



UNIVERSITY OF WISCONSIN - MADISON

RECORDS RETENTION AND DISPOSITION SCHEDULE

FOR

Campus-wide

UW-Madison Invention and Patent Participation Agreements

2016

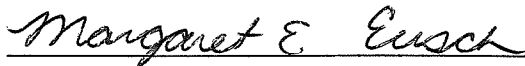
We the undersigned have reviewed the above records series and approve the outlined retention and disposition. Approval is contingent on restrictions on records destruction contained in S.19.35 (5), Wisconsin Statutes, (Open Records Law) and that no records are destroyed if litigation or audit involving these records has commenced or is imminent.



University Legal Counsel

1-7-16

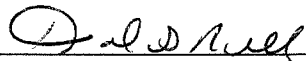
Date



University Records Officer

1-7-16

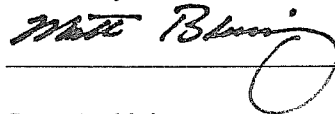
Date



University Archivist

1-17-16

Date



State Archivist

3/8/16

Date



Executive Secretary - PRB

3/17/2016

Date

APPROVAL SUBJECT TO 10-YEAR
SUNSET. RESUBMITTAL REQUIRED
PRIOR TO March 2026

UNIVERSITY OF WISCONSIN - MADISON: GENERAL RECORDS AND DISPOSITION SCHEDULES

I. INTRODUCTION AND PURPOSE

This retention schedule represents the official University of Wisconsin-Madison policy with regard to the retention and disposition of all university and public records and information and has the approval of the University Records Management Advisory Group (URMAG) and the Wisconsin Public Records Board (PRB). The PRB is the statutory body with the responsibility to safeguard the financial, legal, administrative, and historical interests of the State in the disposition of records through the review of records schedules prepared by State agencies.

This retention schedule also provides guidance to University of Wisconsin-Madison employees regarding what does and does not comprise a public record. The UW-Madison campus must manage all records to ensure systematic control from creation or receipt through processing, distribution, maintenance, retrieval, retention and final disposal for records retention purposes.

II. SCOPE:

This schedule pertains to the records and information arising from currently understood UW-Madison record policies and procedures. It applies to all such records regardless of format or media. While an attempt has been made to describe the records in commonly used terms, there may be instances in which the schedule does not reflect the exact title or name used by a given department. If offices or departments cannot determine by the descriptive information provided on each item whether a given departmental record is covered or not, they should contact the University Records Officer. An attempt has been made to include all records commonly required or used within the University campus. However, as processes change, forms may be modified and new ones created, and documentation requirements may also change. This schedule will be reviewed periodically to insure that it is kept as up-to-date as possible. This schedule applies to all organizational units of the University of Wisconsin-Madison and any attached entities that are required to follow UW-Madison policies.

III. SUSPENSION OF THE RECORDS RETENTION SCHEDULE

University and Public Records may be delayed from disposition / destruction only under the following conditions:

1. Particular records have been identified as needed for a financial or performance audit.
2. Records that are required for legal proceedings are held under a "litigation hold" for an actual or imminent legal proceeding. Imminent meaning legal action is anticipated or there is reasonable expectation thereof.

3. An open records request has been received and not completed. **Contact University Relations.** See Office of Legal Affairs - Public Records <http://legal.wisc.edu/public-records.htm>
4. The Wisconsin Open Records Law, Wis. Stat. §19.35(5), forbids the destruction of any record after an inspection or copying request until the request is granted, or at least 60 days after the date that the request was denied. Court orders and litigation may extend this time period. The agency's legal custodian of records can provide advice. For the University of Wisconsin Madison the legal custodian is the **University Relations in the Chancellor's Office.**
5. It is the responsibility of the office holding the record to determine if an audit or litigation is pending, anticipated or imminent, or if an open record request is pending or the time specified in Wis. Stat. §19.35(5) has not yet elapsed.

1. UTILITY AND FUNCTION OF INFORMATION PROVIDED WITHIN THIS DOCUMENT

a. **Minimum Retention Established and Permanent Retention Procedure.** The records retention schedules included within this document establish minimum retention periods for each type of record. The disposition of each record is assumed to be destruction after its minimum retention period or transfer to the UW Archives.

