



Technology Transfer

When faculty, staff and students have generated Intellectual Property which has commercial value, the Office of Academic Research will consult regarding procedures and support for technology transfer including patents and licensing.

Intellectual property is governed by policies and procedures described in FAM 575 – Intellectual Property Policy:

“Intellectual property refers to materials that can be copyrighted, patented, or trademarked. These materials include scholarly and literary works, creative and artistic works, software, data and databases, multimedia works, electronic media and communications, and as otherwise defined by federal law. Certain discoveries and inventions, including trade secrets and know-how, may not be patentable but may have material commercial value or potential as revenue producers. These accomplishments are subject to the same policy as any patentable invention.”

Our first principle is that works produced by faculty at CSUSB in the course of normal faculty bargaining unit work will not be considered work-for-hire. These works include, but are not limited to, scholarly papers, works of art, syllabi, course contents and material. This policy does not diminish the right and obligation of faculty members to disseminate the results of research and creative activity for scholarly purposes. Thus, intellectual property rights for works produced under normal faculty bargaining unit work assignment will reside solely with the creator of the work except in specific circumstances: (1) where the creator has been given a specific assignment and university support to develop work beyond normal work expectations, (2) where the university has provided to the creator extraordinary support or compensation, and 3) where the Foundation and an outside sponsor enter into agreement (grant, contract, cooperative agreement) to carry our research or other creative activity involving faculty, staff or students. In these cases, intellectual property may be solely owned by the University or jointly owned by both parties as specified in an agreement reached before the project work is begun.

When there is a sponsored program funded by an external sponsor (grant, contract, cooperative agreement) involving faculty, staff or students, the University (Foundation, faculty, staff and students) must comply with the conditions of the agreement regarding ownership, protection and licensing of any intellectual property resulting from the research or creative activity. Unless otherwise stated in the agreement with the sponsor, the intellectual property resulting from sponsored activities will be owned by the University. The intellectual and creative endeavors of faculty and staff will be recognized and rewarded through development of a memorandum of understanding in the event of commercialization of the intellectual property.

Procedures:

- To document a new invention, the Invention Disclosure Form should be completed and submitted to the Office of Academic Research.
- To document the ownership of intellectual property by multiple inventors, the Intellectual Property Rights Form should be completed and submitted to the Office of Academic Research.

Forms and Tools:

- [FAM 757 – Intellectual Property.pdf](#)
- [Invention Disclosure form.pdf](#)
- [Intellectual Property Rights Form.pdf](#)

• *Step by Step Guide Chart*

Patent Search Engines:

- USPTO (US Patent and Technology Office):
<http://patft.uspto.gov/netahtml/PTO/search-bool.html>
- Google Patent Search:
<http://www.google.com/patents>

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STEP BY STEP GUIDE TO OBTAINING, PATENTING, TRANSFERRING & COMMERCIALIZING IP

