

SENATE . . . . . No. 600

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The Commonwealth of Massachusetts

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SENATE, February 12, 1962.

The committee on Bills in the Third Reading to which was referred the House Bill authorizing the board of trustees of the Bradford Durfee College of Technology to establish and manage the research foundation of the Bradford Durfee College of Technology (House, No. 1070), reports recommending that the same be amended by substituting therefor a new draft with the same title (Senate, No. 600), and that, when so amended, the same will be correctly drawn.

For the committee,

F. X. McCANN.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Two.

AN ACT AUTHORIZING THE BOARD OF TRUSTEES OF THE BRADFORD DURFEE COLLEGE OF TECHNOLOGY TO ESTABLISH AND MANAGE THE RESEARCH FOUNDATION OF THE BRADFORD DURFEE COLLEGE OF TECHNOLOGY.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 74 of the General Laws is hereby amended by  
2 striking out section 46B and inserting in place thereof the  
3 following section: — *Section 46B.* The Bradford Durfee Col-  
4 lege of Technology and the New Bedford Institute of Tech-  
5 nology may establish and manage, under such regulations as  
6 the board of trustees of said college and of said institute,  
7 respectively may from time to time prescribe, the Research  
8 Foundation of Bradford Durfee College of Technology and  
9 the Research Foundation of New Bedford Institute of Tech-  
10 nology, for the purpose of promoting research at said college  
11 and institute by obtaining, administering or disposing of  
12 patents of inventions resulting from such research or other-  
13 wise and devoting the income therefrom to further research,  
14 beneficial to the college or institution and to the common-  
15 wealth. Said research foundation may (1) receive and hold  
16 in separate custody gifts, bequests and devises of real or  
17 personal property; (2) receive and hold in separate custody  
18 compensation or reimbursement resulting from inventions,  
19 patents, contractual or other research, the conducting of tests  
20 for outside agencies or other funds that may be acceptable  
21 to the research foundation; (3) disburse funds so acquired for  
22 purposes of instruction, research, tests, invention, discovery,  
23 development or engineering consistent herewith; (4) obtain,  
24 administer and dispose of patents, assignments, grants, licenses

25 or other rights and hold the same in separate custody; (5)  
26 make assignments, grants, licenses, or other disposal, quitably  
27 in the public interest, of any rights owned, acquired or con-  
28 trolled by the research foundation in or to inventions, dis-  
29 coveries, patent applications or patents, and to charge there-  
30 for and collect and to incorporate in funds in the custody of  
31 the research foundation reasonable compensation in such form  
32 as the board of trustees may determine; and (6) execute con-  
33 tracts with employees or others for the purpose of carrying  
34 out the provisions hereof and permitting such employees or  
35 others to share in the net proceeds of such contracts as the  
36 board of trustees shall determine.

37 The funds of each research foundation shall be subject to  
38 annual audit by the state auditor. No activities, specified in  
39 the foregoing, shall be undertaken by said research founda-  
40 tion which in the opinion of the board of trustees will be  
41 likely to interfere with the regular, efficient and proper exer-  
42 cise of the functions of said college or institute. In conducting  
43 contractual or other research, tests or similar activities, such  
44 research foundation shall give preference to citizens of and to  
45 corporations organized under the laws of the commonwealth.

46 The boards of trustees shall prescribe and enforce such regu-  
47 lations as it may deem necessary, with regard to the owner-  
48 ship of inventions developed with the use of facilities of the  
49 college and institute by students, research fellows, staff mem-  
50 bers, faculty or other persons, the transfer of such inventions,  
51 or patent applications or patents resulting therefrom, to the  
52 foundation, the amount of the respective shares of the inven-  
53 tor, the college or institute, and the foundation in the proceeds  
54 therefrom, and the arbitrating of any and all disagreements  
55 involving the same.

