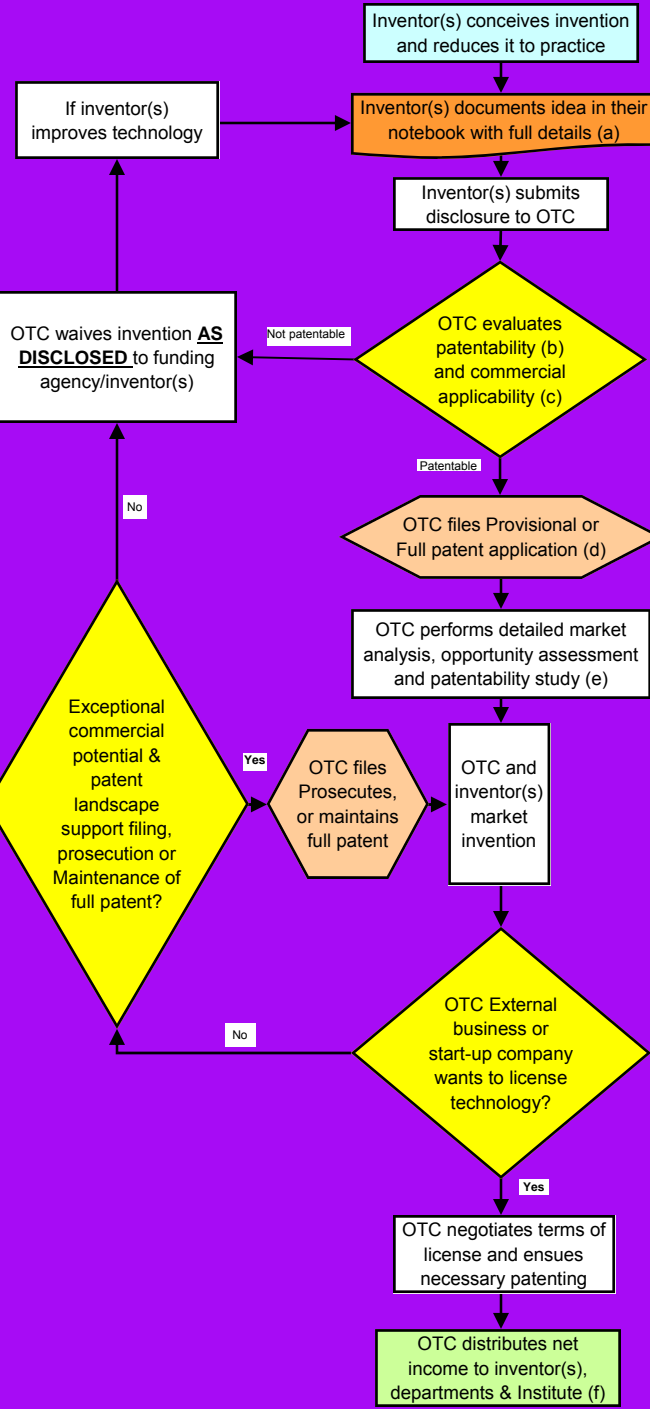
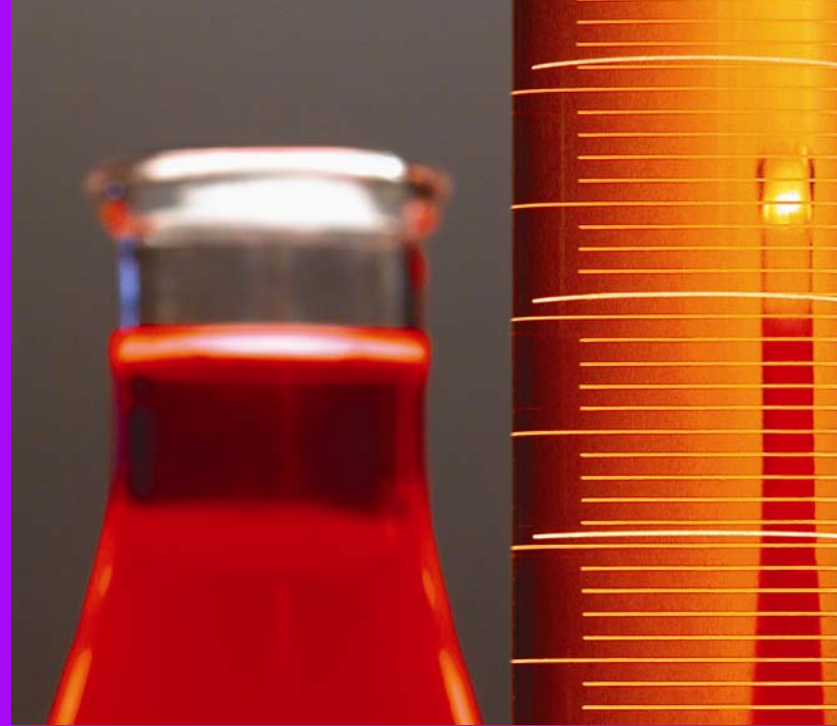


