

<p>Name of Policy: Commercialization</p> <p>Policy Number: 3364-70-15</p> <p>Approving Officer: President</p> <p>Responsible Agent: Vice President, Research</p> <p>Scope: University of Toledo faculty, staff, students, visitors, contractors/vendors, and patients</p>	<p>Effective date: September 15, 2023</p> <p>Original effective date: May 28, 2009</p>
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Keywords:

New policy

accordance with section 3345.14 of the Revised Code and university policy 3364-70-04 (patent policy).

(B) Purpose of policy

Provide a guideline for university employees' entrepreneurial participation in the licensing, development, and commercialization of university intellectual property.

(C) Definitions

- (1) "University intellectual property" includes all creations, discoveries, inventions, or patents, which result from research or investigation conducted in any experiment station, bureau, laboratory, research facility, or other university facility or other facility of any state college or university, or by any university employee acting within the scope of their employment, or with funding, equipment, or infrastructure provided by or through university or any other state college or university, pursuant to section 3345.14 of the Revised Code, as amended.
- (2) "University entrepreneur" is any university employee who:
 - (a) Creates intellectual property owned or partially owned by university; and
 - (b) Desires to hold an ownership interest in a technology commercialization company as defined in the third paragraph of this policy that intends to commercialize university intellectual property that he/she created.

Note: Per section 3345.14 of the Revised Code, members of the board of trustees will be governed by Chapter 102. of the Revised Code and sections 2921.42 and 2921.43 of the Revised Code.

- (3) "Technology commercialization company" is a private or public commercial business that is owned in whole or in part by one or more university entrepreneur(s) and whose purposes are development and commercialization of university intellectual property.
- (4) "Business overview document" is a written paper, submitted by a university entrepreneur, who is planning to establish a technology commercializationis a prn7lin Tw 0.33 0 T (a)10 ID 20003 Titri"wbm (r)4nori F

provides a summary and overview of the company's products and/or services, the markets for these products and/or services, and the research and product development strategies. The business overview document will

- (8) "Member of his/her family" means immediate family, including the individual university entrepreneur's spouse or domestic partner, and dependent children.
- (9) "Vice president for research," or his/her designee, is the university official who is responsible for assisting university entrepreneurs in identifying, minimizing, and managing conflicts of interest, and developing conflicts of interest management agreements

university employee in a technology commercialization company, is not permitted to provide oversight of that activity. In these situations, a disinterested administrator must be appointed by the president, provost or their designee to perform the responsibilities of the dean, chair or staff supervisor.

- (3) As a prerequisite to the granting of a license to university intellectual property, university entrepreneurs who wish to procure an equity position in a technology commercialization company will provide the dean or staff supervisor, as appropriate, and a technology transfer representative with a business overview document. The dean will provide the business overview document to the appropriate department chair.

policy 3364-70-01 (financial conflict of interest policy for sponsored programs) and for reviewing and making a recommendation as to the propriety of private business activities reported by their faculty in disclosure forms required by those policies.

- (2) Staff supervisors are responsible for ensuring staff who participate in technology commercialization companies comply with this policy. They are also responsible for ensuring compliance with university policies on conflicts of interest and work outside the university applicable to staff; for reviewing private business activities reported by staff in disclosure forms required by university policies, and making recommendations as to the propriety of such private business activities.
- (G) Responsibility for university duties
- (1) University entrepreneurs are encouraged to develop discoveries and inventions with commercial potential. University entrepreneurs may not allow their interest in a technology commercialization company to influence their positional responsibilities or to interfere with their relationships with other faculty, staff or students. In particular, assignments for students, including research assignments, must be based on the students' interest and academic development. University entrepreneurs will respect and promote the cooperative nature of the academic environment by sharing information and participating in joint research efforts with their colleagues, as appropriate.
 - (2) While faculty are permitted by university policy 3364-72-50 (faculty consulting) and this policy to engage in certain private business activities, they will continue to be responsible for all of their university teaching, research and service obligations. Authorized private business activities must be undertaken in accordance with university's consulting policies and conflicts of interest management agreements between the university entrepreneur and the university, and between the technology commercialization company and the university.
 - (3) Staff members may not engage in activities relating to a technology commercialization company during regularly assigned working hours unless they take approved leave in order to engage in activities relating to

such

- (a) Faculty who are unable to perform all of their university responsibilities because of activities in connection with a technology commercialization company must reduce the amount of activity at the technology commercialization company, request a reduction of their appointment, or request a leave of absence. Professional improvement (sabbatical) leave authorized under section 3345.28 of the Revised Code may not be used for private business purposes.
- (b) Staff members who are unable to perform all of their university duties because of activities in connection with technology commercialization companies must reduce those activities, request a reduction of appointment or request

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- (7) Technology commercialization companies may not enter into any agreements with university

- (a) Fully executed formal conflicts of interest management agreements as defined in this policy; and
 - (b) Approval by the conflicts of interest review committee; and
 - (c) Approval by the Vice President, Research.
- (12) University agreements for sponsored research projects funded by technology commercialization companies are required to contain the usual and customary terms utilized by university when contracting with other companies for similar activities. These agreements must include, at a minimum

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<ul style="list-style-type: none">• <i>Associate Vice President, Technology Transfer</i>• <i>Senior Leadership Team</i>	<p><i>September 15, 2023</i></p> <p>Next review date: <i>September 15, 2026</i></p>
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