UNIVERSITY OF WEST FLORIDA

Research Administration & Engagement
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Faculty & Researcher Inventor's Handbook

A practical guide to intellectual property, invention disclosure, and research commercialization at UWF

Governed by **University Policy SR-02.03-8/26** and **Article 20** of the UFF-UWF Collective Bargaining Agreement
Responsible office: Office of Research Administration & Engagement (RAE)

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01 Introduction

Research, teaching, and creative activity across the University of West Florida (UWF) generate discoveries with profound potential for public benefit, educational advancement, and regional economic development.

Research Administration & Engagement (RAE) serves as your primary contact and partner throughout the innovation lifecycle. Under Florida Statutes § 1004.22 and § 1004.23, and UWF Policy SR-02.03-8/26, RAE manages:

1. **Intellectual property (IP) protection: patents, trademarks and copyrights**
2. **Invention and work evaluations**
3. **Industry partnerships, marketing, and licensing agreements**
4. **Revenue distributions**

POLICY PRECEDENCE

Faculty members within the collective bargaining unit are governed by Article 20 of the UFF-UWF Collective Bargaining Agreement (CBA). In any conflict between Article 20 and Sections C–F of Policy SR-02.03, the CBA controls.

02 What Is Intellectual Property?

INTELLECTUAL PROPERTY

Innovations and creative works that bear potential for copyright, patent, trademark, and trade secret protection.

More specifically, IP includes inventions, discoveries, research findings, software, instructional materials, publications, data, creative works, and other original scholarly or creative outputs that may also be protected through contractual agreements. In the university setting, IP reflects the intellectual and creative contributions of faculty, staff, and students and may be managed to support research, education, innovation, and public benefit.

What Is an Invention?

An invention includes any discovery, new and useful process, composition of matter, article of manufacture, know-how, design, model, technological development, biological material, strain, variety, culture of any organism, or any portion, modification, translation, or extension of these items. In some cases, inventions may also include certain computer programs, designs, and other technical developments.

An invention may be eligible for patent protection if it is new, useful, and non-obvious:

New or Novel

The invention must be sufficiently different from what is already publicly known, used, or described in prior publications or patents.

Non-Obvious

The invention must not be an evident or routine extension of existing knowledge to a person skilled in the relevant field.

Useful

The invention must have a practical use or application.

Together, these criteria help ensure that patent protection is reserved for genuine advances rather than ordinary modifications or abstract concepts.

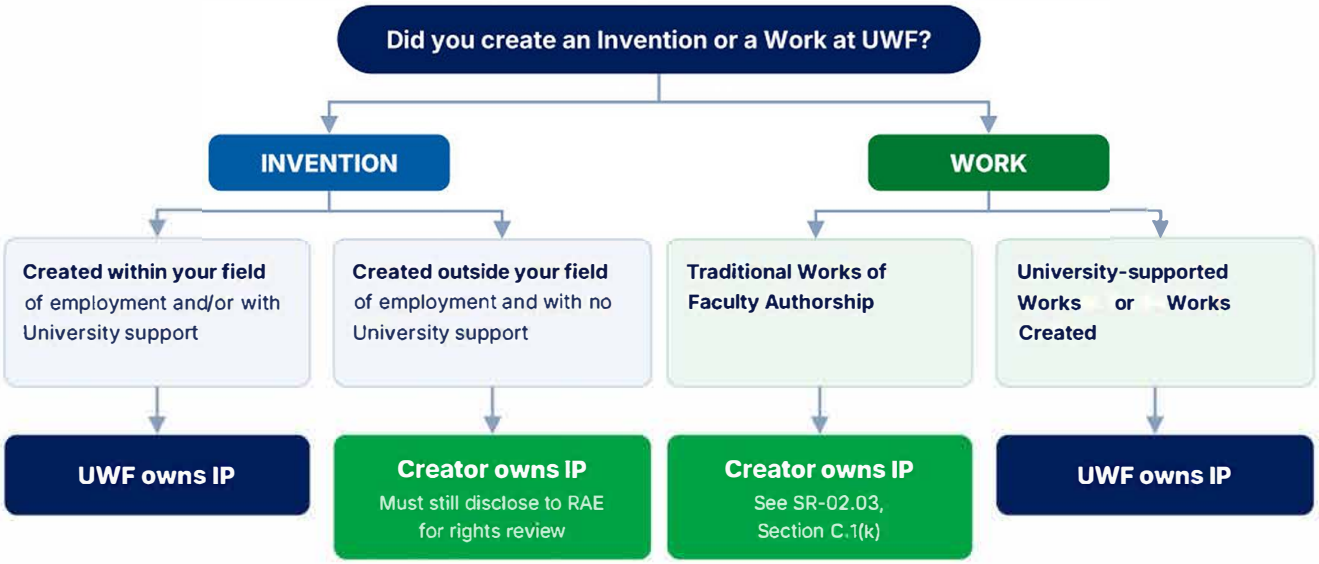
What Is a Work?

