

10.01 General

1. As defined by the Patent and Copyright Policies of the Board of Governors, to which these procedures are expressly subject, Western Carolina University has an interest in all inventions of university personnel that are conceived or first actually reduced to practice as a part of or as a result of university research, activities within the scope of the inventor's employment by the university, and activities involving the use of university time, facilities, staff, materials, university information not available to the public, or funds administered by the university.
2. The university may also have an interest in inventions under the terms of contracts, grants or other agreements. Faculty, staff, and students, whose inventions are made on their own time and without university facilities, materials, or resources and which inventions are, therefore, their exclusive property as specified by the Patent and Copyright Policies, may avail themselves of the opportunity to submit the invention to the university for possible patenting and/or commercial exploitation and management under terms to be agreed between the inventor and the university.
3. The provisions of the patent procedures are subject to any applicable laws, regulations or specific provisions of the grants or contracts which govern the rights in inventions made in connection with sponsored research.
4. Under the terms of certain contracts and agreements between the university and various agencies of government, private and public corporations and private interests, the university is or may be required to assign or license all patent rights to the contracting party. The university retains the right to enter into such agreements whenever such action is considered to be in its best interest and in the public interest. Ordinarily the university will not agree to assign rights in future inventions to private corporations or businesses.