

From: Gerhart, Don
Sent: Friday, December 12, 2008 12:14 PM
To: Rowles, Meg; Coyle, Catherine
Cc: Gerhart, Don; Linton - Richard; Williams - Charles
Subject: Draft COI/COC materials -- concerns and proposed follow-up from the perspectives of research, innovation, entrepreneurship, and external engagement

Hi Meg and Cathy,

I'm following up on our discussions earlier this week regarding the draft COI-COC policy for the University of Oregon.

The draft COI/COC materials generated significant concerns for Chuck Williams and me. The following is a brief synopsis of those issues, and of our planned next steps to address them.

The draft COI/COC policy stated inappropriate roles and responsibilities for the Office of Technology Transfer. Specifically, the draft policy stated: "The Office of Technology Transfer is responsible for including conflict of interest and conflict of commitment certification questions in all invention disclosures; as well as forwarding faculty or other UO employee's responses to the ORCR for review as warranted." We need to revise this section, as the approach proposed in the draft would differ strongly from mainstream practice at research universities. To correct this, in the coming weeks Chuck and I will draft a section that emphasizes OTT's roles in working -- collaboratively, collegially, and proactively -- with UO innovators and administrators to address potential conflicts.

The Draft Policy also includes statements -- for example, the definition of "Invention" -- that do not align well with OTT's "Next Generation" approaches to UO connections via research, innovation, and entrepreneurship. In addition, Chuck and I are quite concerned about the statements in the draft policy that would change the way that copyright-protected works are authored, created, and administered here at the University of Oregon. To help correct these problems, Chuck and I plan to provide recommended deletions and/or recommended additions.

In closing, please allow me to emphasize that the University of Oregon is a formal signatory, under the aegis of the Association of University Technology Managers (AUTM), to a guideline document called the "In the Public Interest: Nine Points to Consider In Licensing University Technology." The Nine Points were created under the leadership of Stanford University with a small group of elite research institutions. I was an invited member of a three-person, international panel that guided an advanced, in-depth workshop on the Nine Points at last year's AUTM Annual

Conference in San Diego. See:
http://www.autm.net/aboutTT/Points_to_Consider.pdf.

Item 4 of the Nine Points is an eloquent statement of the approach that Chuck and I want to instill, as deeply as possible, here at the University of Oregon: an approach that is proactive, open, collegial, non-punitive, consistent, and timely, and as the Nine Points states, "in a manner that reflects well on their institution and its community."

Chuck and I strongly encourage you to share our concerns with other stakeholders who will be working in the coming days and weeks on the University of Oregon's COI/COC policies, processes, and forms.

I hope this summation is useful and lines up with your understandings and expectations from our discussions this week. Please do not hesitate to contact me if you have questions or concerns.

Best regards,

Don

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