



House of Representatives

General Assembly

File No. 39

January Session, 2025

House Bill No. 5015

House of Representatives, March 5, 2025

The Committee on Environment reported through REP. PARKER of the 101st Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT AUTHORIZING SPIN-OFF COMPANIES FOR EMPLOYEES OF THE CONNECTICUT AGRICULTURAL EXPERIMENT STATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-82a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) As used in subsections (b) to (h), inclusive, of this section: (1)
4 "Station" means the Connecticut Agricultural Experiment Station; (2)
5 "director" means the director of the Connecticut Agricultural
6 Experiment Station; and (3) "board" means the board of control of the
7 Connecticut Agricultural Experiment Station.

8 (b) The station shall be entitled to own the entire right, title and
9 interest in any invention or discovery of an employee of the station that
10 (1) is conceived in the course of the performance of customary or
11 assigned duties of the employee, (2) emerges from any research,
12 development or other program of the station, or (3) is conceived or
13 developed wholly or partly at the expense of the station or with the aid

14 of the equipment, facilities or personnel of the station.

15 (c) In each such instance, the employee shall be deemed to be
16 obligated, by reason of his or her employment by the station, to (1)
17 disclose his or her invention or discovery fully and promptly to the
18 director, (2) assign to the station the entire right, title and interest in each
19 invention or discovery, and execute instruments of assignment to that
20 effect, and (3) execute such proper patent or license application or other
21 instrument of assignment concerning such invention or discovery as
22 may be requested by the director, and give all reasonable aid in the
23 prosecution of such application or assignment and the procurement of
24 such patent, license or assignment.

25 (d) Except where the invention or discovery is subject to federal grant
26 restrictions, the entire beneficial ownership of any such invention or
27 discovery, including all monetary proceeds, property and rights of
28 every character, tangible and intangible, shall be deposited with the
29 station and vest in the station for use in scientific inquiries and
30 experiments and the board shall exercise complete control thereof.

31 (e) Each employee who conceives or makes any invention or
32 discovery and fulfills his or her obligations to the satisfaction of the
33 station as provided in subsections (b) to (d), inclusive, of this section
34 shall be entitled to share in any net proceeds that may be derived from
35 the assignment, grant, license or other disposal of such invention or
36 discovery. The amount of such net proceeds shall be computed by, or
37 with the approval of, the board, with reasonable promptness after
38 collection thereof, and after deducting from gross proceeds any and all
39 costs and expenses as may be reasonably allocated to the particular
40 invention or discovery including, but not limited to, costs or expenses
41 associated with seeking and obtaining any patent, trademark or
42 licensing agreement, maintenance or litigation costs, and the costs of
43 evaluating the commercial potential of the invention or discovery. A
44 minimum of twenty per cent of the amount of such net proceeds shall
45 be paid to an employee who solely conceived or made the invention or
46 discovery, and shall be paid in shares to two or more employees who

47 jointly conceived or made the invention or discovery in such respective
48 proportions as the board may determine. The board in its discretion may
49 increase the amount by which any employee or employees may
50 participate in such net proceeds.

51 (f) Disagreements as to the allocation of any invention or discovery,
52 as to the obligations of any employee, or due performance thereof, or as
53 to the participation of any employee of the station in any net proceeds,
54 shall be disposed of as follows: (1) By voluntary arbitration of all
55 relevant issues, if the disagreeing parties approve and agree to be bound
56 by the decision upon such arbitration; (2) by compulsory arbitration if
57 that is provided for in any applicable contract between the disagreeing
58 parties; or (3) by recourse to a court of competent jurisdiction in this
59 state if arbitration cannot be resorted to under either subdivision (1) or
60 (2) of this subsection.

61 (g) The board may establish and regulate, equitably in the public
62 interest, such measures as the board deems necessary for the purposes
63 of such arbitration, and to make contracts for compulsory arbitration, in
64 the name of the station.

65 (h) The board may adopt regulations in accordance with chapter 54
66 to govern the operations of the station in accordance with the provisions
67 of subsections (a) to (g), inclusive, and (i) of this section.

68 (i) Notwithstanding the provisions of subsections (a) to (g), inclusive,
69 of this section, employees of the station may form, serve as board
70 members of or be compensated by start-up companies that develop and
71 commercialize products based on such employees' inventions and
72 discoveries. The board shall establish policies and procedures to ensure
73 that the exercise of an employee's right pursuant to this subsection is
74 consistent with the rights of researchers at other public universities and
75 agencies in the state and with any applicable legal or ethical
76 requirement.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	22-82a
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ENV *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill allows employees from the Connecticut Agricultural Experiment Station (CAES) to participate in activities, and be compensated for products related to their work, from start-up companies. This is not anticipated to have a fiscal impact to the CAES. The bill also makes various procedural changes that are not anticipated to have a fiscal impact to the agency.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 5015*****AN ACT AUTHORIZING SPIN-OFF COMPANIES FOR EMPLOYEES OF THE CONNECTICUT AGRICULTURAL EXPERIMENT STATION.*****SUMMARY**

This bill allows Connecticut Agricultural Experiment Station (CAES) employees to form, serve as board members of, or be compensated by start-up companies that develop and commercialize products based on the employees' inventions and discoveries.

It requires the CAES control board to establish policies and procedures so that exercising this employee right is consistent with the rights of researchers at public universities and agencies in Connecticut and applicable legal and ethical requirements. It also allows the CAES control board to adopt related regulations.

The bill applies regardless of existing law, under which CAES's control board may seek and obtain patents, trademarks, and licensing agreements relating to inventions and discoveries by station employees. By law, CAES is entitled to own the entire right, title, and interest in any employee's invention or discovery that (1) is conceived in the course of the employee performing customary or assigned duties; (2) emerges from any research, development, or other station program; or (3) is conceived or developed wholly or partly at the station's expense, or with the aid of its equipment, facilities, or personnel. By law, depending on the circumstances, employees may share in the proceeds of their work.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 35 Nay 0 (02/19/2025)