

House Bill 2768

Sponsored by Representative EVANS (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Direct Department of Education to establish program to assist student inventors in development of intellectual property and assist education service districts in acquisition of interests in intellectual property developed by student inventors.

Establishes Oregon Invents Partnership Fund.

A BILL FOR AN ACT

1
2 Relating to student inventors.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Concept or design of promise" means intellectual property of any kind with the po-**
6 **tential to be patented or copyrighted.**

7 (b) **"Student inventor" means a student that develops a concept or design of promise**
8 **while participating in a career or technical education program.**

9 (2)(a) **The Department of Education shall establish a program to assist student inventors**
10 **in developing concepts or designs of promise and assist education service districts in the**
11 **acquisition of interests in intellectual property developed by student inventors.**

12 (b) **The program established under this section shall assist education service districts**
13 **with entering into agreements under ORS 332.745 and 332.750 with student inventors to ac-**
14 **quire interests in concepts or designs of promise.**

15 (c) **Under the terms of an agreement entered into under paragraph (b) of this subsection,**
16 **an education service district shall:**

17 (A) **Agree to provide the student inventor with coaching and mentorship, or similar ad-**
18 **vice, and assistance in developing a concept or design of promise for patent or copyright; and**

19 (B) **Agree to pay to the student inventor a share of any moneys received on account of**
20 **the ownership, management, use or disposition of the intellectual property.**

21 (d) **The department shall deposit moneys received as a result of the ownership, manage-**
22 **ment, use or disposition of intellectual property described in this subsection in the Oregon**
23 **Invents Partnership Fund established under section 2 of this 2023 Act.**

24 (3) **The department shall convene an advisory board to advise the department in the im-**
25 **plementation of the program established under this section. The advisory board shall assist**
26 **the department in the establishment of:**

27 (a) **Eligibility criteria for concepts or designs or promise;**

28 (b) **Standard terms for agreements described in subsection (2)(c) of this section; and**

29 (c) **Standard terms for agreements described in subsection (4) of this section.**

30 (4) **The department may enter into an agreement with any person for the deposit of**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 moneys into the Oregon Invents Partnership Fund established under section 2 of this 2023
2 Act in exchange for a pro rata share of moneys received by the department pursuant to
3 agreements under subsection (2)(c)(B) of this 2023 Act. A person that enters into an agree-
4 ment with the department under this subsection must agree to deposit moneys into the
5 Oregon Invents Partnership Fund for a term of 20 years and agree that the return of any
6 funds after the expiration of the 20-year term shall be conditioned on the continued
7 sustainability of the fund.

8 **SECTION 2.** (1) The Oregon Invents Partnership Fund is established in the State Treas-
9 ury, separate and distinct from the General Fund. Interest earned by the Oregon Invents
10 Partnership Fund shall be credited to the fund.

11 (2) The Oregon Invents Partnership Fund consists of:

12 (a) Moneys appropriated or transferred to the fund by the Legislative Assembly;

13 (b) Moneys deposited in the fund pursuant to agreements entered into by the Department
14 of Education under section 1 (4) of this 2023 Act; and

15 (c) Other amounts deposited in the fund from any source.

16 (3) Moneys in the Oregon Invents Partnership Fund are continuously appropriated to the
17 Department of Education for the purposes of carrying out the program described in section
18 1 of this 2023 Act.

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