



## UNIVERSITY of WASHINGTON

*Ana Mari Cauce*  
*Professor of Psychology*  
PRESIDENT

February 7, 2017

**Robert Gomulkiewicz**, Professor, School of Law and Committee Chair  
**Gordon Aamot**, Director, Scholarly Communication and Publishing, University Libraries  
**Jim Gregory**, Professor, History, College of Arts and Sciences  
**Nancy Hovis**, Senior Director of Business & Regulatory Affairs, School of Medicine  
**Rolf Johnson**, Assistant Attorney General, Attorney General's Office  
**Ed Lazowska**, Bill & Melinda Gates Chair, Computer Science & Engineering  
**Pierre Mourad**, Associate Professor, Neurological Surgery and UW Bothell Division of Engineering and Mathematics  
**Carol Rhodes**, Director, Office of Sponsored Programs  
**Mike Rosenfeld**, Professor, Environmental and Occupational Health Sciences, Chair, Faculty Council on Research  
**Mikel Ruterbusch**, Graduate and Professional Students Senate Representative  
**Tueng Shen**, Professor, Ophthalmology/Bioengineering, School of Medicine  
**Mike Townsend**, Professor, School of Law, Secretary of the Faculty  
**Clark Westmoreland**, Assistant Vice Provost, Operations, UW Continuum College  
**Fiona Wills**, Director, UW CoMotion Innovation Development

Dear Colleagues:

Intellectual property (IP) has become a ubiquitous presence in our lives and on our campus. Whether through patents on inventions arising from our research labs, copyrights on scholarly works and teaching materials, or trademarks related to our UW brands, IP touches all units on campus. The complex, innovative nature of the modern research university has led to changes in the way IP impacts our daily activities. Further, new models of interaction with external partners in government, nonprofits, and industry also challenge traditional ways of thinking about IP.

Our IP current policy, [Executive Order 36 \(EO 36\)](#), was originally drafted and adopted in the late 1960s—well before personal computers, mobile phones, the Internet, and the biotechnology revolution. In addition, the law related to IP has undergone fundamental changes, with more expected. We need to ensure that our IP policies are both adequate to meet these changes and broad enough to remain relevant into the future.

To that end, President Cauce and Faculty Senate Chair Barsness hereby charge the UW's Advisory Committee on Intellectual Property, Policy and Practice (ACIP3) with reviewing from a fresh perspective the UW's IP policies and practices and evaluating whether they further the UW's goals to stimulate the discovery, preservation, and dissemination of knowledge, information, art, and technology by and among faculty, students, staff, and the public.

ACIP3's review may lead to a recommendation for keeping EO 36 as it currently stands, for making additional amendments to the policy, or for creating a brand-new policy that completely replaces EO 36. The committee's recommendations should be designed to further the UW's core purpose to provide students with an excellent education and enable both faculty and students to pursue such theoretical, fundamental, or applied research projects as they may select in the exercise of their academic freedom. ACIP3 is reminded that in fulfilling its mission as a public institution, the UW's educational, research, and service work is ultimately for the benefit of the public and not for individual benefit.

ACIP3's first task is to provide us with recommendations for the committee's agenda for the remainder of this academic year and through the 2017 - 2018 academic year. In this regard, we ask that the committee consider beginning with a focus on developing "best practices" for handling IP issues newly challenging areas such as "open access" and online distance learning (*e.g.*, "massive open online courses" or MOOCs). We urge that the Committee not get bogged down in drafting revisions to EO 36 or Administrative Policy Statements at this time. If technical, or wholesale, changes to existing IP policy are necessary or desirable, the committee should identify and explain which aspects of existing orders and policy statements are currently useful and need to be retained, what changes should be made, and which areas of IP remain yet to be addressed with explicit policy statements. Once the committee identifies specific goals for the revision and development of IP policy, the committee should coordinate with other relevant UW entities (*e.g.*, the Attorney General's Office) to engage them in drafting any needed revisions of existing policy or new policy.

ACIP3 is further charged to consult quarterly with the President and Senate leadership and to develop mechanisms for regularly soliciting input and feedback from important stakeholder groups, including, as appropriate, faculty, students, staff, and the public. ACIP3's chair is responsible for submitting regular written reports to the Senate Executive Committee (SEC) in anticipation of each of the SEC's bi-quarterly meetings. These reports will inform the SEC about ACIP3's current work and detail any formal recommendations, including the rationale for these, that it intends to make to the President and Senate leadership regarding IP practices and policies. In addition, ACIP3's chair will make bi-annual presentations to the full Faculty Senate, the first at the beginning of the academic year detailing the committee's anticipated agenda for the year, and the second at the end of the academic year reporting on: work accomplished that academic year, issues still under consideration by the committee, and issues that the committee anticipates addressing in future.

The UW is a world leader among research universities. Time and again we have been ahead of the curve in innovative research, teaching, and service. At the same time, our roots of shared governance and inclusiveness run deep. We have a special opportunity to engage in a fresh look at our IP policy because of enthusiastic agreement across campus leadership to do so.

Our sincere thanks for agreeing to serve on this important advisory committee. Together we can create the model IP policy for the 21<sup>st</sup> century research university.



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Ana Mari Cauce, President  
Professor, Department of Psychology



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Zoe Barsness, Chair, Faculty Senate  
Associate Professor, Milgard School of Business