrial sponsorship, please identify the sponsoring company and attach copies of all agreements executed with the company.

- E. If information or samples (e.g., cell lines) relating to this intellectual property have been provided to anyone outside the University, please provide all details and dates.

- F. When was the intellectual property conceived? Attach annotated copies of any written records that substantiate the conception date. Such records can include notebook entries, letters, reports, emails, etc.

- G. When did any experimental work relating to the intellectual property first occur? Attach copies of substantiating dated notebook entries. Have you retained representative samples or products from the early experiment work? _____Where are the notebooks and representative samples or products located now?

- H.** Please provide as many details and exact copies as possible for:
 **Any information about this intellectual property that has been revealed in grant proposals or research agreements. Any presentations about this intellectual property, abstracts or manuscripts submitted for publication?
- I.** Summarize further experimentation, research, software development, or other activities now underway or contemplated relating to this intellectual property.
- J.** State the nature and extent of any literature search made to date, and attach copies of the closest references, and closest prior information your search has provided.
- K.** Were University resources (i.e. facilities, equipment, faculty, staff or student time) used in the development of this intellectual property. (Refer to Section IV.b of the ECU Intellectual Property Policy)

YES

NO

L. Full Name of Primary Investigator , _____

Furnish the following information for all investigator(s) and/or collaborator(s) contributing to this intellectual property:

Full Name:	Department
Position or Title:	
Work Address:	Home Address
Telephone Numbers:	Work Telephone
(Include Area Code, Lab Extensions)	Home Telephone
Other (Facsimile, Pager, Voice Mail, etc.):	
E-mail address:	
Citizenship:	

Signature & Date:	
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Please Note Number of Additional Pages or Attachments and forward this information to : **Eastern Kentucky University, Office of the Provost and Vice President, Academic Affairs and Research, Coates Box 30A, Richmond, KY 40475.**
Telephone No.: (859) 622-1685 or (859) 622-6515.

Information copies should be sent to your chair/director and dean when this copy is mailed to the Provost. Thank you.

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(Duplicate this page if you have additional investigators.)

Page No.: _____

(Continued:) Additional Investigator(s) or Collaborator(s) on this Intellectual Property

Full Name:		Department
Position or Title:		
Work Address:		Home Address
Telephone Numbers:	Work Telephone	Home Telephone
(Include Area Code, Lab Extensions)		
Other (Facsimile, Pager, Voice Mail, etc.):		
E-mail address:		
Citizenship:		
Signature & Date:		

(Continued:) Additional Investigator(s) or Collaborator(s) on this Intellectual Property

Full Name:		Department
Position or Title:		
Work Address:		Home Address

Telephone Numbers: (Include Area Code, Lab Extensions)	Work Telephone	Home Telephone
Other (Facsimile, Pager, Voice Mail, etc.):		
E-mail address:		
Citizenship:		
Signature & Date:		

FOR OFFICE USE ONLY CASE NO: _____ DATE RECEIVED: _____ DATE REVIEWED BY IP COMMITTEE: _____ EKU INTEREST: YES _____ NO _____ NUMBER OF INVENTORS: _____ ASSIGNED TO FIRM: _____ RELEASED TO: _____ DATE RELEASED: _____ Date Entered _____

Please forward to:
Office of the Provost and Vice President, Coates Box 109, Richmond, KY 40475

Please send a copy to your chair or director and your dean.

CONFIDENTIAL

***Insert Internal Review and Approval Form