



INDUSTRY SPONSORED RESEARCH ACCESS FEE DISTRIBUTION POLICY

Policy Number: 6.0.1

Version Number: 002

Classification: Technology Transfer and Commercialization

Effective Date: August 2, 2017

Responsible University Office: Office of Industry Contracts

1.0 Purpose

This Access Fee Distribution Policy is intended to create a strong incentive for participation in technology commercialization through industry sponsored research by sharing with principal investigators and co-investigators and with their colleges/units the Access Fee received from an industry sponsor for certain license options.

2.0 Applicability

Clemson University's current Industry Sponsored Research Agreement may allow the project sponsor the right to select from mutually exclusive license options if the project is funded exclusively by the private industry sponsor. One of the options is an option to license any Subject Invention under pre-set terms. Another option is an option to a license to be negotiated on a commercially reasonable basis after the invention or discovery is identified.

If the project sponsor selects the option to a license with pre-set terms, the project sponsor may pay an Access Fee in addition to the research project funding at the time of execution of the Research Agreement and therefore be entitled to pre-negotiated commercial license terms to practice any Subject Invention. If this option is selected, at the time an invention or discovery conceived or first reduced to practice in the performance of the research project is disclosed to the University, or its designee, the project sponsor and the University, or its designee, will execute the commercial license (the "License") with pre-set terms.

This Access Fee Distribution Policy applies when an Access Fee is received from an industry sponsor.

3.0 Government Rules and Regulations

N/A

4.0 Definitions

Access Fee means any non-refundable up-front fee paid by an industry research sponsor in addition to the research project funding at the time of execution of a Research Agreement that entitles the sponsor to an option to license any Subject Invention under pre-negotiated commercial license terms.

Investigator Research Funds are the portion of the Access Fee available to University investigators to be used for research and educational purposes consistent with applicable laws and University policies regarding use of funds. If an investigator leaves Clemson University, these funds are returned to the investigator's budget center. The Investigator Research Funds will be directed to the investigators' colleges/units to be distributed to the appropriate accounts in accordance with the percent credit

distribution on the electronic proposal submission for the project.

Subject Invention means any inventions or discoveries that are conceived or first reduced to practice in the performance of the industry sponsored research project.

5.0 Policy

The University, through the Office of Research, will distribute the Access Fee within sixty (60) days of receipt as follows:

Investigator Research Funds	60%
College/Unit*	20%
Office of Research	20%

* College/Unit share will be divided equally among the Colleges/Units of the University investigators named on the research award at the time of distribution. Each College/Unit will determine distribution to appropriate academic or research units.

Any additional fees received by University, or its designee, under the License will be distributed in accordance with the Clemson University Intellectual Property Policy.

6.0 Responsibilities

Office of Industry Contracts – negotiate Industry Sponsored Research Agreement with industry sponsor and notify Office of Research Business Office when Access Fee is negotiated under the agreement.


Office of Research Business Office – invoice industry sponsor for Access Fee, receive payment, and distribute the Access Fee received per this policy.

7.0 Sanctions for Non-Compliance

N/A

8.0 Approval Signatures

This policy has been approved by:



Tanju Karanfil
Vice President for Research

REVISION HISTORY		
EFFECTIVE DATE	REVISION NUMBER	MODIFICATION
January 29, 2016	Version Number 001	Original Approved by R. Larry Dooley
August 2, 2017	Version Number 002	Reformatted and Approved by Tanju Karanfil