WORK

Any original creative or scholarly work that is recorded, written, stored, or otherwise preserved in a form that can be seen, heard, or reproduced and is eligible for protection under copyright law.

03 Ownership of Intellectual Property at UWF

Ownership is determined primarily by your field or discipline (defined by your position description, letter of appointment, or annual assignment) and the level of University support used.



Special Rules for Electronic Courseware

No Appreciable Support (outside UWF Online Canvas/LMS) CREATOR

Creator owns 100%; UWF asserts no interest.

Limited Support (delivered via UWF Online LMS) CREATOR, LICENSE TO UWF

Creator retains copyright. UWF receives a non-exclusive, non-transferable, royalty-free educational license during active delivery and for at least two years following the Creator's last delivery.

Standard Support (assigned or appreciable support provided) UNIVERSITY

Owned by UWF under an executed written agreement specifying revision terms, derivative work controls, and commercial revenue distribution.

04 Invention/Work Disclosure: The First Step in Protecting Your Idea

INVENTION/WORK DISCLOSURE

A confidential internal submission that informs the institution of a potentially protectable discovery, technology, process, software, material, device, or improvement.

Faculty are encouraged to submit an invention disclosure as early as possible and **before any public disclosure**, including publications, abstracts, posters, presentations, thesis defenses, websites, or discussions with external parties not covered by a confidentiality agreement.

Early disclosure allows the institution to evaluate patentability, ownership, funding obligations, and commercialization potential, and to determine whether to pursue IP Protection before rights are affected.

What Counts as a Public Disclosure?

Publications
Journal publications, including online-first and preprints

Conferences
Conference abstracts, presentations, and poster sessions

Theses
Publicly accessible master's theses or doctoral dissertations

Industry talks
Discussions or demonstrations with external company representatives without an executed Non-Disclosure Agreement (NDA)

Open release
Releasing open-source software or publicly accessible datasets

Online
Websites and other public communications describing the invention

THE GOLDEN RULE
Always submit an Invention Disclosure to RAE well before submitting manuscripts, presenting at conferences, or speaking with commercial entities.

05 How to Disclose an Invention/Work at UWF

What Is the Formal Disclosure Requirement, and Which Form Should I Use?

All University personnel are required to disclose any invention or University-supported work discovered or developed while affiliated with UWF. Disclosures must be submitted to the Office of Research Administration & Engagement (RAE) using the designated forms:

INVENTIONS

Invention Disclosure Form

For all potentially patentable discoveries, devices, chemical/biological substances, software inventions, and technical processes.

WORKS

Work Disclosure Form

For copyrightable materials and University-supported instructional or digital works.

Each disclosure must be signed by the creator(s), then reviewed and acknowledged by the respective Department Chair and College Dean.

1 **Complete the form**
Invention or Work Disclosure Form, signed by all creator(s)

2 **Chair & Dean sign**
Department Chair and College Dean review and acknowledge

3 **RAE review**
Technical merit, patentability, sponsor terms, market potential

4 **Decision**
UWF asserts or waives its interest, and you are informed

How Quickly Will RAE Determine Whether UWF Will Assert or Waive Its Interest?

Once a complete and timely disclosure is received, RAE will evaluate technical merits, patentability, sponsorship terms, and commercial feasibility, and will deliver a formal decision within:

120
CALENDAR DAYS
for an Invention Disclosure

60
CALENDAR DAYS
for a University-Supported Work Disclosure

Why Must I Disclose Before Presenting at a Conference or Publishing an Abstract?

