HOUSE BILL NO. HB0066

Promotion of individual invention act.

Sponsored by: Representative(s) Stith and Olsen and Senator(s) Dockstader

A BILL

for

- 1 AN ACT relating to cooperative educational services;
- 2 authorizing a board of cooperative educational services to
- 3 establish an intellectual property program as specified;
- 4 requiring rulemaking; and providing for effective dates.

5

6 Be It Enacted by the Legislature of the State of Wyoming:

7

- 8 **Section 1.** W.S. 21-2-202(a) by creating a new
- 9 paragraph (xxxviii) and 21-20-108 by creating new
- 10 subsections (b) and (c) are amended to read:

11

12 21-2-202. Duties of the state superintendent.

13

- 14 (a) In addition to any other duties assigned by law,
- 15 the state superintendent shall:

HB0066

2 (xxxviii) Promulgate rules for intellectual 3 property programs established by boards of cooperative 4 educational services in accordance with W.S. 21-20-108(b). 5 21-20-108. Powers and duties of board of cooperative 6 educational services; property; contracts; gifts, grants, 7 8 bequests or devises; employment and discharge of personnel; 9 expenses; bonding of employees; intellectual property. 10 (b) Each board of trustees of cooperative educational 11 12 services may establish a program to promote the creation of 13 intellectual property including patents, trademarks and copyrights in the fields of science, applied science or 14 technology. In establishing the program, the board may: 15 16 17 (i) Purchase, own, rent and manage equipment, supplies and other materials reasonably necessary for 18 19 residents to use to conduct research and development in any 20 scientific, applied scientific or technology field;

21

1 (ii) Enter into contracts with persons and 2 entities to provide mentoring to residents who participate 3 in the program; 4 (iii) Assist residents participating in the 5 6 program in the prosecution of patents, copyrights and trademarks that may arise out of the resident's research 7 8 and development; 9 10 (iv) Condition the program and residents' participation in the program upon entering an agreement 11 12 with residents that requires a percentage not more than 13 twelve and one-half percent (12.5%) of any gross royalties, licensing fees, sales and other revenue arising directly 14 15 from intellectual property developed by residents using the 16 program shall be payable to the board. The intellectual property developed under this section and all proceeds 17 therefrom shall be subject to an automatically attached and 18 19 perfected first priority lien in favor of the board in an 20 amount not to exceed twelve and one-half percent (12.5%) of 21 all gross revenue earned from the intellectual property including all royalties, fees, sales and other revenue. 22

23

3

1	(c) As used in subsection (b) of this section,
2	"resident" means any individual who resides within a member
3	district of a board of cooperative educational services
4	that establishes an intellectual property program as
5	provided in subsection (b) of this section.
6	
7	Section 2. The state superintendent of public
8	instruction shall promulgate any rules necessary to
9	implement the provisions of this act not later than July 1,
LO	2020.
L1	
L2	Section 3.
L3	
L4	(a) Except as provided in subsection (b) of this
L5	section, this act is effective immediately upon completion
L6	of all acts necessary for a bill to become law as provided
L7	by Article 4, Section 8 of the Wyoming Constitution.
L8	
L9	(b) Section 1 of this act is effective July 1, 2020.
20	
21	(END)

4