b. **Materials That Comprise Public Records.**

Under Wisconsin law, many materials comprise public records performing the transaction of public business on behalf of the University Campus. Under Wis. Stat. §16.61, Public records are defined as " all books, papers, maps, photographs, films, recordings, optical disks, electronically formatted documents or other documentary materials, regardless of physical form or characteristics, made, or received by any state agency or its officers or employees in connection with the transaction of public business"

c. **Materials That Do Not Comprise Public Records.** Under Wisconsin law, many materials do not comprise public records. Therefore, non-records should be retained only so long as they are useful as a resource for performing the transaction of public business on behalf of the University Campus. Thereafter, in the interest of efficiency and proper resource management, they should be destroyed. Under Wis. Stat. §16.61, the definition of "Record" does not include: duplicate copies of materials the original copies of which are in the custody of the University and which are maintained only for convenience or reference and for no other substantive purpose; materials in the possession of a library or museum made or acquired solely for reference or exhibition purposes; notices or invitations received by the University that were not solicited by the University and that are not related to any official action taken, proposed or considered by the University; drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; and routing slips and envelopes.

d. Preservation of Historical Documents. Historically, University records have been preserved in paper files. Presently, however, advances in technology are beginning to present a viable alternative to paper records: electronic data stored in many electronic systems. Because of the potential for electronically-preserved information to be lost over time as electronic systems degrade or become obsolete, electronic systems should be used as the primary manner of preserving historical documents only if measures are implemented to ensure appropriate updates to the electronic storage systems are consistently purchased, installed, and maintained, and to ensure the appropriate migration of the electronically-stored information as electronic systems become obsolete and are replaced by new technologies.

Because of the consequences of failing to appropriately maintain electronic information technology systems, records storage within an electronic information system must comply with the legal requirements set forth in Board of Regents Policy Document 3-2: University of Wisconsin System Public Records Management; and Wisconsin Administrative Rule 12: Electronic Records Management-Standards and Requirements.

Please carefully review these documents prior to storing official copies of public records upon information systems and if you have questions or concerns, then please seek assistance from the University Records Officer.

Using the Schedule

- Use the table to locate the record series item.
- Identify whether you are the holder of the official, department, or copy of the record.
- Implement the retention and disposition noted at the level of record you hold.
- If you are uncertain about the records series item or your responsibility for it, contact the Records Officer for clarification.
- Retention periods and disposition methods outlined in this document have been reviewed and approved by the University (University Records Management Advisory Group (URMAG) – Consisting of signatures from University Archivist, Office of Legal Affairs and the University Records Officer).

UNIVERSITY OF WISCONSIN- MADISON

Description

This record schedule applies to all departments or units campus wide which may have legal documents dealing with Inventions and Patents Agreements and intellectual property. The Agreement is the document that legally binds our employees to disclose to the University inventions or other patentable things. It also requires that they assign rights to certain inventions to the University's designated patent and intellectual property management organization. This record is what will allow the University to establish interest in a future patent. Because it may be many years before someone will attempt to patent something in which we may want to claim an interest, we need to keep the record for many decades.

This Schedule covers the following record series.

1. Invention and Patent Participation Agreements

Appraisal Note(s):

For University of Wisconsin-Madison Intellectual Property Policies and Procedures for University Research: Policies regulating intellectual property resulting from University of Wisconsin-Madison research are impacted by federal law as well as University of Wisconsin System policies. Some of these include: The Bayh-Dole Act 35 U.S. Code Chapter 18 – Patent Rights in inventions made with Federal Assistance; UW System Policy G2-Extramural Support Administration; UW System Policy G34-Patent Policy; UW System Policy G10-Computer Software Ownership; and UW System Policy G27-Copyrightable Instructions Material Ownership, Use and Control, UW-Madison Graduate School Intellectual Property Policies and Procedures for University Research. Copies of these policies are available on the UW System website. This records series is the official record for University of Wisconsin-Madison Intellectual Property Policies and Procedures for University Research. As these UW-Madison policies are revised and or superseded, copies of changes will be transferred to the University Archives for inclusion with existing series. These records have historical value to the University.

See schedule on next page.

UW – Madison General Records Schedule for Invention & Patent Related Records – Campus-wide

Record Series ID Number	Record Series Title	Record Series Description	Retention	Media Type	Disposition	Office of Record
34001859	Invention and Patent Participation Agreements	<p>This record series consists of Participation Agreements, legal documents related to inventions, patents and intellectual property of the University or its agents.</p> <p>(These agreements have a 50 year retention because they are the documents that legally bind our employees to disclose to the University inventions or other patentable things. It also requires that they assign rights to certain inventions to the University's designated patent and intellectual property management organization. This record is what will allow the University to establish interest in a future patent. Because it may be many years before someone will attempt to patent something in which we may want to claim an interest, we need to keep the record for many decades.)</p>	<p>Retention: CR + 50 Years CR = Date of Creation</p> <p>Copies: Destroy when no longer needed, but not keep longer than the originals.</p> <p>Confidential: No PII: No</p>	Paper or Electronic	Transfer to UW-Madison Archives	<p>Campus Wide</p> <p>NEW</p>