



STATE UNIVERSITY OF NEW YORK PROCEDURES FOR THE DISCLOSURE AND MANAGEMENT OF PATENTS AND INVENTIONS

[SUNY's Patents and Inventions Policy](#) empowers the Chancellor to appoint an Innovation Policy Board to advise the Chancellor in the development of guidelines and procedures to interpret and implement the Policy. These Procedures for the Disclosure and Management of Patents and Inventions, recommended by SUNY's Innovation Policy Board, are designed to assist faculty and administration in the interpretation and application of the Policy to advance innovation and the dissemination of knowledge for the benefit of the public and the SUNY community. All definitions in these Procedures derive from [SUNY's Patents and Inventions Policy](#) (hereinafter "SUNY's Patent Policy" or simply "the Policy").

(a) Disclosures of Intellectual Property

(1) A Creator of Intellectual Property that satisfies either of the conditions set forth in subpart (d)(1) of SUNY's IP Policy shall promptly disclose and assign such Intellectual Property to The Research Foundation, and shall execute any additional documents as may be required by the United States Patent and Trademark Office, United States Copyright Office, and any foreign patent offices or other agencies overseeing governmental systems of intellectual property.

(2) Personnel who Create Intellectual Property that is not Creative and Course Content and satisfies both of the conditions set forth in subpart (d)(2)(a) and (b) of the Policy shall, consistent with the Policy, sponsor requirements, local and system-wide SUNY Conflict of Interest policies and procedures, and New York State Public Officers Law, provide to the Chief Academic Officer (or delegate) of the campus at which the Creator is appointed, a sworn statement, including a nonconfidential description of the Intellectual Property and affirming the circumstances under which the Intellectual Property was Created as only through Incidental Use and as exclusively outside the scope of any employment by SUNY. These affirmative demonstrations must be made through the [External Invention Disclosure Form](#) accompanying the Policy and these Procedures.

(b) Innovation Policy Board

(1) The Innovation Policy Board (hereinafter "IPB") shall have no more than ten (10) members, and shall include one representative of system administration, two from the university centers, one from the health sciences centers, one from another major research institution of the university, one from the colleges of arts and sciences, one from the agriculture and technology colleges, one from The Research Foundation, and two representatives from business and industry.

(2) The IPB shall meet at least once annually.

(3) The members of the IPB shall serve without extra compensation and at the pleasure of the Chancellor. The normal term of appointment shall be for three years.

(3) The IPB shall advise the Chancellor or delegate on the following matters:

(i) periodic review of the Policy;

(ii) revision and enhancement to these procedures and other guidelines to interpret and implement the Policy;

(iii) requests for exception to the Policy in unusual circumstances;

(iv) determining the extent of SUNY's interest in particular Intellectual Property on written request from a Creator or appropriate campus administrator; and

(v) any such other matters as the Chancellor may deem appropriate.

(4) The IPB shall report at least annually to the Board of Trustees concerning its activities and recommendations during the preceding year.

(c) Exceptions and Waivers

In all cases, any Creator is entitled to request the IPB grant an exception or waiver to the provisions of the Policy. The Creator requesting an exception or waiver shall have the right to appear, accompanied by representatives of their choice, before the IPB for consideration of the request for an exception or waiver. The IPB shall prepare a report of its findings and an advisory recommendation to the Chancellor. The decision of the Chancellor shall be final.

(d) Disputes as to Ownership

Where any dispute is raised to the IPB regarding the ownership of Intellectual Property, patents, or patent applications under section (d)(6) of the Policy, the matter shall be referred to a committee of five members to be named by and act as the delegate of the Innovation Policy Board ("IPB"). At least three of such members shall be Personnel who are also members of the SUNY academic staff. Such committee shall make a careful investigation of the circumstances under which the Intellectual Property was Created and shall transmit its findings and recommendations to the IPB for review and final determination of ownership.