

# ORPA Guide

## Administration of Intellectual Property at the University of Rochester

### Useful Info

Contacting ORPA  
University of Rochester  
Office of Research and Project  
Administration  
Hylan Bldg., 5<sup>th</sup> Floor  
Rochester, NY 14627-0140  
Tel (585) 275-4031  
FAX(585) 275-9492

Contacting OTT  
University of Rochester  
Office of Technology Transfer  
Hylan Bldg., 6<sup>th</sup> Floor  
Rochester, NY 14627-0140  
Tel (585) 275-3998  
FAX (585) 473-6717

IRS Employer Identification  
Number 16-0743209

U.S. Congressional District 28<sup>th</sup>

Dun and Bradstreet Number  
Number 041294109-8221

Human Subjects Multiple Project  
Assurance Number M-1357

Animal Welfare Assurance  
Number A329201

Facilities & Administrative (F&A)  
Cost Rates  
Please refer to:  
<http://www.rochester.edu/ORPA/PropInfo/pooled.html>

Checks (other than for industry-supported clinical trials) made payable and sent to:  
University of Rochester  
Office of Research Accounting  
and Costing Standards  
Brooks Landing Business Park  
Rochester, NY 14611

Offices of Research and Project Administration (ORPA) and Technology Transfer (OTT) work together to negotiate, administer and address intellectual property issues at the University of Rochester. Because these responsibilities may overlap, the following is intended to clarify the roles of each office and also the approval process for exceptions to University intellectual property policy.

### What is the role of ORPA?

ORPA is responsible for many pre- and post-award sponsored programs services. With respect to the negotiation, protection and reporting of inventions and/or intellectual property (IP), ORPA maintains the following responsibilities:

- Collects IP agreements from University faculty, students and research staff involved in sponsored programs;
- Ensures that proposals that indicate potential commercialization are brought to the attention of OTT;
- Ensures protection of proprietary information in funding proposals by advising faculty on the correct marking of such information;
- With the assistance of OTT when necessary, negotiates appropriate intellectual property provisions in sponsored program agreements, including research, clinical studies and testing, as well as visiting scientist agreements;

- Secures University approval for exceptions to IP provisions in sponsored research agreements;
- Exercises signature authority on behalf of the University for research agreements, clinical trial agreements, testing agreements, confidentiality, visiting scientist agreements and other agreements and documents that pertain to sponsored program support;
- Informs faculty of their obligations with respect to IP developed under sponsored agreements;
- Ensures that interim and final invention reports are completed in accordance with sponsor requirements.

### What is the role of OTT?

OTT is responsible for managing the intellectual property assets of the University of Rochester. With respect to the negotiation, protection and reporting of inventions and/or intellectual property, OTT maintains the following responsibilities:

- Educates and advises faculty, staff and students about issues related to intellectual property and technology transfer;
- Receives and coordinates the disclosure of intellectual property by faculty, staff and students;
- Evaluates technology disclosures for their commercial possibilities;

- In compliance with the Bayh-Dole Act, discloses to the U.S. government each subject invention in a timely manner and elects title to inventions conceived or first actually reduced to practice in the performance of work under a sponsored agreement. OTT must also disclose and comply with other regulatory actions such as granting the U.S. government a royalty free license for governmental purposes, give preference to U.S. manufacturers, give preference to small businesses and sharing royalties with inventors. OTT must also periodically report our licensing activity to the Government;
- Facilitates the filing and prosecution of patent applications, copyright and trademark registration and other forms of intellectual property protection;
- Develops and executes a marketing plan for technologies;
- Negotiates license agreements that take into account the full value of the invention and provisions that protect the university and inventor and facilitate the commercialization of the invention by the company;
- Assist in the start-up of companies based on university-developed technology;
- Monitors licensee's performance, receiving reports and royalty payments, and overseeing the distribution of funds to the inventor, the inventor's department, and the inventor's school according to U of R's policy;
- OTT occasionally uses a third party to market and/or license technology if the third party has a special expertise or resource for the particular situation. In such cases, the third party may be allocated a share of the royalty income, if any. The U of R share of royalties will be

distributed in accordance with the normal royalty-sharing policy;

- Although patentable inventions constitute the majority of OTT activities, copyrightable software, trademark and web domain registration related to technology disclosures, tangible research property licensing, and incoming and outgoing material transfer agreements are managed by OTT;
- Exercises signature authority on behalf of the University for license agreements, material transfer agreements, confidentiality agreements and other agreements and documents that pertain to intellectual property;
- Secures University approval for exceptions to IP policy or practices.

### Who approves exceptions to University standards?

Some policies surrounding IP are non-negotiable, such as ownership of intellectual property that is derived from basic research. Other provisions are negotiated on a case-by-case basis, in accordance with the contributions and background rights of the sponsor and the University (e.g., a royalty-free, non-exclusive license to resulting technology). However, all University parties must be in agreement to exceptional rights granted to a sponsor because granting of such provisions may effect future University rights and royalty income. Typically, appropriate University investigators or inventors, Chairs and Deans are consulted prior to accepting deviations from University standards. In addition, the Director of the Office of Technology Transfer is consulted, if OTT has not been involved in the negotiation.

The Provost is nominally the person who approves any exception to University policy with respect to technology transfer. Typically,

appropriate University investigators and inventors, Chairs and Deans are also consulted prior to accepting deviations from University standards. In addition, the Director of the Office of Research and Project Administration is consulted, if a sponsored research agreement may be affected by the exception.

### Where can I find standard agreements?

Standard University Agreements may be obtained from both ORPA (5-4031) and OTT (5-3998). In addition, frequently requested standard agreements are found on the ORPA and OTT web sites <http://www.rochester.edu/orpa> and <http://www.rochester.edu/ott>

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