

commercialization of any invention. In that event, the Institute may choose to assign the patent rights to the inventor(s) if that is consistent with its legal obligations.

3. General

All Institute employees shall sign a Patent and Copyright Agreement assigning their rights to patents or inventions that they may make in the line of their duties, or with any use of Institute facilities, to the Institute or, if appropriate, its sponsor. A copy of the agreement may be obtained from the Human Resources or the Faculty Records Office.

Individuals who work on governmental or industrial projects undertaken by the Institute are required to sign such supplemental agreements as are necessary to enable the Institute to fulfill its contractual obligations in regard to patents.

4. Procedure

All employees shall report to the Institute immediately any innovation or discovery that might reasonably be considered to be of a patentable nature and that arises in the line of their duties, or as the result of any use of Institute facilities. This obligation is not intended to interfere with the prompt publication of research results.

Inventions made by an employee or student outside the line of Institute duty on the inventor's own time without any use of Institute facilities are not the property of the Institute. Patents from such inventions should be administered so as not to involve the Institute name.

It is important that inventors disclose to the Institute any funding from an agency of the United States Government that may relate to inventions. The Federal Bayh-Dole Act and implementing regulations (37 C.F.R. 401) grants patent rights to the Institute for inventions made under most federally funded research. In return, the Institute has reporting obligations regarding such inventions to the funding agency, and must grant a license to the government for its own use.

Any dispute concerning this policy or the distribution of royalties shall be resolved by appeal to the Provost.

The Institute places no restrictions on the rights or activities of Postdoctoral Scholars and Research Faculty in their subsequent careers after they leave Caltech. If departing Research Faculty or Postdoctoral Scholars require access to research data, computer programs, material samples, biological specimens or other research materials that they helped develop while at Caltech, the Institute will negotiate with them to provide continuing reasonable access to such materials, appropriate to the circumstances and consistent with its legal requirement to maintain originals of data and other results arising from sponsored research.