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Committee Meeting: 11/10/2011

Board Meeting: 11/10/2011
Austin, Texas

James D. Dannenbaum, Chairman
R. Steven Hicks, Vice Chairman
Alex M. Cranberg
Printice L. Gary
Brenda Pejovich

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Convene	<i>9:00 a.m.</i> <i>Chairman Dannenbaum</i>		
1. U. T. System: Report on U. T. Horizon Fund	<i>9:00 a.m.</i> Report/Discussion <i>Mr. Allinson</i>	Not on Agenda	100
2. U. T. System Board of Regents: Amendments to the Regents' <i>Rules and Regulations</i>, Rule 90101, Rule 90102, Rule 90103, Rule 90104, and Rule 90106, concerning intellectual property	<i>9:10 a.m.</i> Action <i>Mr. Burgdorf</i>	Action	106
3. U. T. System: Technology Transfer Review	<i>9:25 a.m.</i> Report/Discussion <i>Dr. Margaret Sampson,</i> <i>Vinson & Elkins LLP</i>	Not on Agenda	120
4. U. T. System: Report on Stampede Supercomputer that will enable petascale computing for science and engineering	<i>9:50 a.m.</i> Report/Discussion <i>Dr. Jay Boisseau,</i> <i>Director, Texas Advanced</i> <i>Computing Center</i>	Not on Agenda	121
Adjourn	<i>10:00 a.m.</i>		

1. **U. T. System: Report on U. T. Horizon Fund**

REPORT

Mr. Bryan Allinson, Executive Director for Technology Commercialization, will provide an update on the status of the U. T. Horizon Fund, which was detailed at the August 2011 Technology Transfer and Research Committee meeting and approved as part of the operating budgets for Fiscal Year 2012.

Mr. Allinson's presentation is set forth on Pages 101 - 105.

U. T. System

U. T. Horizon Fund Update

Bryan Allinson, Executive Director for Technology Commercialization

U. T. System Board of Regents' Meeting
Technology Transfer and Research Committee
November 2011



Activities to date

- New Ventures Special Interest Group meeting held September 2011
- Steering Committee on Governance and Peer Review established September 2011
 - Goal to set up process for decision-making
 - Subcommittee on faculty education and student applied learning
 - Subcommittee on business incubation
 - Three meetings held as of October 2011
- Expect to launch application process in December 2011



Programs

	Return	Change impact on commercialization	Range	Submission
Maintain equity	Highest	Moderate	Up to \$1M	Rolling
Proof of relevance	High	High	\$150K to \$1M	By deadline
Proof of concept	None	High	\$25K to \$50K	N/A

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Proposed peer review

- **Ventures Committee** provides external peer review for commercialization
 - Populated by nine experts in early stage academic and health ventures
 - Industry sector experience matched to U. T. strengths
 - Functional experience in strategy, market feasibility, product development and new ventures
- **Scientific and Office of Technology Commercialization (OTC) officers** provide additional peer review
 - Two to three scientists (one external) will be asked to provide peer review
 - OTC officers will provide to U. T. System a copy of diligence associated with each invention disclosure covering market and patent
 - OTC officers from other U. T. institutions can comment on proposals for merit and potential for multi-institutional collaborations

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Proposed decision process

Order	Step	Activities
1	Applications to U. T. System	<ul style="list-style-type: none"> • U. T. System reviews for requirements
2	Technology Commercialization Committee	<ul style="list-style-type: none"> • Consider U. T. Systemwide multi-institutional collaborations • Consider opportunities for academic-health partnering • Suggest additional considerations
3	Scientific Advisory	<ul style="list-style-type: none"> • Scientific peer review
4	Present to U. T. System	<ul style="list-style-type: none"> • Detailed internal review and diligence
5	Present to Ventures Committee	<ul style="list-style-type: none"> • External commercialization peer review • Strategy • Market feasibility • Product development • Return potential • Funding decision
6	U. T. System	<ul style="list-style-type: none"> • Allocate funding according to commercialization plan



2. **U. T. System Board of Regents: Amendments to the Regents' Rules and Regulations, Rule 90101, Rule 90102, Rule 90103, Rule 90104, and Rule 90106, concerning intellectual property**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, the Executive Vice Chancellor for Health Affairs, and the Vice Chancellor and General Counsel that Regents' *Rules and Regulations*, Rule 90101, Rule 90102, Rule 90103, Rule 90104, and Rule 90106, concerning intellectual property, be amended as set forth in congressional style on Pages 108 - 119.

