

DEFINITIONS

The following definitions will apply for purposes of interpreting and implementing the *UARF Guidelines and Procedures*:

- (a) “University” means The University of Akron and any college, campus, entity, program or activity under the authority and direction of the University.
- (b) “University-supported effort” means:
 - (i) with respect to inventions, the term means activity that is in the field in which a University employee is employed by the University (*i.e.*, the fields or disciplines for which the inventor is employed to teach or to research), or for which University support is used.
 - (ii) with respect to works, the term means activity that is pursuant to the University employee's position description or specific professional assignment or special commission by the University, or for which University support is used.
- (c) “Sponsored research” means University-supported effort for which the University has received support under a contract or grant with a third party sponsor.
- (d) “Independent effort” means:
 - (i) with respect to inventions, the term means activity that is outside the field or discipline in which a University employee is employed by the University (*i.e.*, the field or discipline for which the inventor is employed to teach or to research), and for which no University support is used.
 - (ii) with respect to works, the term means (a) the ideas come from the University employee and (b) the work is not made in the course of University-supported efforts, except for approved uses of University support as described in the *UARF Guidelines and Procedures*; and (c) the University is not held responsible for any opinions expressed in the work.
- (e) “Invention” means any discovery, invention, process, composition of matter, article of manufacture, know-how, design, model, technological development, strain, variety, or culture of any organism, or portion, modification, translation, or extension of these items, and any mark used in connection with these items. As used in the *UARF Guidelines and Procedures* in reference to inventions, the term “made” means the conception or first actual reduction to practice of an invention, provided the term may be otherwise defined in a sponsored research contract or grant.
- (f) “Work” means any copyrightable material, such as printed material, computer software or data bases, audio and visual material, circuit diagrams, architectural and engineering drawings, lectures, musical or dramatic compositions, choreographic works, pictorial or graphic works, and sculptural works.
- (g) “Inventor” means a person who makes an invention. As used in the preceding sentence, the term “makes” means the conception or first actual reduction to practice of an invention.
- (h) “Author” means a person who creates or authors a work.
- (i) “University support” means University funds, facilities, materials, equipment, personnel, and/or proprietary technological information that are used by an inventor or author in the making or development of an invention or work. Funds, facilities, materials, equipment, personnel, and/or proprietary, technological information that are provided by other public or private organizations and are arranged, administered, and/or controlled by the University shall be considered to be provided by the University.
- (j) “University employee” means all Faculty, Administration, Contract Professionals, and Staff employees of the University—regardless of classification or source of funding of the position—and volunteers.
- (k) “Outside activity” means any private practice, private consulting, additional teaching or research or other activity, compensated or uncompensated, which is not part of the University employee's assigned duties and for which the University has provided no compensation.
- (l) “Net revenue” means gross revenue received by the University from commercial application of the invention or work including royalties, license fees or like proceeds, minus the University's direct costs

incurred in protecting, maintaining, licensing, and preserving patent rights and copyrights. As used in the preceding sentence, the term “gross revenue” does not include funds received for sponsored research or tuition and fees assessed to University students. Where the University of Akron Research Foundation (UARF) is granted rights and responsibilities for the commercial application of an invention or work, the term “gross revenue” shall mean the revenue received and costs incurred by the UARF as well as the University.

- (m) “Commercial application” means the exercise, assignment or license of any rights existing under federal or state statutes or common law to make, have made, use, copy, sublicense, sell or otherwise exploit an invention or work.