Public disclosure through publications, abstracts, presentations, posters, or other public communications may limit or eliminate future patent protection. Disclosing your invention to the University before any public release allows time to evaluate intellectual property protection, preserve patent rights, and assess commercialization opportunities. Early disclosure also helps ensure compliance with university policies and sponsor requirements.

> **Best practice:** Disclose first, publish second.

06 Patents, Copyright & Trademarks

The three main forms of intellectual property protection for UWF faculty and staff:

Patent
Inventions: processes, devices, materials, technical systems

Copyright
Original works fixed in a tangible form

Trademark
Words, names, symbols and designs that identify a source

Patents

> PATENT
> A form of intellectual property protection for a new or improved invention, giving the owner exclusive rights for a limited period of time.

What is a patent? A patent gives the patent owner the right to exclude others from making, using, selling, offering to sell, or importing a patented invention for a limited period of time. In the United States, utility patents generally last **20 years from the earliest non-provisional filing date**, subject to legal requirements, maintenance fees, and any applicable adjustments or limitations.

Patent protection may be available for new or improved inventions, including eligible processes, methods, devices, materials, compositions, technologies, and technical systems. In exchange for these exclusive rights, a patent application must describe the invention in sufficient detail so that others skilled in the field can understand it and, after the patent term ends, use the knowledge disclosed. In this way, the patent system both encourages innovation and promotes public knowledge.

What is patentable? Patentable inventions can arise across many disciplines, including:

Engineering

Laboratory instruments, sensors, circuits, semiconductors, manufacturing techniques, filtration systems, and mechanical devices.

Biotechnology

Genetic markers, gene transfer methods, microorganisms, biological materials, diagnostic tools, and research methods.

Chemistry

New compounds, drugs, polymers, coatings, fuel cells, formulations, and chemical processes.

Software and Computing

Data-processing methods, cybersecurity systems, networking tools, machine-learning applications, technical algorithms, and digital platforms.

Environmental and Marine Science

Monitoring systems, testing methods, remediation technologies, materials, and applied field technologies.

Health and Human Performance

Devices, assessment methods, assistive technologies, training systems, and applied clinical or wellness tools.

What is not patentable? Some subject matter generally cannot be patented. This may include laws of nature, natural phenomena, scientific theories, abstract ideas, purely mental processes, and mathematical formulas by themselves. Pure algorithms without a practical technical application are also generally not patentable. However, practical applications or technical improvements based on those concepts may sometimes be patentable.

Copyright

COPYRIGHT

A form of intellectual property protection for original works such as writings, images, music, videos, software, and other creative content fixed in a tangible form.

What is copyright? Copyright protects the expression of an original idea once it is fixed in a tangible form, such as a written document, recording, image, video, software code, or other captured format.

For UWF faculty and staff, copyright may apply to works created through teaching, research, scholarship, creative activity, software development, training, and University-supported projects. These may include articles, books, presentations, course materials, instructional content, videos, artwork, music, software, and other original scholarly or creative works.

Copyright gives the owner exclusive rights to reproduce, distribute, display, perform, and create derivative works from the original. Protection generally arises automatically under U.S. law once the work is created and fixed in tangible form. Registration is not required for copyright protection to exist, but registration with the U.S. Copyright Office may provide additional legal benefits.

EXPRESSION, NOT IDEAS

Copyright protects the expression of an idea, not the idea itself. For example, copyright may protect an article, lecture, figure, image, or recorded presentation, but it does not protect the underlying facts, procedures, systems, methods, formulas, discoveries, or devices described in the work.

Who owns it under UWF policy? Ownership depends on the nature of the work, the creator's role, and the level of University support involved. Traditional Works of Faculty Authorship are generally owned by the creator, while Works Made for Hire and certain University-supported works are generally owned by the University. Instructional materials and electronic courseware may be treated differently depending on the circumstances of development and the level of University support (see Section 03).

