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HOUSE BILL 2012

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State of Washington

53rd Legislature

1993 Regular Session

By Representative Thomas

Read first time 02/22/93. Referred to Committee on Higher Education.

1 AN ACT Relating to the Washington technology center; adding new  
2 sections to chapter 28B.20 RCW; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.20 RCW  
5 to read as follows:

6 (1) The tenured and research professors who enter a research  
7 program at the Washington technology center, who develop their  
8 invention idea through this program, and who are employed by a public  
9 university or college in this state are exempt from the university's or  
10 college's patenting rules and procedures. The professors are also  
11 exempt from the university's or college's royalty percentage  
12 requirements. The professor shall be the legal owner of any patent or  
13 patents or other intellectual property developed by the professor  
14 through a Washington technology center research program.

15 (2) In entering into a research contract with a professor, the  
16 Washington technology center may not receive more than:

17 (a) Twenty percent of the patent royalties or sales proceeds from  
18 the inventor for patents developed or researched at the center by a

1 professor if the company or organization licensing the patent has or  
2 will manufacture the invention in Washington state; or

3 (b) Thirty-five percent of patent royalties or sales proceeds  
4 developed or researched at the center by a professor if the company or  
5 organization will not manufacture the invention in Washington state.

6 (3) The Washington technology center may recover direct patenting  
7 and licensing expenses before dispensing royalty payments or sales  
8 proceeds to inventors.

9 (4) Professors conducting research projects at the Washington  
10 technology center shall be given academic credit for their patent  
11 research work by the professor's public university or college towards  
12 promotion, merit salary, and tenure decisions. Patents, as  
13 contributions to technical knowledge, shall be treated similarly to  
14 refereed archival journal publications for purposes of promotion, merit  
15 salary, and tenure decisions. Manufacturing companies created in this  
16 state as a result of an invention by a professor doing research work at  
17 the center shall be weighed similarly to traditional service work. The  
18 executive director of the center shall administer this program.

19 (5) The Washington technology center may process a patent or  
20 license, or market a patent, developed by professors through the  
21 Washington technology center on behalf of these professors.

22 (6) The Washington technology center may act as an escrow agent for  
23 purposes of receiving and disbursing funds related to research projects  
24 at the center.

25 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.20 RCW  
26 to read as follows:

27 (1) Washington technology center's facilities located at public  
28 universities or colleges shall not be assessed for any indirect costs  
29 of operations, but only may be assessed for direct costs paid by the  
30 school's general operating budget that result from operation of the  
31 Washington technology center.

32 (2) The Washington technology center may enter into nondisclosure  
33 contracts with private or public individuals or organizations, if the  
34 individual or organization benefiting from the nondisclosure pays the  
35 entire costs associated with the contracted activities.

36 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.20 RCW  
37 to read as follows:

1       There is created in the custody of the state treasurer the  
2 Washington technology center account. The account shall include  
3 general fund appropriations to the Washington technology center. The  
4 director of the department of trade and economic development shall  
5 administer the account. Expenditures may be made as authorized by the  
6 director of the department of trade and economic development for  
7 purposes of funding the operations of the center as provided in RCW  
8 28B.20.293. No appropriation is required for expenditures from the  
9 account.

10       NEW SECTION.   **Sec. 4.** This act is necessary for the immediate  
11 preservation of the public peace, health, or safety, or support of the  
12 state government and its existing public institutions, and shall take  
13 effect immediately.

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