

Approved Fall 2002 Meeting; Revisions Approved Fall 2011, Fall 2014, Spring 2015; Spring 2017  
**BY-LAWS OF THE INDUSTRY/UNIVERSITY COOPERATIVE RESEARCH  
CENTER FOR IDENTIFICATION TECHNOLOGY RESEARCH**

## **1. Purpose**

The purpose of the Center shall be to advance research and technology transfer in identification technology.

## **2. Activities**

The activities of the Center shall be:

- 2.1. To conduct research funded by the Center's Sponsors.
- 2.2. To disseminate results of the research program conducted by the Center in the manner noted in the Affiliate Agreement.

## **3. Organization**

3.1. The Center shall be comprised off University Sites hereinafter called "UNIVERSITY SITES". To qualify as a University Site, the university must have an active NSF IUCRC center award.

3.2. The Center shall be organized in accordance with the procedures and rules of each University Site. Each University site shall be administered by its director and staff and shall be under the authority of the Associate Provost for Research or equivalent level of administration at each University Site (hereinafter called "University Site Administrator").

3.3. The Center shall have a Director or co-Directors for each University Site, appointed by the University Site Administrator. The overall Director is the Director of the Lead University Site, previously, West Virginia University (2002 to 2011), and, currently, Clarkson University (2011 to present). The Director or co-Directors shall serve a four-year term and may be reappointed.

3.4. Faculty at University Sites and other universities may participate in the Center. Faculty of the Center, except for the Director or co-Directors, shall have equal status. Faculties at University Sites are bound by their institution's execution of the affiliate agreement to the terms of the document and its bylaws. Faculty from other universities (and their institutions) shall be bound to the terms of the affiliate agreement and its bylaws through the terms of their project subcontract(s). Faculty has the responsibilities of financial and scientific prudence in all activities of the Center.

3.5. A University Academic Policy Committee will review activities of the Center and will advise the Director or co-Directors. Membership of the Committee shall consist of the Director or co-Directors, the Associate Deans for Research of the colleges of participating faculty, and Chairpersons of participating departments. The University Site Administrator will chair the Committee.

## **4. Sponsoring Organizations**

4.1. A Sponsor has privileges relating to participation in research activities of the Center, to early access to research results and to participation in the direction of the research program in return for financial support for the Center. Details are as noted in the Affiliate Agreement.

4.2. There shall be an Affiliate Advisory Board consisting of one voting representative from each Sponsor. It shall provide guidance to the Center Director or co-Directors on research policy and allocation of resources. Financial and personnel policies shall be in accord with University Site procedures. Research projects must be recommended by the Board. The Board shall elect a Chairperson. The Chairperson's term shall be one year. The Board may have an Executive Committee of four members. The members are to be elected and shall serve two year terms. The terms shall be staggered so that two members are replaced each year. The Executive Committee may be authorized to represent the Board in some recommendations to be made between regular meetings of the Board. The Chairperson of the Board will serve as Chairperson of its Executive Committee. Recommendations by the Board (except recommendations concerning changes in the By-Laws and recommendations as noted in paragraph 2 under Activities) shall be by an affirmative quorum of one-half or more of the members. Affiliate Advisory Board recommendations of a change in the By- Laws (see the section entitled Provisions for Changing By-Laws) shall require an affirmative vote of

2/3 of all members.

4.3. The Center shall arrange at least two meetings per year of the Affiliate Advisory Board.

4.4. The Center and Sponsors will mutually agree upon provisions for visiting research personnel from sponsoring organizations to conduct research at the Center and for visiting personnel from Center to conduct research at Sponsor facilities.

4.5. The Center and Affiliate Advisory Board will mutually agree upon a policy for university researchers outside University Sites.

## **5. Budget**

5.1. The budget shall be under the jurisdiction of the University Site Directors who report to the University Site Administrator.

5.2. The Center, with recommendation of the Affiliate Advisory Board, shall be authorized to accept grants from research funding organizations. These grants will then be processed through normal University channels.

## **6. Publications and Patents**

6.1. The Center shall retain rights to publish complete details of research results. A delay in publication can be granted as prescribed in the Affiliate Agreement between the Center and Sponsors.

6.2. Patent and other intellectual property rights (hereinafter also called "INVENTIONS" which shall include but not be limited to right to inventions, patent applications, patents and copyrights) resulting from research conducted by the Center; as well as certain licensing to said INVENTIONS are prescribed in the Affiliate Agreement between CENTER, SPONSOR, and University Site and repeated here:

UNIVERSITY reserves the right to publish in scientific or engineering journals the results of any research performed by CENTER. COMPANY, however, shall have the opportunity to review any paper or presentation containing results of the research program of CENTER prior to publication of the paper, and shall have the right to request a delay in publication for a period not to exceed four (4) months from the date of submission to COMPANY, for proprietary reasons, provided that COMPANY makes a written request and justification for such delay within sixty (60) days from the date the proposed publication is submitted by certified mail to COMPANY.

6.3. If a SPONSOR plans to seek a delay in publication, SPONSOR will provide a notice of intent to seek a delay within twenty-one (21) days of receipt of proposed publication. Within sixty (60) days, SPONSOR will need to make a written request and justification for such delay as stated in Section 6.2.

6.4. Email to COMPANY is accepted as "certified mail" in order to indicate when there is a new article in the publication database.

## **7. Provisions for Changing By-Laws**

Changes in the By-Laws may be made with recommendation of the University Site Administrator and the Affiliate Advisory Board. Changes in the By-Laws, as they affect Sponsors and other research funding organizations, will become effective in stages, as the individual agreements, specifying the old By-Laws, expire.

## **8. Projects and Multi-University Site Balance**

8.1. Affiliate dollars will be awarded using overall ranking of affiliate votes, rather than divided by University Sites. However, AAB will ensure that there is at least one project per site.

8.2. At each meeting, time spent on new proposals will be allotted proportional to the relative amount of funds that each university has collected in affiliate fees and has available for award at the meeting.

8.3. Special Projects: Funds above a \$40K full affiliation may be used to support a special project. Any funds used to support a special

project cannot be counted towards votes for other projects. Projects must be proposed at a CITEr meeting and follow all requirements of CITEr projects including affiliate agreement terms and reporting requirements.

8.4. Gateway Project: For a new affiliate, their first regular membership payment, which must be at least \$40K, may be used to fund a project selected at the affiliate's first meeting. If they opt to do this, they will not be allowed to vote for two meetings starting with the meeting that the project is selected. Projects must be proposed at a CITEr meeting, approved by the board, and follow all requirements of CITEr projects including affiliate agreement terms and reporting requirements.