Examples of Copyrightable Works

- ✔ Books, articles, reports, manuals, and lectures
- ✔ Software, source code, and related documentation
- ✔ Music, recordings, and audio works
- ✔ Plays, choreography, and performance materials
- ✔ Photographs, graphics, illustrations, paintings, and sculptures
- ✔ Films, videos, animations, and recorded lectures
- ✔ Course modules, presentations, handouts, and online learning content

What Copyright Does Not Protect

- × Ideas or concepts
- × Facts or factual information
- × Procedures, systems, processes, or methods
- × Formulas, discoveries, or devices
- × Titles, names, slogans, or short phrases
- × Public domain materials

Trademarks

TRADEMARK

A word, name, symbol, design, or phrase that identifies and distinguishes the source of goods or services.

What is a trademark? A trademark is a word, name, symbol, design, or combination of these used to identify and distinguish the source of goods. A service mark performs the same function for services. Trademarks and service marks help the public recognize the source of a product or service and distinguish it from others in the marketplace.

In a university setting, trademarks may include names, logos, slogans, symbols, program names, and other identifiers associated with the institution, its services, or its activities. Trademark protection helps preserve the distinctiveness of these identifiers and prevents others from using confusingly similar marks in a way that could mislead the public.

Trademark strength often depends on distinctiveness. In general, marks that are arbitrary, fanciful, or suggestive are stronger than marks that are merely descriptive, while generic terms are not protectable as trademarks. A mark must be used consistently and appropriately to function as a source identifier. If a mark becomes generic over time, it may lose trademark protection.

TERM OF REGISTRATION

A federally registered trademark generally remains in effect for 10-year terms and may be renewed as long as the mark remains in use and applicable legal requirements are satisfied.

For more information, visit the U.S. Patent and Trademark Office:

PATENTS
uspto.gov/patents

TRADEMARKS
uspto.gov/trademarks

07 Revenue Distribution: How Creators Benefit

When a UWF invention or work is commercialized, the financial returns are shared directly with the creators under Policy Section C.7.

GROSS REVENUE – **DIRECT DEVELOPMENT COSTS** = **NET ADJUSTED INCOME**
Shared 50 / 50

Development expenses include patent filing fees, legal costs, marketing, prosecution, and maintenance fees. Administrative salaries and overhead are never deducted.

Net Adjusted Income: 100% Revenue remaining after allowable licensing and related expenses

50%
Creator share
Paid to the creator(s) individually

50%
UWF share
Used to support research and University-related research and IP activities

- **Multiple creators:** the creator share is split equally unless an alternate written allocation is submitted to RAE at least one month before the first scheduled payment.
- **Payment schedule:** distributions are made semiannually, on or before **June 1** and **December 1**.
- **Equity in lieu of cash:** if equity is accepted in lieu of cash, creator proceeds are distributed when the equity is liquidated.

08 Sponsored Research, Consulting & Conflicts of Interest

Industry Collaborations & Sponsored Research

All federal, state, and private/corporate sponsored research agreements must be routed through and administered by RAE (Section C.1.n, D.1). Under Section C.3, inventions and works developed under sponsored research are generally the property of UWF, and agreements may grant sponsors time-limited option windows to negotiate an exclusive license.

> **BEFORE YOU PUBLISH**
>
> If research is sponsored by an outside contract or grant, coordinate with RAE before publishing or presenting, so publication timing does not compromise patent protection or violate sponsor terms (Section C.6).

Outside Consulting Agreements

UWF faculty and other University employees engaged in external consulting must ensure that consulting agreements do not conflict with University obligations.

- University rights and the rights of federal, state, or private sponsors of University research must take precedence over and supersede the rights of outside entities.
- Consulting agreements that require a faculty member or employee to waive or assign intellectual property rights must be reviewed and approved by the University in writing.
- Permission to waive rights will not be granted where the consulting activity involves reducing to practice inventions or works, or potential inventions or works, conceived under federal sponsorship or with University support.
- A **Report of Outside Activities/Determination of Conflict of Interest** must be submitted to initiate the University's review.

Faculty Startups & Florida Ethics Laws

Commercializing an invention or work through a startup or other business venture may require formal conflict-of-interest review.

A UWF employee who has a financial and/or managerial interest in a business, or a contractual relationship with a business, that is licensing or entering into a business relationship with UWF or the Research Foundation concerning the employee's invention or work must disclose the relationship through the appropriate University process. Where required under **Florida Statute § 112.313(12)(h)**, the exemption must be approved by the UWF President and the Chair of the UWF Board of Trustees.

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