

SUBMISSION FORM

University System/Employee Intellectual Property Joint Participation MUSP 407

This form is to be submitted with any Board of Regents item whereby a campus seeks the approval of an agreement with or arrangement regarding an employee pursuant to 20-25-109 MCA and Regents Policy 407.

When the submission concerns matters of trade secrets or confidential business information, or any other matter entitled to privacy under state or federal law (e.g., the federal statute known as Bayh/Dole) the submitting campus may request consideration of the submission, in whole or in part, in executive session.

The submitting campus should also provide the Commissioner a copy of the contract(s) that form the basis for the cooperative arrangement for which approval is sought. Submission of the contract does not indicate a conclusion that all or part of the contract is a public document and the question of whether it is in whole or in part protected from public disclosure will be evaluated on a case by case basis.

- 1. Summarize the nature of the intellectual property that was developed by the employee seeking approval. Indicate the sources of funding for the research that resulted in this invention.**

John Cuddy, Walter Hailes and Brent Ruby developed a novel way to monitor humans performing work in hot environments. If implemented correctly this monitoring system can effectively eliminate heat related injury in all individuals required to work in hot environments. Cuddy, Hailes and Ruby have been conducting research on human heat stress for at least 5 years with recent funding provided by the Office of Naval Research, Defense Advanced Research Projects Agency (DARPA), and the Air Force Special Operations Command.

- 2. a. Name(s) of the university employee(s) involved.**

John Cuddy
Walter Hailes
Brent Ruby

- b. Name(s) of business entity(ies) involved.**

PhysioZing, LLC with three Principals, John Cuddy, Walter Hailes, and Brent Ruby with equal shares of one third (1/3) ownership each.

3. **The university and employee(s) are seeking approval for (check as many as appropriate):**

- a. The employee to be awarded equity interest in the business entity.
- b. The employee to serve as a member of the board of directors or other governing board of the business entity.
- c. The employee to accept employment from the business entity.
- d. Other. Please explain.

4. a. **Summarize the nature of the relationship between the university and the business entity (e.g., the entity is licensing the intellectual property from the university, the entity is co-owning the intellectual property with the university)**

The benefits to UM and the State of Montana arising from the proposed research and activities of PhysioZing are:

PhysioZing, LLC. shall license the intellectual property from the University of Montana. The licensing agreement will allow both parties to determine the commercial potential of the intellectual property.

By allowing this University-private sector relationship to be established, intellectual property developed by University faculty can be used to grow a Montana-based company, will set an example for other entrepreneurs from the University looking for opportunities for commercialization of their innovations and creations, and will generate goodwill for University employees and the private sector. The University will incur no net cost by entering into the proposed licensing agreement.

While there exist no definitive revenue projections at this time, Drs. Hailes, Ruby and Cuddy are engaged in research on human heat stress which, if successful, would be of great interest to PhysioZing LLC. The relationship with PhysioZing LLC brings a new collaboration and many possibilities for new intellectual property. This is also an opportunity to broaden the research landscape at UM and the region, while providing the potential for economic development.