



**MISSISSIPPI STATE**  
UNIVERSITY™

## **OP 70.02: UNIVERSITY-INDUSTRY SPONSORED PROJECTS**

### **PURPOSE**

Universities and industries (private firms) each possess talents, skills, and resources that are mutually complementary and supplementary. The charter for the University includes the advancement of technologic, economic, and health standards by the application of scientific advances made in the laboratory. Industry often is the avenue whereby these advances are brought to the public.

This Policy and Procedure is designed to assist the establishing of university-industry cooperative agreements and industry-sponsored research contractual agreements. This Policy and Procedure defines basic criteria to be considered and included in cooperative agreements and research contractual agreements.

### **POLICY**

It is the policy of Mississippi State University to engage in university-industry cooperative agreements when such agreements are (a) in support of the mission of the University, and (b) in full conformity with the laws, regulations, and policies that govern the University's actions. The specific items described under PROCEDURE constitute the minimum items of concern to be reviewed and resolved in the process of finalizing such an agreement.

### **PROCEDURE**

A thorough review and resolution of the following concerns shall be made prior to commitment of the University to any university-industry cooperative agreement or to industry-sponsored research projects.

- I. Potential for a conflict-of-interest situation: In light of the many different research projects being conducted by the several academic departments and research units, there is the potential for possible conflict-of-interest conditions arising through University acceptance of industry-sponsored research. The Associate Dean for Research of each college will carry out a continuing oversight of on-going industry-sponsored research for that college and will advise the Director, Office of Sponsored Projects Administration, of any planned research projects that could create a conflict-of-interest situation.
- II. Determination of ownership of intellectual properties: University researchers are reminded that Mississippi State University typically is guided by federal guidelines detailed in FAR 52.227-11 regarding ownership of patents, copyrights, or other intellectual properties developed in whole or in part under a contract or grant. The University also operates under the policy of the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi regarding ownership of intellectual properties.

With the exception of highly specific contractual agreements regarding works-for-hire, pre-contract negotiations regarding industry-sponsored research shall be conducted to resolve the University's and the university's researchers' full and reasonable rights of ownership in intellectual properties, including patents, patentable items and procedures, copyrights, and copyrightable items developed during the course of the sponsored period.

III. Proprietary information: University researchers live in an environment of open publication of research results. Graduate students obtain the material for their theses and dissertations from research projects, many of which are sponsored projects. For effective university-industry research:

- a. The University must determine that accepting a contract with a proprietary clause is in the best interest of the University.
- b. University researchers must understand and concur fully with the limitation(s) placed upon them by such research.
- c. University researchers must ensure that graduate students involved in such proprietary research understand clearly that no data derived from the research can be utilized in theses or dissertations.
- d. University administration will accept such company confidential material as is necessary for the performance of the project. The researcher's department (or research unit) shall be responsible for the handling and storage of such material while it is on-campus.

IV. Fiscal Matters:

- a. Cost-sharing: Cost-sharing by the University in an industry-sponsored research project (including reduction of claimed indirect cost) is expressly forbidden, except in certain instances where such cost-sharing is determined by those University administrators who are empowered to commit the University to be in the best interest of the University, or, if these University administrators determine that the specific project offers a significant opportunity for economic development in Mississippi.
- b. Contractual negotiation: University researchers are empowered to negotiate the technical details of a proposed contract, but only the Office of Sponsored Projects is authorized to negotiate and approve the final contract.

## **REVIEW**

This Policy and Procedure will be reviewed by the Director, Office of Sponsored Projects, the Vice President for Research and Economic Development and the Vice President of the Division of Agriculture, Forestry and Veterinary Medicine at least every four years.

**REVIEWED BY:**

/s/ Kevin Enroth  
Director of Sponsored Projects

2/15/2022  
Date

/s/ Julie Jordan  
Vice President, Research and Economic Development

2/23/2022  
Date

/s/ Keith Coble  
Vice President, Division of Agriculture, Forestry  
and Veterinary Medicine

2/24/2022  
Date

/s/ Tracey Baham  
Assistant Vice President, Institutional Strategy & Effectiveness

2/24/2022  
Date

/s/ Joan Lucas  
General Counsel

2/28/2022  
Date

**APPROVED BY:**

/s/ Mark E. Keenum  
President

3/28/2022  
Date