

April 13, 2000

CHANCELLOR'S MEMORANDUM CM-D-40.00-04/00

TO: Members, Council of Presidents

FROM: Adam W. Herbert

SUBJECT: Income Received from Research Intellectual Properties
and Contracts and Grants

AUTHORITY: Sections 240.229, 240.241, and 240.299(2) Florida Statutes
Opinion of Board of Regents General Counsel dated 12/8/98

Policy/Purpose: To establish consistent policy for income received by universities from
intellectual property and research contracts, grants and donations

Patents, Copyrights and Trademarks

A university may assign its interest in research intellectual property (i.e. patents, copyrights and trademarks) to a research foundation which is a direct support organization of the university. If the assigned interest includes the right to income from the intellectual property, that income may be deposited into the research foundation account.

Income to a university derived from intellectual property for which interest has not been assigned should be deposited in the sponsored research development fund of the university.

Any funds received by the division of sponsored research in excess of: (1) funds disbursed in accordance with the terms of the contract, grant or donation under which they were received; (2) funds received for overhead or indirect costs; and, (3) funds expended to operate the division of sponsored research shall be used to support other research or sponsored training programs in any area of the university. These funds may be deposited in research foundation accounts if the funds are expended for research and sponsored training programs of the university supported by that foundation.

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