**OSU IP POLICY WAIVER REQUEST FORM
for OSU Stillwater Sponsored Program Agreements/Contracts**

**BACKGROUND:**

Pursuant to state law 70 O.S. §3206.3 and OSU Intellectual Property (IP) Policy 1-0202 (applicable to OSU-STW, OSU-CHS, OSU-Tulsa, OSU-OKC, and OSU-IT), OSU intellectual property (OSU IP) refers to intellectual property that is either a direct result of an individual's employment, appointment, or association with the University, or that is conceived, created, or developed on University time or with the use of University Resources shall be the exclusive property of the Board of Regents. However, it may be in the best interests of the University periodically to enter into contractual, grant, or gift arrangements with federal agencies, other governmental entities or agencies, non-profit or for-profit entities, associations, businesses, or individuals which contain provisions that dispose of rights in OSU IP ownership and therefore deviate from the OSU IP Policy. Formal requests for a waiver of (deviation from) the OSU IP Policy should be initiated by an institutional administrator at the **level of Associate Dean or higher** and will be reviewed by the Vice President for Research and the Associate Vice President for Technology Development (now called the Office of Technology Commercialization, OTC).

**INSTRUCTIONS:**

To request a waiver of the IP Policy, please follow this process:

1. Upon receiving an agreement/contract that includes provisions that limit or dispose of the rights in OSU IP ownership, the Principal Investigator (PI) should work with their college department/unit head and/or dean’s office, in addition to a member of OTC, to determine if an OSU IP Policy Waiver Request form should be completed.
	1. Per Section 3.04 of the IP Policy, the OSU IP Policy Waiver Request form must be submitted and approved by the Associate Vice President for Technology Development (now OTC) and the Vice President for Research **BEFORE** the Cayuse agreement/contract award routing.
2. The PI should work in conjunction with their associate dean (or higher-level administrator) to complete an OSU IP Policy Waiver Request form; college sponsored programs staff, in addition to a member of OTC, may assist the associate dean with completing an OSU IP Policy Waiver Request form.
	1. When completing the OSU IP Policy Waiver Request form, it is imperative to describe **what value is gained by waiving OSU IP ownership that outweighs any potential disadvantage** that may result from OSU IP Policy deviation. By endorsing the request, the associate dean is validating the anticipated value proposition.
3. The **associate dean** **will** **send:** (1) the completed unexecuted OSU IP Policy Waiver Request form and (2) the associated agreement/contract **to OTC via email** **ipdocket@okstate.edu** **as attachments** with college sponsored-programs staff courtesy copied (cc’d).
4. The OTC will review and initiate signature routing process via AdobeSign for the OSU IP Policy Waiver Request form with the agreement/contract appended. The order of signature routing will be:
	1. Principal Investigator
	2. Department Head/Center Director
	3. Associate Dean (or higher-level administrator)
	4. Vice President for Research
	5. Associate Vice President of OTC
5. Once the signature routing of the OSU IP Policy Waiver Request form is completed, the college sponsored programs staff will attach/include a copy of the signed form in the Cayuse agreement/contract award routing. This action will connect the waiver form with the applicable signed agreement/contract. ***NO VERSION*** (whether blank, draft, or finalized) of the OSU IP Policy Waiver Request form, nor the existence of such form, is to be shared with the contracting entity/agency/sponsor.

**REQUIRED INFORMATION:**

|  |  |
| --- | --- |
| 1. OSU Institution/Branch: | OSU Stillwater |
| 2. Principal Investigator’s Department/Unit: | Click or tap here to enter text. |
| 3. Contracting Entity/Agency/Sponsor: | Click or tap here to enter text. |
| 4. Name of college sponsored programs staff member who needs a copy of signed OSU IP Policy Waiver Request form: | Click or tap here to enter text. |
| 5. CSPA Request for Agreement Review # (if applicable): | Click or tap here to enter text. |
| 6. Cayuse # (if applicable): | Click or tap here to enter text. |

7. Describe the IP provisions in the agreement/contract that limit or dispose of OSU’s rights in IP conceived, created, developed, or resulting from OSU’s research or services supported by such gift, grant, or contract. Additionally, please identify the location of the IP provisions within the agreement/contract.

<Enter description here.>

8. Indicate the anticipated value OSU is gaining by waiving OSU IP ownership that outweighs any potential disadvantage that may result from OSU IP Policy deviation.

<Enter response here.>

9. Describe the IP that could foreseeably result from the work this would be supported by the contract, grant, or gift arrangement:

<Enter description here.>

**SIGNATURES**

By signing this verification, I acknowledge that I am indicating to the best of my knowledge and belief my assent to and accuracy of the statements in this OSU IP Policy Waiver Request form and I support this request for a waiver of the IP Policy for this particular contract, grant, or gift arrangement.

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| Principal Investigator/Requestor: |  | Date |
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|  |  |  |
| Department Head/Center Director: |  | Date |
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|  |  |  |
| Submitting Administrator (Associate Dean or higher) |  | Date |
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I have reviewed and approve this request for a waiver of OSU Policy 1-0202.

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| Kenneth W. Sewell, Ph.D. |  | Date |
| Vice President for Research |  |  |

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| Daniel Will |  | Date |
| Associate Vice President, Office of Technology Commercialization |  |  |