

Academic Policy Statement 980114

Distribution of Copyright and Patent

Royalties

1. PURPOSE

1.01 The Intellectual Property Policy Revisions: Copyright and Patent Policies of The Texas State University System (TSUS) dated February 26, 1988, provide for distribution of royalties received by a component university from copyrights (Section 9.4) and patents (Section 10.14). In Section 9.424, the policy discusses the discretion of the component university's president in the disposition of the 50 percent of copyright royalty dedicated to the university. In Section 10.15, the policy states that in disposition of any net income accruing to a component university from patents, first consideration will be given to the promotion of research. The policy presented in the following academic policy statement provides procedural guidelines by which the president of Sam Houston State University (SHSU) will distribute the university's share of income received from copyrights and patents.

2. RATIONALE

2.01 The state of Texas and The Texas State University System encourage incentives to increase research and scholarship activities through the sharing of royalties received on university owned intellectual property with the creators of the intellectual property. Distribution of a portion of the royalties to the units generating the intellectual property meets this objective.

3. DEFINITION OF ROYALTY INCOME

3.01 Section 9.42 of the TSUS Intellectual Property Policy Revisions states that royalty income is income received by a component university through the sale, licensing, leasing or use of copyrightable material in which a component university has a property interest. In section 10.14 the policy discusses income from net royalties or other net income arising from an invention or discovery in which the component university has a property interest.

4. USE OF DISTRIBUTED ROYALTY INCOME

4.01 It is the intent of SHSU that income received by the university from its share of royalties and other income received from copyrightable materials and patents be used to support additional scholarship and research at SHSU.

5. DISTRIBUTION OF INCOME FROM ROYALTIES

5.01 Of the standard 50 percent university share of income received from royalties and copyrights, 25 percent will be distributed to the academic unit in which the intellectual property was generated. The remaining 25 percent will be used to support scholarship and research as selected by the university president. In situations where the university's share is not 50 percent, the amount in consideration will be equally divided with one share going to the generating unit and the other being used to support scholarship and research as selected by the university president.

6. REPORTS

6.01 A written report to the Associate Vice President for Research and Graduate Studies will be made annually (due October 1) from each unit that received a distribution of royalty income. The report will describe how funds were used and how the funds benefited scholarship and research at SHSU.

APPROVED:

Bobby K. Marks, President