

**September 9, 2014**  
**Tenure and Academic Freedom Committee**

**Resolution For Faculty Assembly Regarding the Recent  
Intellectual Property Rights Assignment Agreement of The University of Pittsburgh**

Whereas, Article I, Section 7 of the Bylaws of the University Senate mandates that the University's administrative officers shall consult the Senate before decisions are made or actions taken on matters of University-wide concern and that such consultation shall be characterized by a reasonable time for the Senate or its constituent bodies to consider an issue or a proposal;

Whereas, apparently bypassing the principles of shared governance, including consultation with the Faculty representatives of the University Senate, the Office of the Provost of the University of Pittsburgh recently issued a mandate that faculty and non-clerical staff must, as a condition of employment at the University of Pittsburgh and/or in order to use or have access to University of Pittsburgh resources, sign an Intellectual Property Rights Assignment Agreement (IP Agreement) that requires irrevocable assignment and transfer of all IP rights throughout ones' employment at the University of Pittsburgh;

Whereas, said mandate, which requires that faculty signatures be collected by September 16, 2014, essentially alters the contractual bases of employment of faculty and non-clerical staff without any evident recourse to due process for faculty and non-clerical staff;

Whereas a cover letter from the Office of the Provost, dated August 4, 2014, alleges federal statutory and regulatory requirements for such a signature, which requirements are likely to be subject to alternative interpretations;

Whereas, the Tenure and Academic Freedom Committee has received several expressions of concern from faculty about the lack of shared governance on this issue and potential infringement of individuals' rights; therefore, be it

*Resolved,*

That Faculty Assembly strongly urges the Office of the Provost and the Office of the Chancellor to delay the presently mandated signatures, due by September 16, 2014, until such time (no more than six months) as the Tenure and Academic Freedom Committee of the University Assembly can gather information as to: (a) whether there is in fact a federal requirement (as stated in the original cover letter) that makes funding contingent on all intellectual property rights being assigned blankly to the University before any invention has materialized, and (b) the basis of making such an assignment a condition of ongoing employment of faculty and non-clerical staff at the University of Pittsburgh, and then (c) report its findings to the University Senate; and

If it is determined that the present IP Agreement exceeds federal requirements, then the IP agreement will be redrafted with Faculty input and incorporated into University Policies 11-02-01 and 11-02-02.