Institute to release new patent policy

By Beaven M. Lerner

The MIT Technology Licensing Office will release its new "Guide to the Ownership, Distribution, and Commercial Development of MIT Technology" within two weeks, according to Vice President for Research Kenneth A. Smith. Smith said that the report will recommend changes in attitudes toward patent licensing, most of which are "already in effect.

The TLO guide's introduction says that "this policy will define not only the ownership, distribution, and commercialization rights associated with the technology in the form of intellectual property, but will also define policies and procedure which govern use and distribution of the technology in its tangible form.

The report also states that whereas "free exchange of information" is not an "essential" part of MIT, patent licensing is "subordinate to education and research.

Smith said the report "reflects what we've learned in the last three years." He believed that by focusing on the public dissemination of new technology, rather than only on income, MIT will help the public, new companies, and itself at the same time. As an example, he said that 92 companies licensed patents from MIT in 1988, up from 17 in 1985. He explained that technology will reach the public frame by letting more companies license patents, and that while MIT might profit from licensing agreements, money is not its primary concern. He added that the TLO staff has completely changed over the last three years to reflect this attitude change.

Lita Nelsern, associate director of the Technology Licensing Office, said that MIT made $3 million in cash and equity last year from patent licensing. She explained that when a company license a patent, MIT sometimes accepts stock instead. According to Nelsern, only 10 percent of the company's profits come from such equity.

Nelsern said that 260 disclosures, or patent application proposals, were submitted to the TLO last year. Of those, she continued, 128 were filed with the United States Patent Office. She added that MIT spends between one and five years negotiating with the Patent Office about each patent, meaning that the number of patents granted can vary greatly from year to year. As an example, she said MIT made 280 disclosures in 1986, 100 fewer than in 1985.

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