

UW-Eau Claire Intellectual Property Policy

UW-Eau Claire's (UWEC) intellectual property (IP), inventions, and patents requirements aim to assure compliance with [UW System Administrative \(UWSA\) Policy 1315: Patents and Inventions](#). This document outlines the rights, responsibilities, privileges, and options of UWEC faculty, staff, and students regarding inventions discovered in connection with or related to their appointed university duties and/or university resources.

“Invention” as used in this document is defined as “[a]ny discovery, technology or innovation which is or may be patentable or otherwise protectable under US intellectual property laws, including Title 35 of the United States Code, or any novel variety of plant protectable under the [Plant Variety Protection Act of 1970](#)” ([UWSA Policy 1315](#)).

The primary requirements with respect to inventions are as follows:

- **Completion of Intellectual Property (IP) Agreement:** All UWEC faculty, staff (except clerical and nontechnical employees), and student employees working on extramurally funded scholarly projects must sign an IP agreement before they begin any project work and before any award funds are spent. This is required regardless of whether any inventions have been, or are anticipated to be, developed, or discovered during the course of the project. It is the responsibility of the Principal Investigator(s) to make sure all faculty, staff, and students working on the project have completed their IP agreements. For questions, contact UWEC's Office of Research and Sponsored Programs.
- **Disclosure of Inventions:** All inventions discovered by UWEC faculty, staff, or students while pursuing their appointed university duties, on university premises, or with university supplies or equipment must be promptly reported as described below to UWEC or WiSys, the Intellectual Property Management Organization for UW System comprehensives (see below).

The Principal Investigator is responsible for completing the IP agreement, disclosing inventions, and ensuring those working on their sponsored projects complete IP agreements and disclose inventions.

Intellectual Property Agreement

The IP agreement is a document required by the Universities of Wisconsin to make university personnel aware of their rights, obligations, responsibilities, privileges, and options regarding intellectual property, inventions, and patents. It addresses items such as the following:

- Agreement to follow UW System and UWEC invention disclosure requirements.
- Agreement to follow any IP requirements from external agencies funding the work, including any applicable federal laws.
- Agreement to avoid entering into any agreements that conflict with UW System and UWEC requirements.
- Agreement to follow external funding agency's award requirements, including cooperating with the university to meet its obligations to the funding agency.

The following university employees are required to complete an IP agreement before beginning work on or spending funds from any extramurally funded scholarly project. It is the Principal Investigator's responsibility to make sure university employees on a project have completed an IP agreement:

- All faculty
- All staff (except for clerical and nontechnical employees)
- All students with university-appointed duties on a project, whether paid or unpaid.

All extramurally funded scholarly projects are subject to IP agreement requirements. For the purposes of this policy, an extramurally funded scholarly project is defined as research, scholarly, or creative activity supported in whole or in part by any external (i.e., non-UWEC) funding source, including but not limited to grants, contracts, and cooperative agreements. Extramural funding in this context includes Universities of Wisconsin and WiSys funding.

Invention Disclosure

All faculty, staff, and students on appointment are required to promptly disclose an invention discovered or developed while:

- Pursuing their university duties; or
- On university premises; or
- Using university supplies or equipment.

This applies to inventions regardless of the related funding source(s) (if any). The only exception is for students who discover/develop an invention (1) during the course of academic coursework or classroom projects that are unrelated to the duties of any paid assistantship or other appointment, or (2) under funding provided by scholarships, fellowships, or training grants that do not give any third party any rights to inventions made by the recipient.

An invention may be disclosed in one of two ways:

- By submitting an Invention Disclosure Form to [WiSys, the Intellectual Property Management Organization for UWEC](#). Note: Inventions related to federally funded projects, WiSys grants, Mayo Clinic/UW-Eau Claire joint projects, and any other grants that specify disclosure to WiSys or the university's intellectual property management organization must be disclosed to WiSys. For questions, contact UWEC's [WiSys Regional Associate](#).
- By completing UWEC's IP Disclosure Form, which can be found in e-forms under Start a New form - Office of Research and Sponsored Programs – IP Disclosure Form.

Irrespective of funding source, the university retains a fully paid up, worldwide, nonexclusive, irrevocable, royalty free license to practice inventions created by faculty, staff, and students in the course of university research for educational or research purposes.

Additional Resources

[UW System Administrative Policy 1315 and Definitions](#)

Some information adapted, with permission, from UW-LaCrosse.

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