Rule 90105, though not the subject of proposed amendment, is included for reference.

BACKGROUND INFORMATION

The revised Regents' *Rules and Regulations* concerning intellectual property will clarify language with respect to an inventor's assignment of intellectual property to the Board of Regents, an inventor's disclaimer of royalties, and when U. T. System or any U. T. System institution may receive equity interests. These revisions have received comprehensive review by numerous technology transfer directors and professionals within the U. T. System. Additionally, these revisions have been reviewed by faculty and upper administrative leadership at each U. T. System institution.

Proposed substantive revisions include:

- a. The words "and do hereby assign" and additional clarifying language are proposed to be added to Rule 90101, Section 2 to create an immediate and definitive assignment from the inventor(s) to the Board of Regents. This revision is warranted in light of the recent U.S. Supreme Court decision in *Stanford v. Roche* to ensure that the Board of Regents automatically owns the intellectual property created by an inventor and to ensure that the Regents' *Rules and Regulations* cannot be interpreted as a "promise to assign" intellectual property in the future.
- b. A new Section 10 is proposed for Rule 90101 to permit the Board of Regents (and the U. T. System institutions) to retain a limited license for one year to use, copy, distribute, display, perform, and create derivative works of materials following the loss of a course instructor's services.
- c. Rule 90102, Section 2.5 proposes to include the disclaimer of royalties concept previously found in Rule 90106, Section 2 (which is proposed for deletion), along with additional language to provide a single section of the

Regents' *Rules and Regulations* that refers to the allocation of royalty income and to clarify that the creator is "disclaiming" rather than "assigning" such royalties to the U. T. System institution.

- d. Rule 90102, Section 3.4 proposes to add that in instances where royalty income is to be shared between inventors at two or more U. T. System institutions, but the inventors cannot agree on a royalty sharing arrangement, the presidents of the respective U. T. System institutions will decide. If the presidents cannot agree, then the Chancellor will make the final decision.
- e. Rule 90103, Section 1 proposes to permit a U. T. System institution to receive equity interests in exchange for other contributions made to the business entity, such as business development, clarifying when U. T. System or any U. T. System institution may receive equity interests in a business entity.

1. Title

Rules for Intellectual Property: Purpose, Scope, Authority

2. Rule and Regulation

Sec. 1 Purpose. To balance the interests of the many contributors to the substantial creation of intellectual property at and by the U. T. System, the Board of Regents promulgates these Rules on intellectual property with the purpose to (a) provide certainty in research pursuits and technology-based relationships with third parties; (b) create an optimal environment for research, development, and commercialization opportunities with private industry; and (c) encourage the timely and efficient protection and management of intellectual property.

Sec. 2 Individuals Subject to this Rule. This intellectual property Rule applies (a) to all persons employed by the U. T. System or any U. T. System institution, including, but not limited to, full and part-time faculty and staff and visiting faculty members and researchers, and (b) to anyone using the facilities or resources of the U. T. System or any U. T. System institution, including, but not limited to, students enrolled at a U. T. System institution ~~whether undergraduate or master's and doctoral degrees, such as in an undergraduate or graduate degree program or certificate program,~~ and postdoctoral and predoctoral fellows. ~~All individuals subject to this Rule must assign their rights in intellectual property included under this policy (see Section 3 below) in accordance with the provisions of~~ The Board of Regents automatically owns the intellectual property created by individuals subject to this Rule that is described in Sections 3, 5, and 6 below and in Rule 90102, Sections 2 and 3. Accordingly, all individuals subject to this Rule must assign and do hereby assign their rights in such intellectual property to the Board of Regents. Moreover, individuals subject to this Rule who create such intellectual property (creators) shall promptly execute and deliver all documents and other instruments as are reasonably necessary to reflect the Board of Regents' ownership of such intellectual property. A creator of intellectual property owned by the Board of Regents has no independent right or authority to convey, assign, encumber, or license such intellectual property to any entity other than the Board of Regents.

