

OWNERSHIP OF DISCOVERIES AND INVENTIONS

Ownership rights to discoveries and inventions rest entirely with the inventors, except when the shopright¹ of the University is applicable and establishes proportional rights in the discovery or invention.

The University reserves the right to transfer its rights in discoveries and inventions to the California State University Long Beach Foundation (Foundation) with instructions to the Foundation to patent (or have patented) discoveries and inventions and make (or have made) good faith efforts to reduce concepts to practice and arrange for production and sale.

In the event of a determination that the University has no interest in a discovery, invention, or patent, or only a small interest (typically one too small to justify the expense of pursuing the interest), it will provide the discoverer or inventors with a release of University interest which entitles the employees to pursue patent at their own initiative and expense.

The University shall not relinquish without compensation a majority or other substantial interest in a discovery, invention, or patent to an employee or third parties. However, the inventors and/or the University may wish to declare an invention or discovery to be in the public domain. Both parties must agree to such a declaration. Without such an agreement, the parties will conclude an agreement in which the University is compensated for its interest in the invention or discovery.

Provisions relating to ownership of discoveries and inventions involving external funding agencies, Federal and others, are subject to frequent change. Appendix A to this document discusses these matters.

All other provisions notwithstanding, employees making discoveries and inventions, regardless of whether patented or not, which are marketed commercially and which produce a taxable income, must assure repayment to the State of California for all costs incurred by the University in support of the research leading to the discovery or invention, patent application, production, marketing, or sales of products incorporating the discovery or invention.

¹ University shopright (shop right) establishes the interest of the University in the intellectual property based on the use of University funds (including all research and creative activities grant programs), facilities (including computer time and utilities), equipment, or supplies at any time in the process of discovery or invention or reduction to practice of such a discovery or invention. University shopright may be shared with individuals or external funding agencies.

DISCLOSURE OF DISCOVERIES AND INVENTIONS

Employees are required to disclose to the University all patentable discoveries or inventions made by them while under hire or contract for employment in the University, whether or not in the performance of their regular and special assignments in the University. In the event that University support in the form of financial assistance, the use of physical facilities, or other factors establishing University shopright is provided, the University may have an equity interest in any income derived from such activity.

A formal invention disclosure is a complete description of a discovery or invention, completed by the inventor on the attached form and delivered to the Office of University Research. A formal invention disclosure is most important to an inventor in establishing priority.

Discoverers and inventors should be able to provide proper notebook entries, sketches, descriptions, and be able to demonstrate the exercise of diligence in developing the concepts through successive stages, if possible the eventual reduction to practice of the invention, and finally the preparation of drawings, specifications and claims as a part of the disclosure and preparatory to the filing of patent applications or the making of a request to an appropriate agency to do 0 Tc 0 Tc 0 .ritdo

Describe the resources and circumstances of their use in the production, discovery, or invention (including University and third party funds identified by grant, contract, or award).

I understand that additional information may be required by the University to resolve questions of ownership, equity
