

WSU Licensing Guidelines

WSU follows the recommendations made by the [APLU Task Force on Managing University Intellectual Property in March 2015](#) as outlined below:

- **RECOMMENDATION 1: “University leaders should follow the recommendation of the National Research Council’s 2011 report, “Managing University Intellectual Property in the Public Interest” to create a clear university IP policy.”**
 - WSU IP policy is described in the Faculty Manual, the Office of Commercialization’s (WSU OC) inventors guide as well as the WSU OC website in addition to the WSU OC operating principles document.
 - The mission statement of the WSU OC and its parent unit, the Office of economic Development articulates this policy, which states: “**Our mission** is aligned with the institutional mission of **advancing** knowledge through innovation and creativity, **extending** knowledge through innovative educational mentoring programs and **applying** knowledge through local and global engagement that will improve the quality of life and enhance the economy of the state, nation and the world. Our goal is to ensure that innovations, creativity and discoveries by WSU researchers are commercialized for the benefit of the public and contribute to the local and global economy.”

- **RECOMMENDATION 2: “University leaders should make visible existing institutional policies that restrict the university from working with entities that acquire intellectual property rights with no real intention of commercializing the technologies.”**
 - WSU strives to enter into licensing arrangements with only those entities that further develop the technology and diligently attempt to commercialize it. Attempts to engaging with entities that do not further commercialize the technologies are actively discouraged.
 - WSU pays particular attention to the patent aggregators to ensure the primary licensee’s intent is to compile the body of IP needed to diligently advance the technology for public benefit as opposed to those aggregators whose primary intent is to enforce them against users for solely monetary benefit.

- **RECOMMENDATION 3: “University leaders should review and support to the extent practical the document “In the Public Interest: Nine Points to Consider in Licensing University Technology,” and align IP management policies and practices with the Nine Points. This document, developed in 2007 by several research universities and the Association of American Medical Colleges, expressed principles consistent with universities’ efforts to “license technologies in the public interest and for society’s benefit.” And is endorsed by APLU and over 100 research universities across the United States.”**
 - WSU policies and land grant mission are in accord with this principle to license technologies in the public interest.
 - WSU always reserves the right to practice licensed inventions and to allow other non-

profit and governmental organizations to do so.

- Exclusive licenses are structured to encourage diligent development of the technologies and ways to pull the technology back if licensees are not actively pursuing the technology by building measures to track development.
 - WSU strives to minimize licensing of future improvements by limiting the licenses to currently developed IP. In cases, where the licensee's investment and risk taken in developing the invention warrants, an option to license a narrow scope of future license is agreed to. In cases where this is warranted, WSU bears in mind the rights of other WSU researchers and does not issue options to a broad field of use that might tie up other research conducted at WSU.
 - WSU has a well-run conflict of interest management committee that handles the conflicts that arise when WSU faculty and students found companies based on their research. This was implemented as a result of Washington State ethics board giving the state institutions the ability to set up a body to manage these conflicts. This has been in existence for many years now.
 - WSU also makes the research tools developed with public funding widely available via material transfer agreements to other academic institutions and the research community in keeping with the policies of the funding agencies and scientific journals.
 - WSU has not had an occasion to enforce its patents; however should such occasion arise, WSU would strive to approach these actions with a mission-oriented rationale and/or to protect the rights of a licensee as obligated by a contract.
 - WSU's licenses include export control regulation language to ensure that the federal laws are complied with to safeguard the fundamental research exclusion provided to academic institutions.
 - WSU's license agreements include measures to reserve rights for continued academic freedom of research as well as the need to meet humanitarian needs.
- ***RECOMMENDATION 4: "University leaders should identify and implement innovative and effective approaches to managing university IP, and more broadly to engaging with entrepreneurs and industry, and work to emulate practices that have been effectively adopted by peers."***
 - WSU has existing entrepreneurship programs and industry relations units that engage industry and entrepreneurs that the Office of Commercialization leverages in advancing commercialization of WSU technologies. WSU also engages and networks with the state and nation-wide industry associations and investors through its economic development arm.
 - WSU Office of Commercialization identifies and tailors solutions to its commercializable university IP as opposed to following a "one solution fits all" approach. Using this innovative approach, WSU has successfully commercialized teaching tools such as Apple iBooks, STEM learning tools, training tools and certification for veterinarians.
 - WSU has developed domain-specific partnerships to advance research tools,

chemicals, health innovations to name a few examples.

- WSU has created novel mechanisms to commercialize diagnostic tools and methods, digital creations via commercialization centers within. We are currently working to create an internal center for assessment tools.
- WSU actively leverages federal support mechanisms and programs to advance its discoveries by engaging with federal labs and federal agencies.

- ***RECOMMENDATION 5: “University leaders should develop a framework for assessing intellectual property practice to include multiple measures that capture and reflect the university’s IP management mission.”***

- WSU’s Strategic Plan, and Themes One and Three in particular, outline the framework and metrics for assessing the effectiveness of its IP management and commercialization of WSU technologies.
- WSU’s Office of Research and Economic Development is developing its strategic goals to align with the university strategic plan in advancing commercialization of its IP.
- WSU has constituted WSU Research Council and the Institutional Effectiveness Council to track and measure the progress in this arena as an institution. These measures are tracked and reported by the Office of Institutional Research annually.
