

State-owned University Intellectual Property Act

24 P.S. § 2521

§ 2521. Short title

This act shall be known and may be cited as the State-owned University Intellectual Property Act.

§ 2522. Scope of act

This act shall apply to all economic development transactions entered into by State-owned universities and system employees.

§ 2523. Definitions

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Economic development agreement.” An agreement that allows a State-owned university to develop and market intellectual property owned or created by a State System of Higher Education employee.

“State-owned university.” One of the 14 institutions under the State System of Higher Education or any other institution that may be admitted to the State System of Higher Education subsequent to the enactment of this act in accordance with the provisions of the act of March 10, 1949 (P.L. 30, No. 14),¹ known as the Public School Code of 1949.

“System employee.” An individual employed by the State System of Higher Education or one of its constituent universities.

§ 2524. Authorization

State-owned universities and system employees may enter into economic development agreements that inure to the benefit of the State-owned universities and system employees.

§ 2525. Approval and notice

(a) Review and approval.--Agreements entered into under this act shall be reviewed and approved in accordance with the form and legality reviews of the act of October 15, 1980 (P.L. 950, No. 164),¹ known as the Commonwealth Attorneys Act.

(b) Public availability.--Agreements authorized by this act shall be made available to the public by listing them with the Treasury Department in accordance with the provisions of Chapter 17 of the act of February 14, 2008 (P.L. 6, No. 3),² known as the Right-to-Know Law.

§ 2526. Reports

The State System of Higher Education and each State-owned university shall monitor and report agreements entered into under this act on an annual basis to the Education Committee of the Senate and the Education Committee of the House of Representatives. The information shall be reported in compliance with any legal protections provided by copyright or trademark laws or other Federal or State law.

¹ 71 P.S. § 732-101 et seq.

² 65 P.S. § 67.701 et seq.

§ 2527. Limitations

(a) Contracts.--Nothing in this act shall alter, impair or limit the terms or conditions of any sponsorship agreement, grant agreement, collective bargaining agreement or other contract.

(b) Use of public resources.--This act shall not authorize the unlawful use of public resources by private individuals in the development of intellectual property.

§ 2528. Repeals

Repeals are as follows:

(1) The General Assembly declares that the repeals under paragraphs (2) and (3) are necessary to effectuate this act.

(2) The act of July 19, 1957 (P.L. 1017, No. 451),³ known as the State Adverse Interest Act, is repealed insofar as it is inconsistent with this act.

(3) 65 Pa.C.S. Ch. 11⁴ (relating to ethics standards and financial disclosure) is repealed insofar as it is inconsistent with this act.

³ 71 P.S. § 776.1 et seq.

⁴ 65 Pa.C.S.A § 1101 et seq.