
SENATE BILL 5935

State of Washington

53rd Legislature

1993 Regular Session

By Senators Bluechel, Skratek and Cantu

Read first time 02/26/93. Referred to Committee on Trade, Technology & Economic Development.

1 AN ACT Relating to patent policy at the Washington technology
2 center; adding a new section to chapter 28B.20 RCW; and declaring an
3 emergency.

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

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

7 (1) Tenured and research professors who enter a research program at
8 the Washington technology center, develop an invention idea through
9 this program, and are employed by a public university or college in
10 this state are exempt from the university or college patenting rules
11 and procedures and royalty percentage requirements. However, if a
12 professor is working on a contracted research project, the university
13 or college patenting rules and procedures and royalty percentage
14 requirements apply for inventions developed through the project. A
15 professor is the legal owner of a patent or patents or other
16 intellectual property developed while working on uncontracted research
17 projects at the Washington technology center.

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

1 (a) Twenty percent of the patent royalties or sales proceeds from
2 the inventor for patents developed or researched at the center by a
3 professor if the company or organization licensing the patent has or
4 will manufacture the invention in Washington state; or

5 (b) Thirty-five percent of the patent royalties or sales proceeds
6 from the inventor for the patents developed or researched at the center
7 by a professor if the company or organization licensing the patent will
8 not manufacture the invention in Washington state.

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

12 (4) The Washington technology center may process a patent or a
13 license or market a patent developed by professors through the
14 Washington technology center on behalf of the professors.

15 (5) The Washington technology center may act as an escrow agent for
16 the purpose of receiving and disbursing funds related to research
17 projects at the center.

18 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
19 preservation of the public peace, health, or safety, or support of the
20 state government and its existing public institutions, and shall take
21 effect immediately.

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