The Rensselaer Intellectual Property Patent & Licensing Process



- (a) See "Research Notebook Guidelines" on rpitechnology.com
- (b) Research contractual obligation & technical merit verified, see "Non-obviousness" on rpitechnology.com
- (c) Potential for return must greatly exceed marketing and patenting expenses
- (d) Now SAFE to PUBLISH and PUBLICALLY DISCLOSE and OFFER for LICENSE
- (e) See article "Patentable Subject Matter" on rpitechnology.com
- (f) According to Rensselaer I.P. Policy on rpitechnology.com



The Office of Technology Commercialization at Rensselaer supports researchers in protecting intellectual property and bringing discoveries into the commercial marketplace. We are dedicated to building relationships with commercial partners to benefit Rensselaer, researchers, and the broader community.



Guidelines for Student Created Intellectual Property at Rensselaer



Intellectual Property, Technology Transfer and New Ventures

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Guidelines for Student Created Intellectual Property at Rensselaer

General Principles

Students who create Intellectual Property at Rensselaer are obligated under Rensselaer's Intellectual Property (IP) Policy to:

1. Immediately disclose to Rensselaer any IP they have created and own or to which they already have a license.
2. Maintain in a bound researcher's notebook, documentation of the dates of the creation and the reduction to practice of the IP that they innovate.
3. Submit written disclosures of their innovations to the Office of Technology Commercialization (OTC) as soon as practicable.
4. Support the ownership and protection of Rensselaer's IP, including the execution of documents that effectuate that IP ownership and protection, by the Institute.

Ownership of Intellectual Property:

- Creator-Owned IP is IP that is/was NOT:
 - 1) Subject to a sponsored research or other agreement requiring ownership to reside in some other party including Rensselaer; and
 - 2) Conceived, created, developed, or first reduced to practice with Significant Use of Rensselaer Support; and
 - 3) Conceived, created, developed or first reduced to practice as a direct result of his/her duties at Rensselaer.
- Rensselaer-Owned IP is that which was conceived or reduced to practice under conditions that are opposite to those listed above.

“Significant Use of Rensselaer Support” defined:

- Any use of Rensselaer personnel or facilities that is not exempted by Rensselaer's IP Policy, including: space, funds, equipment, facilities or services, employee on-the-job time, laboratories, computers, software, paid student time, (e.g., research assistants, teaching assistants, fellows, students who provide services under sponsor agreements that require Rensselaer ownership) attending, participating in or benefiting from a Rensselaer Course, the supervision of a faculty or staff member, confidential information or Rensselaer-owned Intellectual Property (such as “Tangible Research Property”), Rensselaer organized software development projects or recordings of presentations of Course Materials. Several exceptions and exemptions apply, so Creators must refer to the Rensselaer IP Policy for the complete definition.

Questions and Answers

What are the benefits that innovative students receive?

1. Education in the innovative process and in the protection of intellectual property.
2. The decision by the Institute of the ownership of the IP that was conceived and reduced to practice while at Rensselaer (i.e., clear title if IP is not owned by Rensselaer).
3. Access via licensure to IP that is legally owned by Rensselaer if you wish to obtain it for your own entrepreneurial startup.

