

Revisions to the University of Michigan Board of Regents' Bylaws, have been proposed and are now being posted for public comment before coming before the regents for approval in February. Please submit comments no later than Jan. 23 to publiccomments@umich.edu.

*Original language of the bylaws with additions in **bold**, and proposed deletions are indicated with ~~strikethrough~~.*

Sec. 3.10 Ownership of Patents, and Copyrights, Computer Software, Property Rights, and Other (revised Feb. 16, 2023)

Unless otherwise provided by action of the Regents:

University employees hereby assign ~~Patents and copyrights~~ issued or acquired as the result of or in connection with administration, research, or other educational activities conducted by **them** ~~members of the university staff~~ and supported directly or indirectly (e.g., through the use of university resources or facilities) by funds administered by the university, regardless of the source of such funds, and all royalties or other revenues derived therefrom, ~~to shall be the property of the university.~~

~~Computer software created by members of the university staff in connection with administration, research, or other educational activities supported directly or indirectly by funds administered by the university, regardless of the source of such funds, shall be the property of the university. Such computer software may be made available for use on a non-exclusive basis by those who pay appropriate charges to reimburse the university for the costs of development, distribution, and reproduction.~~

~~The provisions of 1 and 2, supra, shall apply unless they are inconsistent with the terms of any applicable agreement with a third-party sponsor or provider of funds, in which case the university's agreement with such sponsor or provider shall control.~~

~~Patents, copyrights, and property rights in computer software resulting from activities which have received no support, direct or indirect, from the university shall be property of the inventor **thereof**, author, or creator thereof, free of any limitation which might otherwise arise by virtue of university employment.~~

~~In cases which involve both university-supported activity and independent activity by a university staff member, patents, copyrights, or other property rights in resulting work products shall be owned as agreed upon in writing and in advance of an exploitation thereof by the affected staff member and the vice president for research in consultation with the Committee on Patents and Copyrights and with the approval of the university's Office of the General Counsel. It is understood that such agreements shall continue to~~

~~recognize the traditional faculty and staff prerogatives and property rights concerning intellectual work products.~~

Out of respect to principles of academic freedom and in support of its faculty, the University of Michigan transfers its copyright in faculty scholarly works to the faculty who created those works, consistent with Standard Practice Guide 601.28.

Proposed bylaw after edits:

Sec. 3.10 Ownership of Patents and Copyrights (revised Feb. 16, 2023)

Unless otherwise provided by action of the Regents:

University employees hereby assign patents issued or acquired as the result of or in connection with administration, research, or other educational activities conducted by them and supported directly or indirectly (e.g., through the use of university resources or facilities) by funds administered by the university, regardless of the source of such funds, and all royalties or other revenues derived therefrom, to the university.

Patents resulting from activities which have received no support, direct or indirect, from the university shall be property of the inventor thereof.

Out of respect to principles of academic freedom and in support of its faculty, the University of Michigan transfers its copyright in faculty scholarly works to the faculty who created those works, consistent with Standard Practice Guide 601.28.