Sec. 3 Intellectual Property Included. Except as set forth in Sections 4 and 5 below and in Rule 90102 of the Regents' *Rules and*

Regulations, this Rule applies to all types of intellectual property, including, but not limited to, any invention, discovery, creation, know-how, trade secret, technology, scientific or technological development, research data, works of authorship, and computer software regardless of whether subject to protection under patent, trademark, copyright, or other laws.

- Sec. 4 Interest in Certain Copyrights. Notwithstanding Section 3 above, the Board of Regents will not assert an ownership interest in the copyright of scholarly or educational materials, artworks, musical compositions, and literary works related to the author's academic or professional field, regardless of the medium of expression. This exemption applies to works authored by students, professionals, faculty, and nonfaculty researchers. The Board of Regents encourages these creators to manage their copyrights in accordance with the guidelines concerning management and marketing of copyrighted works consistent with applicable institutional policies.
- Sec. 5 Copyright Interest in Certain Software. The Board of Regents asserts ownership in software; however, copyright in original software that is content covered by Section 4 above or that is integral to the presentation of such content shall be owned by the creator in accordance with Section 4 above.
- Sec. 6 Works for Hire and Institutional Projects. Notwithstanding the provisions of Sections 4 and 5 above, the Board of Regents shall have sole ownership of all intellectual property created by (a) an employee, student, or other individual or entity commissioned, required, or hired specifically to produce such intellectual property by the U. T. System or any U. T. System institution, and (b) an ~~employee or~~ student, or other individual as part of an institutional project. Except as may be provided otherwise in a written agreement approved by the institution or the U. T. System, the provisions of the Regents' *Rules and Regulations*, Rule 90102, Section 2.5, relating to division of royalties, shall not apply to intellectual property owned solely by the Board of Regents pursuant to this Section.
- Sec. 7 Role of Creator. Any person subject to this Rule who creates intellectual property (other than a work for hire under Section 6 above or on government or other sponsored research projects where the grant agreements provide otherwise) may give reasonable input on commercialization of inventions; provided however, that the president(s) of the applicable institution(s), or

his or her designee(s), in his or her sole discretion, will make final decisions, ~~including determinations under Section 5 above,~~ concerning whether and how to develop and commercialize an invention.

- Sec. 8 Use of Facilities and Resources. Neither the facilities nor the resources of the U. T. System or any U. T. System institution may be used (a) to create, develop, or commercialize intellectual property outside the course and scope of employment of an individual (see Regents' *Rules and Regulations*, Rule 90102, Section 1), or (b) to further develop or commercialize intellectual properties that have been released to an inventor (see Regents' *Rules and Regulations*, Rule 90102, Sections 2.2 and 2.3) except as the institution's president may approve where the U. T. System retains an interest under the terms of the release.
- Sec. 9 Use of Research Data. Research data or results created by an employee are owned by the Board of Regents and, except to the extent that rights to such research data ~~have not been~~ are contractually assigned or licensed to another by the Board of Regents, the creator shall have a nonexclusive license to use such data for nonprofit educational, research, and scholarly purposes within the scope of the employee's employment, subject to adherence to other provisions of this Rule.
- Sec. 10 Limited License to Institution. Notwithstanding Section 4 above and as reasonably required for the limited purpose of continuing an institution's scheduled course offerings, the Board of Regents retains for one year following the loss of a course instructor's services, a fully paid-up, royalty-free, nonexclusive worldwide license to use, copy, distribute, display, perform, and create derivative works of materials prepared by the instructor for use in teaching a course (including lectures, lecture notes, syllabi, study guides, bibliographies, visual aids, images, diagrams, multimedia presentations, examinations, web-ready content, and educational software).

1. Title

Intellectual Property Rights and Obligations

2. Rule and Regulation

Sec. 1 Intellectual Property Owned by the Creator. Intellectual property developed or created by a U. T. System employee outside the course and scope of employment of the individual which is developed or created on his/her own time and without the support of the U. T. System or any U. T. System institution or use of their facilities or resources, is the exclusive property of the creator.

Sec. 2 Intellectual Property Owned by U. T. System. Intellectual property either developed within the course and scope of employment of the individual or resulting from activities performed on U. T. System time, or with support of State funds, or from using facilities or resources owned by the U. T. System or any U. T. System institution (other than incidental use) is owned by the Board of Regents. To effectively implement this Rule and provide certainty to individuals subject to this Rule, a U. T. System institution may promulgate institutional rules, regulations, or policies defining the course and scope of employment for persons or classes of persons and specifying that authorized (pursuant to existing rules and procedures) outside employment is or is not within an employee's course and scope of employment.

2.1 Determination of U. T. System's Interest. Before intellectual property subject to ownership by the Board of Regents is disclosed to any party outside the U. T. System, to the public generally, or for commercial purposes, and before publishing same, the creator shall submit a reasonably complete and detailed disclosure of such intellectual property to the president of the creator's institution for determination of the U. T. System's interest. The institution will regularly and promptly communicate with the creator during this decision-making process.

2.2 Election Not to Assert Ownership Interest. If the institution's president elects not to assert U. T. System's interest, the U. T. System Office of General Counsel and the primary creator shall be notified in writing within 20 business days after a decision is made not to assert

ownership rights that the institution will offer the released intellectual property to the creator (see Rule 90101, Section 8), except where prohibited by law or contractual obligations or requirements. Thereafter, the creator will be free to obtain and exploit a patent or other intellectual property protection in his or her own right, and the U. T. System and U. T. System institutions shall not have any further rights, obligations, or duties with respect thereto except that, in appropriate circumstances, the institution's president may elect to impose certain limitations or obligations, including, but not limited to, a nonexclusive license for the creator, U. T. System, and any U. T. System institution to use the released invention for patient care, teaching, scholarly and other academically related purposes, and nonprofit research.

- 2.3 Later Release of Invention. Except where prohibited by law or contractual obligations or requirements, the institution's president may elect to release an invention to its creator at any time after asserting U. T. System's interest, with notice to the U. T. System Office of General Counsel (see Rule 90101, Section 8); however, such a release must include provisions for the recovery by U. T. System of patent and licensing expenses, if any, as well as the retention of income rights by U. T. System, and may include certain limitations or obligations, including those set forth in Section 2.2 above.
- 2.4 Protection and Commercialization of Intellectual Property. With respect to intellectual property in which the U. T. System or any U. T. System institution asserts an interest, the institution's president, or his or her designee, shall decide how, when, and where the intellectual property is to be protected and commercialized. Outside counsel services may be contracted with the prior consent of the U. T. System Vice Chancellor and General Counsel and, if required by law, the approval of the Attorney General. U. T. System shall establish an intellectual property data collection system.
- 2.5 Reimbursement of Licensing Costs and Allocation of Income. In those instances where the U. T. System or any U. T. System institution licenses rights in intellectual property to third parties, and other than with regard to elections under Section 2.2 above, the costs of licensing,

including, but not limited to, the costs to operate and support a technology transfer office and the costs of obtaining a patent or other protection for the property on behalf of the Board of Regents must first be recaptured from any royalties or other license payments received by the U. T. System or any U. T. System institution. The remainder of any such income (including but not limited to license fees, prepaid royalties, minimum royalties, running royalties, milestone payments, and sublicense payments) shall be divided as follows:

50% to creator(s)
50% to U. T. System,

provided, however, that a creator may disclaim his/her interest in such income, in which case the institution shall receive the creator's share and shall decide, in its sole discretion, if, how, and when to disburse such income.

With the prior approval of the Board and after review by the U. T. System Vice Chancellor and General Counsel and the appropriate Executive Vice Chancellor, an institution may adjust the allocation of royalties set forth herein for a creator.

Sec. 3 Intellectual Property Involving Sponsored Research. Intellectual property resulting from research supported by a grant or contract with the ~~federal government,~~ (federal and/or state), or an agency thereof, with a nonprofit or for-profit nongovernmental entity, or by a private gift or grant to the U. T. System or any of the institutions ~~shall be subject to ownership~~ U. T. System institution is owned by the Board of Regents.

3.1 Nonconformance with Intellectual Property Guidelines. Administrative approval of such grants and contracts containing provisions inconsistent with this Rule or other policies and guidelines adopted by the Board imply a decision that the value to the U. T. System or any U. T. System institution of receiving the grant or performing the contract outweighs the impact of any nonconforming provisions on the intellectual property policies and guidelines of the U. T. System or any U. T. System institution (Reference Regents' *Rules and Regulations*, Rule 90105, Section 2).

- 3.2 Conflicting Provisions.—The Subject to approval as described in Subsection 3.1 above, the intellectual property policies and guidelines of the U. T. System or any U. T. System institution are subject to, and thus amended and superseded by, the specific terms pertaining to intellectual property rights included in state and/or federal grants and contracts, or grants and contracts with nonprofit and for-profit nongovernmental entities or private donors, to the extent of any such conflict.
- 3.3 Cooperation with Necessary Assignments. Those persons subject to this Rule whose intellectual property creations result from a grant or contract with the ~~federal government;~~ (federal and/or state), or any agency thereof, or with a nonprofit or for-profit nongovernmental entity, or by private gift to the U. T. System or any U. T. System institution shall ~~make such assignment of such creations and will~~ promptly execute and deliver such documents and other instruments as ~~is~~ are reasonably necessary ~~in each case in order that~~ for the U. T. System or any U. T. System institution to discharge its obligations, expressed or implied, under the particular agreement.
- 3.4 Sharing of Royalty Income. In the event that two or more persons who are entitled to share royalty income pursuant to Section 2.5 of this Rule (or equity pursuant to Regents' *Rules and Regulations*, Rule 90103 concerning equity interests) cannot agree in writing on an appropriate sharing arrangement, the institution's president shall determine that portion of the royalty income to which the creators are entitled under the circumstances and such amount will be distributed to them accordingly. ~~as the institution's president or, in~~ In the event that the creators are located at two or more U. T. System institutions within the U. T. System, and cannot agree, such royalty (or equity) distribution decision shall be made by the involved institutions' presidents (or their respective designees). In the further event that the involved presidents cannot agree, then the Chancellor may deem appropriate under the circumstances and such (or designee) shall decide and his/her decision shall be binding on the creators.

- 3.5 Geographical Scope of Protection. A decision by the U. T. System or any U. T. System institution to seek patent or other available protection for intellectual property covered by Section 2 of this Rule shall not obligate the U. T. System or any U. T. System institution to pursue such protection in all national jurisdictions. The U. T. System's decision relating to the geographical scope and duration of such protection shall be final.

1. Title

Equity Interests

2. Rule and Regulation

Sec. 1 Agreements with Business Entities. In agreements with business entities relating to rights in intellectual property owned by the Board of Regents, the U. T. System or any U. T. System institution may receive equity interests as partial or total compensation for the rights conveyed. In any such instance, the institution where the intellectual property was created may elect, at its option, to share an equity interest, dividend income, or the proceeds of the sale of an equity interest with the creator(s) in the same manner as royalties are shared pursuant to Regents' *Rules and Regulations*, Rule 90102, Section 2.5. The U. T. System or any U. T. System institution may also receive equity interests in a business entity as consideration for the institution's role as a founder, ~~or cofounder of~~ for other contributions made to the business entity other than as a licensor, and institution shall not be obligated to share such equity interests with the creator(s).

Sec. 2 Creator Holding Equity and Managing Conflict of Interest. Employees of the U. T. System or any U. T. System institution who conceive, create, discover, invent, or develop intellectual property may hold an equity interest in a business entity that has an agreement with the U. T. System or any U. T. System institution relating to the research, development, licensing, or exploitation of that intellectual property only so long as the institution where the intellectual property was developed is in full compliance with the requirements to have, implement, and enforce for that employee an effective conflict of interest management plan approved by the institution's president as set forth in the U. T. System's *Procedure for Obtaining Approval of Plan to Manage Conflicts of Interest*. In any case where actual conflict of interest is found, the employee may be required to divest the equity interest or terminate affected research.

Sec. 3 Employee Equity Interests. The U. T. System or any U. T. System institution may, but shall not be obligated to, negotiate an equity interest on behalf of any employee as a part of an agreement between the U. T. System or any U. T. System institution and a business entity relating to intellectual property conceived, created, discovered, invented, or developed by the employee and owned by the Board of Regents.

1. Title

Business Participation and Reporting

2. Rule and Regulation

Sec. 1 Approval to Serve as Officer or Director. Any ~~employee of the U. T. System or any of the institutions~~ individual subject to Rule 90101, Section 2 who conceives, creates, discovers, invents, or develops intellectual property may serve, in his/her individual capacity, as a member of the board of directors or other governing board or as an officer or an employee (other than as a consultant) of a business entity that has an agreement with the U. T. System or any U. T. System institution relating to the research, development, licensing, or exploitation of that intellectual property only so long as the institution where the intellectual property was developed is in full compliance with the requirements to have, implement, and enforce for that ~~employee individual~~ individual an effective conflict of interest management plan approved by the institution's president as set forth in the U. T. System's *Procedure for Obtaining Approval of Plan to Manage Conflicts of Interest*. In any case where actual conflict of interest is found, the ~~employee individual~~ individual may be required to terminate the business relationship or the relevant research.

Sec. 2 Request for Employee to Serve as Officer or Director. When requested by the Board of Regents, an employee may serve on behalf of the Board of Regents as a member of the board of directors or other governing board of a business entity that has an agreement with the U. T. System or any U. T. System institution relating to the research, development, licensing, or exploitation of intellectual property, but may not accept any consideration offered for service on such board.

Sec. 3 Report of Equity Interest and Service as Officer or Director. Any ~~employee covered by individual subject to~~ individual subject to Regents' *Rules and Regulations*, Rule ~~90103~~ 90101, Section 2 ~~concerning conflict of interest, Rule 90103, Section 2,~~ and Sections 1 or 2 above must report in writing to the president of the institution the name of any business entity in which the person has an interest or for which the person serves as a director, officer, or employee and shall be responsible for submitting a revised written report upon any change in the interest or position held by such person in such business entity. The Office of Technology Commercialization will file a report by October 1 of each year with the Board of Regents for transmittal to the Comptroller of Public Accounts as required by Section 51.912 and Section 51.005, *Texas Education Code*.

1. Title

Execution of Legal Documents Related to Intellectual Property

2. Rule and Regulation

- Sec. 1 Execution of Agreements. Agreements that grant an interest in Board intellectual property, including, but not limited to, option and license agreements and contracts with corporate sponsors, may be executed and delivered in accordance with the provisions of the Regents' *Rules and Regulations*, Rule 10501, after any required review by the U. T. System Office of General Counsel.
- Sec. 2 Agreements That Do Not Conform to the Rules. Any agreement that deviates substantially from the basic intellectual property Rule of the U. T. System as set out in the Regents' *Rules and Regulations* may be executed and delivered as set forth in Section 1 above if, in the judgment of the institution's president and after any required review by the U. T. System Office of General Counsel, the benefits from the level of funding for proposed research and/or other consideration from a sponsor, licensee, or other party outweigh any potential disadvantage that may result from the Rule deviation.
- Sec. 3 Authority to Execute Documents. The Chancellor, the appropriate Executive Vice Chancellor, or the Vice Chancellor and General Counsel may execute, on behalf of the Board of Regents, legal documents relating to the Board's rights in intellectual property, including, but not limited to, applications, declarations, affidavits, powers of attorney, disclaimers, and other such documents relating to patents and copyrights; applications, declarations, affidavits, affidavits of use, powers of attorney, and other such documents relating to trademarks; and corporate documents related to the formation of new companies. In addition, the institution's president may execute, on behalf of the Board, (a) institutional applications for registration or recordation of transfers of ownership and other such documents relating to copyrights and (b) corporate documents related to the formation of new companies if (i) first reviewed and approved by the U. T. System Office of General Counsel or (ii) first reviewed and approved by the institution's outside counsel working under a U. T. System Office of General Counsel-approved outside counsel agreement.