4. RPI guarantees that the student innovator will share in the benefits, if any, that result from the successful commercialization of the IP that they develop:
 - Creators receive 35% of the net adjusted proceeds resulting from successful commercialization;
 - Academic department receives 15% of the net adjusted proceeds;
 - Institute receives 50% of the net adjusted proceeds and uses those funds to support research and education at Rensselaer.
 - Courses funded by the NCIIA Grant, such as Inventor's Studio, may have a different distribution of net adjusted proceeds. The faculty member responsible for your course will notify you if their class is supported by an NCIIA grant.

What are the primary categories of Intellectual Property?

The primary categories of Intellectual Property are patent, copyright, trademark, and integrated circuit mask work, though from time to time other types of protection and other bodies of law may also fall under the broad heading of IP.

If I develop a piece of software or a product while living in an Rensselaer dormitory, does that constitute a Significant Use of Rensselaer Support?

No, it does not, if that is the sole deciding factor and other factors are not involved. For example, the work may have been done in the dormitory but the work was in support of your activities with a researcher or class that was supported by a sponsored research grant. Submit a complete Invention Disclosure to the Office of Technology Commercialization so a decision can be made on the ownership of the resultant IP.

What qualifies as a “Studio Class”?

What is being referred to is the Inventor's Studio Class. It is supported by funding from the National Collegiate Inventors and Innovators Alliance (NCIIA) – a Lemelson Foundation program. Under that grant the distribution of net proceeds stemming from a successful commercialization is 75% to the inventors with 25% going to Rensselaer's School of Engineering to continue to support this program in the future.

If I develop an idea (or IP) on my own and enter it into an Rensselaer business plan competition, such as the Change the World Challenge:

a) Does that give Rensselaer any claim to the intellectual property?

No. The Change the World Challenge is funded by an Rensselaer Alumnus and is gift money aimed at supporting innovation and entrepreneurship at Rensselaer. As such, merely entering an Rensselaer business plan competition does not result in Rensselaer's having claim to the idea. However, as indicated under the very first bullet point under general principles, you are expected to disclose that IP to the OTC. If no other deciding factors are involved, the OTC will notify that it has no ownership claim to the disclosed IP as submitted.

b). How do Rensselaer-sponsored contests affect the independent status of intellectual property?

As long as they are sponsored by gift dollars rather than grants that may have IP ownership terms associated with them, they do not impact your independent ownership status of the intellectual property. If there are grant dollars associated with the contest, then it may, and, guidance is to be provided to the entrants. Again, if there are extenuating circumstances associated with a Significant Use of Rensselaer Support that may impact the ownership status of the IP, the student should seek the counsel of the OTC.

Can I get into legal trouble if I don't follow the Rensselaer IP Policy?

Yes. It is possible to get into legal difficulties if you do not follow the Rensselaer IP Policy. Rensselaer Creators have a legal obligation to follow the Rensselaer IP Policy as the ownership of intellectual property is a legal matter. The Institute has legal obligations to Rensselaer's Creators and to outside parties, such as, the sponsors of the research that led to the creation of the IP. For Rensselaer to meet its obligations, Rensselaer's Creators must meet their obligations under the Policy.

Will the Institute protect all new inventions that I disclose to the Office of OTC?

No. The decision as to the protection of technology that is disclosed to the OTC is made on a case-by-case basis. If the OTC decides not to protect what you disclose, it will be returned back to you “as disclosed”. If you improve it through a Significant Use of Rensselaer Resources, you are obligated to disclose it again to the OTC. It is best to ask questions about a possible obligation rather than make an assumption that may be incorrect.

How do I make a disclosure of a new invention to Rensselaer?

A disclosure of a new invention or other IP is made to the OTC by filling out an Invention Disclosure Form that can be found at: www.rpotechnology.com.

What is the Patent and Licensing Process at Rensselaer?

A depiction of the process is shown on the next flap.

This publication is only a guideline. Rensselaer's IP Policy and Procedures can be found at www.rpotechnology.com. If you have further questions, contact:

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