

STUDENT/DISTRICT INITIATED PATENTS, COPYRIGHTS, AND OTHER INTELLECTUAL PROPERTY

Background

Students in the Appleton Area School District (AASD) are being encouraged to design and develop original solutions to real-world problems on a regular basis. An increasing number of students are engaging in work that results in original ideas, designs, and products that have the potential to be patented, produced, and marketed.

The aim of the AASD's Policy on Patents, Copyrights, and Other Intellectual Property is to make District technology and other resources available to the student in a setting that fosters creativity and innovation while protecting the student's ideas and original work. This policy establishes the procedures for funding, disclosure, assignment of ownership of potentially patentable inventions created in the course of academic work in the AASD, and the auction/sale of awarded patents.

Determination of Patentability and Patent Application Process

Not all ideas and products will have patent potential; therefore, the following process for determining patentability and applying for a patent will be followed:

1. A designee of the AASD and the student(s) interested in applying for a patent will consult with engineers, designers, artists, and/or inventors with relevant knowledge and experience to determine if an idea, design, or product has patent potential.
2. If an idea, design, or product is determined to have patent potential and marketability, the student(s) and/or staff will work with a patent attorney to determine if the idea, design, or product is original through an exhaustive patent search.
3. If an idea, design, or product is deemed original and worthy of a patent, students and/or staff will work with a patent writer and patent attorney to complete the proper application and submit it to the United States Patent and Trademark Office.
4. If the patent is awarded, the patent will immediately go to auction with the proceeds from the sale of the patent being distributed as described in the Patent Application Financing and Proceeds Distribution portion of this policy.

Patent Application Financing and Proceeds Distribution

Significant funding is required in the pursuit of a patent for an idea, design, or product. To that end, a Student Patent Fund has been established with the Appleton Education Foundation (AEF) for the purpose of financially supporting students who are pursuing a patent based on original work conducted and completed during their time as a student in the AASD.

1. AEF Student Patent Fund

The AEF Student Patent Fund will be advised by AASD designees who will be charged with reviewing and making decisions regarding applications for patent funds, soliciting donations for the fund until which time the fund is self-sustaining, and reporting to the AASD annually on the status of the fund.

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2. Patent Funding Process

- a. After an idea has been determined to be original and patentable, the student(s) will submit a formal request for application funding through the AEF Student Patent Fund. All requests for application funding must be completed and submitted within six months of the student's graduation from the AASD.
- b. AASD advisors to the AEF Student Patent Fund will review the application and approve or deny the request.
- c. Upon approval, the student(s) and/or staff will work with the patent writer(s) and patent attorney(s) to complete and submit the patent to the United States Patent and Trademark Office.
- d. If the patent is denied, the student(s) will hold no financial obligation to the AEF Student Patent Fund or the AASD.
- e. If the patent is approved, the patent will immediately go to auction with the proceeds being distributed as described in the Patent Proceeds section of this policy.

3. Patent Proceeds

- a. Patents that are awarded will immediately be put up for auction with the patent being re-assigned to the highest bidder.
- b. Proceeds from the auction of the patent will be assigned to the AASD and distributed as follows:
 - 1) 50% of proceeds from the sale will go to the student or, in the case of a student team, be distributed evenly among the members of the team.
 - 2) 50% of the proceeds will be used to reimburse the District for any cost they incurred in the process with the remainder to the AEF Student Patent Fund.
- c. Acceptable use of patent proceeds designated to the AEF Student Patent Fund
 - 1) To support patent applications of current and future students.
 - 2) At which time the fund is deemed sustainable by the AASD advisors, the fund's purpose may be expanded to support school activities and programs which encourage and foster the development of original ideas, work, and products.

Disclosure of Original Ideas and Products

Students are encouraged to maintain confidentiality of their ideas until such time as is necessary for disclosure (i.e. presentations, soliciting professional mentorship and advice, determining patentability, etc.) at which time they are encouraged to make use of non-disclosure agreements. Official disclosure of the idea or product should coincide with the submission of the patent application to the United States Patent and Trademark Office, or as close to that time as possible.

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