

These guidelines are tentative

DU Faculty Involvement in a Startup or Spin-off Company

This material has been developed with input from the Provost's Office, Office of General Counsel, Human Resources, and University Policies.

The University of Denver (DU) has attractive compensation incentives for employees and friendly licensing agreements guided by our commitment to the traditional Innovation Model for technology transfer. This approach encourages faculty and students to commercialize their innovations as a proven method of transferring knowledge gained at the University out beyond our boarder for public good. Faculty members can continue work at DU while launching a company, but care must be taken to adhere to policies which govern commitment level and ensure the individuals responsibilities at DU remain the priority and consistent with our mission.

Step #1: Disclose innovations to the Office of Technology Transfer. There are formal processes for the University to gain protection and or waive its interests in innovations developed by employees. Later in the process the Office of Technology Transfer will be instrumental in helping craft an agreement between the university and your startup company (if necessary) to ensure the use of University intellectual property does not violate any policies (e.g., the [DU patent policy](#)), yet facilitates a successful development phase to the project.

Step #2: Disclose a potential conflict of interest/commitment to the Dean. You and your students must disclose with the division Dean a potential conflict of interest and conflict of commitment. Through the Dean's office a plan for mitigating and managing the potential conflict of commitment can be clarified and constructed.

Step #3: Disclose a potential conflict of interest to ORSP. Please disclose to ORSP the potential conflict of interest using the ORSP Conflict of Interest Disclosure Form (<http://www.du.edu/orsp/forms.html>) . ORSP can help set up a management plan to keep you and your students on secure ground especially when it comes to funding supporting both the startup and the University as well as non-disclosure clauses within existing contracts.

Step #4: Update information annually. Please update information with ORSP (through COI Annual Disclosure Process) and the Dean's office annually so that changes in commitment or interest can be actively managed. Finally there may be implications for graduate students involved in the startup. Advise students to talk with Financial Aid to understand how these activities might affect tuition waiver, loans, scholarships or other financial aid.

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Elements that should be on a form

Single form to inform and notify Dean, ORSP, TTO ...who else (HR???) APR has access to both TTO and ORSP)

1. Faculty identifier (name?)
 - a. DU ID number
 - b. Unit
 - c. Rank (also if they have tenured)
 - d. Will research be continuing at DU and in what capacity?
2. University Intellectual Property
 - a. Associated grant (DU# and Prime Sponsor Name) and other funding sources for the research (private donors, internal funding etc)
 - b. Disclosure date to TTO and DU log number
 - c. Current status of IP in protection process
 - d. Patent numbers (if applicable)
 - e. Licensing date (also attach licensing agreement or terms sheet)
3. Startup company
 - a. name
 - b. location/address (likely must be separate from the University)
 - c. formation date
 - d. general concept
 - e. any research assistants, other professors, or other DU employees who will be associated with the startup
 - f. Investors/strategic partners / board of directors (any connection to DU by these investors?)
4. Faculty proposed role
 - a. Name of role/position
 - b. Responsibilities (Please note Full time DU employees will not be allowed to negotiate licensing agreements or other contracts on behalf of the startup)
 - c. Time commitment
 - d. Payment/compensation/equity
5. Conflict of commitment management plan
 - a. Narrative provided by Dean annually
 - b. Dean and faculty signature submitted to the Provost
 - c. Update annually or when any substantive change in role has occurred.

The above form is to be submitted as an Attachment to the ORSP Conflict of Interest Disclosure Form and submitted to ORSP. The following will then be added to disclosure file:

6. Conflict of interest management plan
 - a. Narrative provide by ORSP annually
 - b. ORSP and faculty signature