

UC Davis Policy and Procedure Manual

Chapter 250, Intellectual Property

Section 10, Publication Rights

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Supersedes: New

Responsible Department: Office of Research

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Policy

Freedom to publish is a major criterion when determining the appropriateness of a research sponsorship. A contract or grant is normally not acceptable if it limits this freedom.

Exception to Policy

Exceptions or delays to the freedom to publish will be considered under the following conditions:

- When security is in the national interest.
- When, although the sponsor reserves first right of publication, that right will be surrendered to the principal investigator if the sponsor does not exercise it within a reasonable period of time.
- When other special or extraordinary circumstances, not involving censorship of project results, prevail (e.g., presentation of findings to a government agency).

Request for Exception

Principal investigators may make written request for an exception to the Vice Chancellor--Research. The request must include the following:

- Justification for undertaking the project without publication rights.
- A copy of the sponsor's written policy, if the request results from the sponsor's restriction on publication.
- Signatures of the department chair and dean of the college or school, indicating their concurrence.

Nonacceptance of Contract/Grant

If an exception is not granted and the Office of Research cannot negotiate acceptable language with the sponsor, the contract, grant, or gift for research will not be accepted.

Notification of Decision

The Office of Research will notify the principal investigator, department chair, dean, and the sponsor of the final decision.