### Policy Statement Development Form

**Policy Title:** Proprietary Research Policy

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<thead>
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<th><strong>Responsible University Office:</strong></th>
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<td><strong>University Office:</strong></td>
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<tr>
<td><strong>Office Website URL:</strong></td>
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<tr>
<td><strong>Policy Owner:</strong></td>
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<td><strong>Email:</strong></td>
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**DATE:** April 11, 2012

**Policy Concept Form:** The policy concept form was approved by the Senior Vice President and Provost on the following date: N/A. Policy creation in conjunction with existing policy on classified research.

**NOTE:** Policy development may not proceed until the policy concept has been approved.

**Preamble:**
To fulfill its mission and meet requirements arising from the University of Oregon's status as a tax-exempt, public educational and research institution, research conducted at the University of Oregon must primarily serve public rather than private purposes. It is expected that research results will be published or otherwise be disseminated on a nondiscriminatory basis and within a reasonable period of time.

**Reason for Policy:**
To record the faculty's commitment to freedom to publish research results.

**Definitions:**

**Policy Statement:**
University researchers may not conduct proprietary research where the freedom to publish is limited inherently and fundamentally, even if such limitation is intended only to permit University project personnel access to proprietary information. The University of Oregon shall not accept any fundamental and inherent limitation on the freedom to publish from any research sponsor and therefore, shall not accept publication restrictions that convey veto or censorship authority to extramural sponsors of University research projects. Publication delays not exceeding sixty (60) days are acceptable so that a research sponsor may review publications and (1) offer comments or suggestions and (2) determine that its proprietary data are not disclosed. Delays not exceeding ninety (90) days also are permitted so that
the University and the research sponsor may screen proposed publications for intellectual property protection. If both sixty- and ninety-day delays are applicable, the total period of delay should not exceed ninety (90) days.

Sponsored research projects allowing access to or use of the sponsor's proprietary data or materials will be accepted only if regulations regarding access, use, and protection of such data or materials do not restrict the full dissemination, excluding the proprietary data or materials, of scholarly findings made under the research agreement. Proprietary data or materials must be labeled as such by the research sponsor before release to University researchers, except that proprietary data or materials disclosed orally must be identified, within 30 days of such disclosure, in writing by the sponsor as proprietary, or as otherwise agreed to in writing by University's authorized representative. Research sponsor requirements shall not proscribe citation of the sponsor name in publications.

Exclusions and Special Situations:
This policy does not apply to testing services provided by University personnel under authorized University service agreements.

Procedures:

Forms/Instruction/Regulations:

Who is Governed by this Policy:
(Please mark all that apply by double clicking on box)
X Faculty
X Officers of Administration
X Students
X Staff
X Other: Anyone who conducts or supports research at the University of Oregon

Who Should Know this Policy:
All employees and students who conduct or support research

Cross Reference to Related Policies:

Related Documents:

Frequently Asked Questions:

Revision/Development History:
Reviewed and approved by the Science Council, April 5, 2012
Organizational Category:
(Please mark only one by double clicking on box)

- Administration and Governance
- Academic and Curricular
- Human Resources
- Facilities
- Students
- Finance and Business Affairs
- University Relations
- Health and Safety
- Research
- Information Technology
- General

POLICY CONSULTATION AND REVIEW

Consultation and review by the following individuals or groups:

Vice President or Sr. Vice Provost of: Research, Innovation, and Graduate Education

Randy Geller (reviewed & approved via email) 

Date: 4-11-12

General Counsel

Date: 4-12-12

Senior Vice President and Provost

Date: 4/23/12

University of Oregon Senate President

Date:

Science Council

Date: April 5, 2012

Click here to add Name or Group

APPROVED BY:

President or Designee

Signature

Date

POLICY EFFECTIVE DATE:

ASSIGNED POLICY NUMBER: