**IPIA Guidance for Administrators**

**Requirement**

* With limited exception (see below), every faculty, research staff, visitor, affiliate, and student who conducts research at (or administered by) MIT or who makes significant use of MIT funds or facilities must sign the Inventions and Proprietary Information Agreement (IPIA) before a research project begins.
* Any IPIA signed prior to April 10, 2010 must be updated to comply with federal regulations.
* The obligations and policies in the IPIA are non-negotiable. TLO can make some minor edits at request.

**Your Role**

* Communicate the IPIA requirement to all appointees and other persons participating in research programs.
* Collect (and send to the TLO) or confirm that an IPIA is on file for all persons.
* Direct questions or concerns to the TLO via tlo-ipia@mit.edu.

|  |
| --- |
| **Questions?** Contact the Technology Licensing Office via tlo-ipia@mit.edu |

**Background**

* Federal regulations and contracts with research sponsors, external collaborators, and third-party providers of resources used in MIT-administered facilities (e.g., data, equipment, or software) require MIT to own and control intellectual property produced during MIT research projects.
* The IPIA takes intellectual property developed by an individual inventor and assigns ownership to MIT, which allows MIT to meet these legal obligations.
* MIT Policy 13.1.4 (Invention and Proprietary Information Agreements) requires that all persons conducting research at the Institute have an IPIA on file with the TLO.

**How to Comply**

* Any person with a valid Keberos ID (*except* see last bullet below) may sign the IPIA via [Atlas](https://atlas.mit.edu/atlas/Main.action?tab=home&sapSystemId=PS1&sub=group_ipia)
* Visitors and Research Affiliates will be prompted to print the IPIA for an employer’s signature.
* Minors will be prompted to print the IPIA for a parent or legal guardian signature.
* Potential visitors *without* a valid Kerberos ID can sign a hard copy form.
* Hard copy forms are available via tlo-ipia@mit.edu or the TLO website (<http://bit.ly/IPIA_Forms>)
* *Exception* – persons moving to a visiting position (e.g., from student to Research Affiliate) or another new appointment must sign a hard copy IPIA (not via Atlas). If TLO already has an IPIA on file, Atlas won’t allow users to sign a new version.

**Role of the Technology Licensing Office**

* The TLO (tlo-ipia@mit.edu) can answer any questions relating to the IPIA, intellectual property, or MIT Policy, whether from faculty, researchers, visitors, or other institutions.
* The TLO can engage other institutions directly to answer questions or respond to edits.

**Resources for Faculty, Staff, and Students**

* The TLO maintains [web content specific to the IPIA](https://tlo.mit.edu/learn-about-intellectual-property/ownership/inventions-and-proprietary-information-agreement-ipia) (<http://bit.ly/IPIA_page>)
* MIT’s Ownership of Intellectual Property Policy is posted in [Article 13 of MIT’s Policies & Procedures](https://policies.mit.edu/policies-procedures/130-information-policies/131-intellectual-property#13.1.1) (<http://bit.ly/Policy_Ownership>)
* The complete intellectual property policy statement is set forth in the *Guide to the Ownership, Distribution, and Commercial Development of MIT Technology* (the “[Technology Policy Guide](https://tlo.mit.edu/learn-about-intellectual-property/mit-ip-policies)”) which is available via the TLO or <http://bit.ly/Policy_Guide>.

**See notes below regarding:**

* Exempt persons;
* Marie Curie Fellows;
* Minors;
* Sponsored research appointments;
* Temporary employees;
* Visiting and Research Affiliate appointments;
* Visiting Students.

**Exemptions**

* The TLO can issue an exemption for the following persons (no IPIA required):
* 6A Master of Engineering students;
* System Design and Management Program certificate students;
* Government employees (except Draper Fellows);
* Harvard visitors *who have signed the Harvard Participation Agreement*. (Please just confirm with the individual that they’ve signed the agreement or ask the TLO to confirm with Harvard);
* Harvard-MIT Health Sciences and Technology Students (HST) students earning a Harvard degree, not performing research on MIT campus, and not receiving graduate funding processed at MIT;
* HHMI employees;
* Knight Fellows;
* MIT-WHOI Joint Program students; and
* Whitehead appointees.
* The TLO must receive the name and month/day of birth of the person with the reason for exemption to issue a waiver – please email tlo-ipia@mit.edu with those details.

**Marie Curie Fellows Exception**

* Marie Curie fellows sign a unique IPIA that has been negotiated with European Commission. Find it on the

**Minors**

* Staff or students who are under 18 sign a Minor IPIA form which must be signed by a parent or legal guardian.
* *The “Minor IPIA” is no longer valid after the minor has turned 18.*

**Sponsored Research Exception**

* Certain sponsored research agreements incorporate a unique IPIA. If you think this applies, contact tlo-ipia@mit.edu with the name of the sponsor and the PI (or the OSP account number if you have it).

**Temporary Employees**

* Temporary employees processed through nextSource sign the IPIA as a condition of employment.
* DLCs can request copies of these IPIAs from the TLO (tlo-ipia@mit.edu).

 **Visiting and Research Affiliate Appointments**

* Collect the IPIA from the visitor or affiliate as early as possible in the appointment process.
* Visiting appointees and Research Affiliates must sign a Visitor IPIA form which requires the signature of the visitor’s employer (an authorized signatory in a tech transfer office equivalent or legal counsel). Advise the visitor to present the form to a senior supervisor if they’re unsure.
* Company founders should sign as an individual and in their capacity as a company founder or executive officer.
* The TLO (tlo-ipia@mit.edu) can communicate directly with the visitor and employer to help.
* The TLO may waive the employer signature requirement with the employer’s written assertion that:
	+ the visitor’s work at MIT is unrelated to the employer’s business and will not be conducted during company time or with company resources; or
	+ the employer (or, in the case of students, the home institution) has no contractual claim over the Visitor’s intellectual property.
	+ BUT – *non-profit institution visitors requesting a waiver of the second signature must submit the standard IPIA along with any such assertion (to codify proper assignment obligations).*
	+ Such acknowledgement must be received and reviewed by the TLO before a waiver will be issued.

**Visiting Students (including summer visiting)**

* Collect the IPIA from Visiting Students as early as possible in the appointment process.
* Visiting Student IPIAs must be collected *by the DLC* (as opposed to the International Students Office) before or at the time of onboarding.
* All visiting students must sign the Visitor IPIA *except* students visiting during summer term (see below). If their home institutions have questions, contact the TLO (tlo-ipia@mit.edu) for support.
* Students visiting during summer term might not be subject to their home institution policies and may be able to sign the “standard” IPIA, with a written confirmation from the home institution that their policies don’t apply. Contact tlo-ipia@mit.edu with questions.