

## **CITRIS Approach to Intellectual Property**

A. It is the stated intention of the CITRIS program that the fruits of its research be widely and promptly disseminated, with a goal of maximizing the impact of the research and its long-term benefit to California and to society. In the rare situation that protection of inventions is desirable, e.g., to induce further commercial development, or is required under specific funding obligations, such inventions are also expected to be widely and promptly disseminated.

**B. Ownership of inventions.** Ownership will follow inventorship, except that UC may be required to own inventions made through use of UC tax-free bonded facilities in order to retain the tax-free status of the bonds. Note that not all CITRIS facilities will be funded by such bonds.

**C. Filing of Patent Applications.** Decision of whether to file patent applications will be made by authorized officials of the owner(s), taking into account the recommendation of the CITRIS Executive Committee.

C.1 In the case of inventions jointly owned between the University and Industry Participant(s), in order to ensure its ability to meet its obligations to others and to retain the tax-free status of its bonds, the University will have the first opportunity to decide whether to file joint patent applications (in the name(s) of all inventing Participants) and which of the licensing models to follow, taking into account the recommendations of the Industrial Advisory Group and the Executive Committee.

**D. Licensing.** Licensing will generally follow the following model:

D.1 Non-exclusive royalty/fee-free license to all Participants in the specific project in which the invention was made, including the payment of a pro-rata share of patent expenses. Such license will also be made available to non-Participants on the same basis, including those unrelated to CITRIS.

In the rare case where, taking into account the recommendation of the CITRIS Executive Committee, the owner(s) determines that it is desirable to limit access so as to induce commercial development and maximize the impact of the research, licensing will be in accordance with the following model:

D.2 Exclusive or co-exclusive, royalty and/or fee bearing license, including provisions for diligent development. It is recognized that Project Participants, having been closely involved in the research leading to an invention, are likely to be well-positioned to be able to maximize the impact of the research through commercial development.

E. In addition to the above, all ownership and licensing are subject to the University's ability to meet its obligations to third parties, including the Federal government.

F. Inventions made by non-University personnel through substantial use of University facilities, resources, or funds that are outside any CITRIS project will be owned by the University, in accordance with University Policy.