

## 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.

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

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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:

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

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

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(xxxviii) Promulgate rules for intellectual property programs established by boards of cooperative educational services in accordance with W.S. 21-20-108(b).

**21-20-108. Powers and duties of board of cooperative educational services; property; contracts; gifts, grants, bequests or devises; employment and discharge of personnel; expenses; bonding of employees; intellectual property.**

(b) Each board of trustees of cooperative educational services may establish a program to promote the creation of intellectual property including patents, trademarks and copyrights in the fields of science, applied science or technology. In establishing the program, the board may:

(i) Purchase, own, rent and manage equipment, supplies and other materials reasonably necessary for residents to use to conduct research and development in any scientific, applied scientific or technology field;

1           (ii) Enter into contracts with persons and  
2 entities to provide mentoring to residents who participate  
3 in the program;

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5           (iii) Assist residents participating in the  
6 program in the prosecution of patents, copyrights and  
7 trademarks that may arise out of the resident's research  
8 and development;

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10          (iv) Condition the program and residents'  
11 participation in the program upon entering an agreement  
12 with residents that requires a percentage not more than  
13 twelve and one-half percent (12.5%) of any gross royalties,  
14 licensing fees, sales and other revenue arising directly  
15 from intellectual property developed by residents using the  
16 program shall be payable to the board. The intellectual  
17 property developed under this section and all proceeds  
18 therefrom shall be subject to an automatically attached and  
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  
22 including all royalties, fees, sales and other revenue.

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