

UCF Graduate Council

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GRADUATE POLICY COMMITTEE MINUTES

Minutes of October 25, 2007 meeting

Members Present	Patricia Bishop, Jim Moharam, Paul Rompf
Recorder	Rhonda Nelson
Guests Present	Michael Stern, Tom O'Neal, Sami Durrani, Henry Estevez, Joseph Giampapa

Handouts: Agenda, Patent Policy catalog copy and related forms, GS-1 Thesis and Dissertation Submittals resolution

Welcome and introductions. Dr. Liberman called the meeting to order at 8:30 a.m. Introductions followed.

Approval of minutes. The minutes of the October 11 meeting were approved with no corrections.

Patent Policy Catalog Copy. Dr. Liberman asked if Dr. Bishop would give a summary of the patent policy and accompanying documents to update the patent attorneys on what has transpired thus far.

1. Tom O'Neal from the Office of Research and Commercialization and the Intellectual Property (IP) attorney, Joseph Giampapa, had made revisions to the policy to bring it more in line with recent changes in the patent policy for UCF employees. Dr. Stern suggested one change in 4f to insert the phrase "the internship provides" after, but rather. A vote was taken and it was approved for inclusion in the Graduate Catalog as soon as possible.
2. Next discussion turned to implementation of the patent policy and how to ensure that IP is not released inadvertently by graduate students, who may not understand all of the legal issues involved.

A question was raised as to whether all graduate students should go to a patent workshop and sign that they have read the policy. Discussion was then held on requiring online patent policy classes for all graduate students. The attorney asked if online access to an online workshop could be verifiable, and it was determined that the online signature although official may not hold up in an IP litigation.

O'Neal reported that some colleges have their own workshops on patent policy. Sami indicated that these classes are not required classes so not all students go to them. A comment was brought up as to whether a student could be required to acknowledge receiving a graduate catalog with a statement to them that they are required to read it and be held responsible for knowing the policies. Discussion then followed on whether some departments could opt out of the patent workshops, since so few departments really have sponsored research and would run into these issues. The IP attorneys pointed out that this would not provide assurance that students have been informed about the patent policy.

A suggestion was made as to whether the question about reading the patent policy could be added to the application process. Further discussion deemed that this was overkill in that the persons you really want to acknowledge having read the patent policy are those that finally enroll. O'Neal said that ORC would be responsible for providing training on IP issues to graduate students and getting student signatures on acknowledging that they have read the patent policy in the Graduate Catalog.

Discussion then took place on how to ensure the protection of IP for both faculty and students. The Graduate Council had created an IP Declaration form to be used when the dissertation was in progress. The IP attorneys strongly recommended that the IP Declaration form be used at the start of student publications since there was more to fear from inadvertent release of IP when publications were being written than at the completion of the dissertation when these issues had mostly been worked out.

Intellectual Property Declaration. This form was reviewed by the committee. O'Neal said that students need to be informed about any research projects and those on sponsored research projects need to know about this policy. Dr. Moharam indicated that students should be informed of the intellectual property right at the start. Students need to know that they have to sign disclosures. Can we inform the faculty member that the student has signed this form? A suggestion was made that an additional acknowledgement be added that says that they have read and understand this policy and that the research conditions and restrictions be added to the Intellectual Property declaration form. The committee then discussed when the intellectual property declaration form should be signed by the student. Dr. Daniell noted that his students have to publish first before doing their thesis or dissertation. Three stages were discussed as to when a student should be informed. The first stage being when they enter the program, second stage would be when they began publishing, and the third stage would be before they defend their dissertation. O'Neal was asked if ORC would take ownership of the IP Declaration form and create two versions, one for publications and one for dissertation/thesis submittal. He said that he would take this on, on behalf of ORC.

ETD/patent submission flowchart. Dr. Liberman asked that Dr. Bishop review the flowchart process with the committee. It was suggested that the process starts too soon, when the student first enrolls in thesis/dissertation hours and the faculty and student may not know if there are IP issues or

not at that point, so it was agreed that that box would be deleted. A box was added that indicates that the student signs the patent policy statement. (Add this by the "student completes intellectual property declaration" box.). O'Neal agreed that since the workshops and declaration forms would be handled by ORC, that they would design their own flowchart to assist with the process of IP disclosure for graduate students.

It was agreed that all of these forms: the IP Declaration form for publications, the IP Declaration form for submittal of theses/dissertations, and the flowchart would be updated by O'Neal and reviewed at the next Graduate Council meeting.

Long discussion then took place about how sure can we be that IP is protected. Dr. Daniell said that these forms were good and the flowchart would be helpful and the workshops informative, but at the most crucial point of the submittal of the thesis or dissertation, the student was allowed to make the upload as the sole designator of how the work should be released, and that the university needed protection here as well.

Dr. Bishop did indicate that there is an additional approval form, the defense of dissertation or thesis form that is signed by faculty members and advisors of the student and at that step it would be possible for both the faculty advisor and student to indicate how the dissertation should be disseminated, if these forms were modified. Discussion took place about how many safeguards are really needed to protect IP. Dr. Daniell argued that at this last step during submittal since it is so crucial, he would prefer to have signature authority at that time and not necessarily earlier. He said emphatically that both the PI and student are jointly responsible for declaring the dissemination options. The IP attorney stated that many of these issues would not be a problem, if at the time of the very first publication, that the inventors file a provisional application to protect their IP. Dr. Bishop agreed to come back at the next meeting with this form, showing how the faculty advisor and student could declare their IP at the defense stage.

ETD Final Submission Site form. The committee reviewed this form. A question was raised about item #1 and #2 on public disclosures, as to whether the library had to release to interlibrary loan users if the work was released to the library. The committee asked that Dr. Bishop check with the library on this.

GS-1 Thesis and Dissertation /Turn it in.com resolution. The committee reviewed this resolution with regard to IP issues. Dr. Bishop shared that Youndy Cook, General Counsel's Office, has reviewed and revised the TII contract regarding theses and dissertation submittals to better protect IP at the university. The attorneys present indicated that TII has safeguards in place that indicates that the T/D can't be disclosed to the public domain and that TII would act as an agent of the university in this regard and that under those conditions could not release confidential information that would cause IP to be compromised.

A motion was made and seconded by the committee to send this resolution forward to the Steering Committee of the Faculty Senate. Dr. Lynxwiler was not available for this meeting but sent proxy vote indicating that his vote was in favor on this resolution. Dr. Daniell was leaving at this point but gave his approval to this resolution before he left.

Announcements and adjournment. Sami shared that the patent policy and intellectual property information needs to be brought to the students' attention as students are aware of the golden rule but not about intellectual property issues. The attorneys stated that they would make up a card of the 10 points on intellectual property that could be used as a handout for students. Dr. O'Neal was asked to review the flowchart, prepare a form for publications, and a form for dissertations. Dr. O'Neal will not be available to attend the next meeting. The patent attorneys will be available to attend the next meeting.

Next meeting. The next meeting of this committee is scheduled for November 8, 8:30 a.m, in MH 243.