



General Assembly

January Session, 2025

Committee Bill No. 5015

LCO No. 3555



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

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 Section 22-82a of the general statutes is repealed and the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.

<p>This act shall take effect as follows and shall amend the following sections:</p>
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Section 1	<i>from passage</i>	22-82a
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Statement of Purpose:

To place employees of the Connecticut Agricultural Experiment Station on the same footing as similar employees of The University of Connecticut when it comes to spin-off companies from inventions or discoveries made by such employees.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. GRESKO, 121st Dist.

H.B. 5015