

08.300 Equity Interest and Business Participation

08.301 Agreements with Business Entities. In agreements with business entities relating to rights in intellectual property owned by the System Administration or an Institution, the System Administration or the Institution may receive equity interests as partial or total compensation for the rights conveyed. In such instances, the System Administration or the Institution where the intellectual property was created may elect, at its option, to share an equity interest, dividend income, or the proceeds of the sale of an equity interest with the employee(s) who created the intellectual property, but the System Administration or the Institution is not obligated to do so.

08.302 Equity Interest of Creator and Managing Conflict of Interest. An employee of the System Administration or an Institution who conceives, creates, discovers, invents, or develops intellectual property may hold an equity interest in a business entity that has an agreement with the System Administration or an Institution relating to the research, development, licensing, or exploitation of that intellectual property, subject to applicable federal and state law, these Regents Rules, and applicable System Administration or Institution policies. In any case where an actual conflict of interest that has the potential to negatively impact the System Administration or an Institution is found to exist, the employee may be required to divest the equity interest or terminate the relevant research.

08.303 Business Participation of Creator. With the permission of the Chancellor for System Administration employees and of the President for Institution employees, any employee who conceives, creates, discovers, invents, or develops intellectual property may serve in his or her individual capacity as a member of the board of directors or other governing board or as an officer or employee of a business entity that has an agreement with the System, System Administration, or an Institution relating to the research, development, licensing, or exploitation of that intellectual property, subject to applicable federal and state law, these

Regents Rules, and applicable System Administration or Institution policies. In any case where an actual conflict of interest that has the potential to negatively impact the System Administration or an Institution is found to exist, the employee may be required to terminate the business relationship or the relevant research.

08.304 Request for Employee to Serve as Officer or Director. When requested by the Chancellor for the System Administration or the President of an Institution, an employee may serve on behalf of the System Administration or an Institution as a member of the board of directors or other governing board of a business entity that has an agreement with the System, System Administration, or an Institution relating to the research, development, licensing, or exploitation of intellectual property in which the System, System Administration, or an Institution has an ownership interest. Service by an employee on the board of directors or other governing board of a business entity under this Regents Rule shall comply with the requirements of Regents Rule 05.800.

08.305 Reporting. An employee holding an equity interest under Regents Rule 08.302 or with a business relationship under Regents Rule 08.303 or 08.304 must report in writing to the Chancellor for the System Administration or to the President of an Institution the name of the business entity in which the employee has an interest or serves as a director, officer, or employee and shall be responsible for submitting a revised written report upon any change in the interest or position held by such person in such business entity. Information provided by employees under this Regents Rule shall be included in the annual report submitted to the Board and filed under Regents Rule 08.107.

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