

# Carnegie Mellon University

To: Carnegie Mellon University Deans, Department Heads, and Faculty  
From: Laurie R. Weingart, Interim Provost *LRW*  
Re: Sharing of Carnegie Mellon Intellectual Property Proceeds with Staff  
Date: October 22, 2018

As you may know, the University Research Council (URC) has been exploring the topic of distribution of net proceeds to the University that arise from the licensing of University intellectual property and the possibility of pursuing changes to the University's Intellectual Property Policy in order to entitle research staff to share in this income in certain circumstances. Pending any formal changes to the Policy, the Provost's office is currently willing to entertain requests from lead creators to allow the inclusion of staff members in certain circumstances in the sharing of net proceeds under the Intellectual Property Policy. Such circumstances could include situations where such staff member has made a significant inventive and/or creative contribution to the relevant intellectual property developed in a sponsored project. Any such requests shall be submitted through the University's Center for Technology Transfer and Enterprise Creation (CTTEC) in the Office of the Vice Provost/President for Research (VPR) using the following process:

- Requests must include a copy of the relevant intellectual property disclosure form on record with, or as submitted to, CTTEC.
- Requests shall be made at the time of disclosure of the relevant intellectual property to CTTEC or as soon as possible thereafter, but in any event, prior to the University entering into a commercial license for the relevant intellectual property. Exceptions on timing or requests may be made for intellectual property entered into a commercial license prior to the date of this memo but prior to distribution of proceeds.
- Requests shall be made by the lead creator of intellectual property on the disclosure for the applicable project pursuant to which the intellectual property was created and shall identify the relevant staff member(s).
- The lead creator of intellectual property on the disclosure must explain in the request why he/she believes the relevant staff member(s) should share in the net proceeds for such intellectual property (for example, describe the role of the staff member in the project and his/her inventive and/or creative contributions).
- Upon receiving such a request, the VPR shall ask CTTEC for relevant background information including but not limited to:
  - a) A patent, patent application or potentially patentable material,
  - b) The sponsor of the research project, whether government, industry or other,
  - c) The formal status of each individual according to Human Resources.
- The VPR shall consider and respond to such requests on a case-by-case basis, in consultation with the Provost's Office and guidance from CTTEC and the Office of the General Counsel as needed.
- In cases where the VPR consents to the sharing of net proceeds with certain staff, such proceeds will be allocated and distributed to creators in accordance with the current University Intellectual Property Policy (provided that in such case the creators shall include any and all staff approved by the Provost's office through the process described above).

For purpose of clarification, the process described in this memorandum is not intended to amend the Intellectual Property Policy and is not intended to diminish or otherwise limit any existing rights under the Intellectual Property Policy and/or applicable law.