1. Title

Income from Intellectual Property

2. Rule and Regulation

Sec. 1 Use of Income. The portion of the net income the U. T. System or any U. T. System institution retains from royalties and any other intellectual property-related income shall be used by the U. T. System institution where the income-producing ~~creation~~ intellectual property originated.

~~Sec. 2 Income Payable to an Individual Subject to this Policy. With the prior written approval of the institution's president, payments payable to an individual, pursuant to Regents' *Rules and Regulations*, Rule 90102, Section 2.5 concerning reimbursement of costs and allocation of income, may be assigned to the institution by the individual and designated for use in research to be conducted by that individual.~~

3. U. T. System: Technology Transfer Review

Dr. Margaret Sampson, attorney, Vinson & Elkins LLP, will present the results of her review of technology transfer at U. T. System.

REPORT

In May 2011, U. T. System asked Vinson & Elkins LLP to review current technology transfer practices of U. T. System institutions on a pro bono basis. Vinson & Elkins LLP worked collaboratively with the U. T. System institutional Offices of Technology Commercialization (OTCs) to identify areas for supporting growth or for change management, such as through making available additional resources, assistance, or other actions.

In particular, best practices were evaluated for the following:

- Improving the identification of commercially viable technologies to optimize efficiency of up-front expenditures by the U. T. System and U. T System institutions, and educating faculty on best practices;
- Developing a strong reputation among potential commercial partners as a source of technology for commercialization, and as a good academic partner;
- Packaging related technologies from various U. T. System institutions together for marketing to potential commercial partners;
- Coordinating communications among U. T. System OTC representatives in related technology areas to cross-sell similar technologies to contacts at potential commercial partners; and
- Streamlining protection and licensing processes to facilitate efficiencies among the U. T. System institutions, for example, by identifying successful resources and programs at individual U. T. System institutions and sharing such knowledge with other U. T. System institutions.

4. **U. T. System: Report on Stampede Supercomputer that will enable petascale computing for science and engineering**

REPORT

Dr. Jay Boisseau, Director of the Texas Advanced Computing Center (TACC) located at U. T. Austin, will report on a new world-class supercomputer called Stampede. Expected to come online in 2013, Stampede will provide comprehensive computing and visualization capabilities to enable petascale computing for science and engineering, as part of a \$27.5 million grant from the National Science Foundation (NSF).

TACC is one of 11 centers across the U.S. providing leadership-class computing resources to the national research community. TACC partners with both the U. T. System Research Cyberinfrastructure Project (UTRC) and in High Performance Computing Across Texas (HiPCAT), a consortium of Texas institutions.

Founded in 2001, TACC is supported by the NSF, U. T. Austin, U. T. System, and grants from other federal agencies. On March 28, 2006, the Board of Regents authorized the purchase of the TACC Lonestar system upgrade to provide high performance computing (HPC) systems and services, which made the TACC Lonestar system one of the most powerful academic HPC systems in the U.S. at that time and provided U. T. System researchers with a unique capability and competitive edge. The TACC operates several of the most powerful supercomputers and visualization systems in the world, as well as the network and data storage infrastructure to support them.

The foundation of Lonestar has enabled Stampede, which will be built in partnership with Dell and Intel and a team of experts at U. T. Austin, U. T. El Paso, Clemson University, University of Colorado at Boulder, Cornell University, Indiana University, and Ohio State University. Stampede will be the most powerful system in the NSF's eXtreme Digital (XD) program, which enables scientists to interactively share computing resources, data, and expertise.

Supporting projects at U. T. Austin and U. T. System and more than 1,000 other projects at institutions across the U.S., Stampede will provide advanced computational power to enable research in a broad array of fields in science and engineering. These projects are expected to lead to commercialization of new technologies ranging from therapeutics to advanced energy.