

## **Cornell's Intellectual Property Carve-out Policy and Procedure**

When a faculty member anticipates an external activity that may result in intellectual property (IP) that is within her/his areas of responsibility as indicated by their Cornell appointment and past research activities, that faculty member may request a "carve-out" that clearly and formally separates her or his current and future Cornell effort from that of the outside engagement. If a carve-out is approved Cornell will not claim ownership of any IP created in the course of the outside engagement that lies within the carved-out area. The carved-out area must not include the same topics as recent or current Cornell research activity. It can however be an extension of that work, if it, arguably, is not suitable for university research. Once carved out, research in that area cannot be re-started at Cornell by the appointee.

A carve-out requires the written endorsement of the faculty member's chair/director and dean. The final decision is that of the Vice President for Technology Transfer (*VPTT*) and Senior Vice Provost for Research (*SVPR*), which is currently the same individual.

If the carve-out is to enable work at an existing external entity, for example a private company, that entity must be informed of this carve-out and also approve its scope and terms.

To initiate a carve-out request the faculty member should prepare and submit a written request to her/his department chair/director that contains the following information/documentation:

1. Definition of research area/topics being carved out. This definition should be as narrow as possible. The faculty member should also provide a description of research that they will not be able to undertake at Cornell as a result of the carve-out (this could be accomplished by various means including, for example, by providing sample web sites of faculty members at other institutions, etc.)
2. List of disclosures that have been made to Cornell's Center for Technology Licensing (or its predecessor CCTEC) that could be interpreted as related to the research area/topics being carved out.
3. List of recent publications (last five years) that could be interpreted as related to the research area/topics being carved out.
4. List of any research grants (last five years) that could be interpreted as related to the research area/topics being carved out.
5. The faculty member must also provide any agreements that she/he might have to sign related to IP with an external entity that is related to the carve-out.

When this request is submitted to the faculty member's chair/director, an informational copy should also be sent directly to the *VPTT*/*SVPR* so that institutional review of the request can begin promptly.

If following review the faculty member's chair/director approves this request, he or she should forward it to the dean, along with a brief memo of endorsement.

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If approved by the dean, the carve-out request goes to the VPTT/SVPR for formal review and final decision.

If a carve-out is not requested prior to consulting or work with a start-up, Cornell will assert ownership of IP created by an appointee that falls within the area of responsibility of the Cornell appointment.