

UNIVERSITY OF TOLEDO
RESEARCH & SPONSORED PROGRAMS
CONFIDENTIAL SUBMISSION COVER SHEET

As an Ohio public institution, UT is subject to the Ohio Open Meetings Act (R.C. §121.22) and the Ohio Public Records Act (R.C. §149.43). Thus, many UT committee meetings (including the Institutional Review Boards and the Institutional Animal Care and Use Committees) are open to the public, and most records filed in UT offices may be available to the public via Public Records requests. There are, however, statutory exceptions defined in the Open Meeting Act and the Public Records Act. The Open Meetings Act provides for discussion of Trade Secrets¹ in executive, rather than open, session of a meeting, and the Public Records Act provides for protection from public availability of documents which contain Trade Secrets or which represent Intellectual Property Records². The Ohio Trade Secrets Act (R.C. §1333.61) also provides additional protection.

If you consider a submission to RSP or to a UT committee to contain Trade Secrets and/or you consider a document to be an Intellectual Property Record, you must identify it as such using this cover sheet. Upon receipt of such information, it will be evaluated to determine whether UT can protect the information as a Trade Secret or an Intellectual Property Record.

_____ **This submission contains Trade Secrets¹** _____ **This document, or a portion of it, is an Intellectual Property Record²**

Is the confidential material in this submission protected by a separate confidential disclosure agreement or a confidentiality clause in a research/clinical trial agreement? YES NO If YES, who are the parties to that agreement?
_____ **If Research & Sponsored Programs does not already have a copy of the above agreement(s), please attach a copy to this form.**

Name (Please Print): _____ Department _____

College: _____

ATTACH ADDITIONAL SHEETS, IF REQUIRED, TO ANSWER QUESTIONS FULLY:

- 1) Describe the elements of, or concepts in, this submission that are unique or generally unknown to others, and which require protection from disclosure.

- 2) Describe the efforts and resources (e.g., time and money), including the source(s) (e.g., Institutional Funds or Extramural Grant/Contract) that you used in developing the information requiring protection from disclosure.

- 3) What is the actual or potential economic value of maintaining the confidentiality of the information contained in this submission?

- 4) Have you disclosed any of this information to others within your lab (e.g., lab employees), within UT but outside your lab, or outside of UT? **Yes/NO** If yes, to whom has it been disclosed, what is their relationship with you, and under what circumstances was it disclosed (e.g., under a confidential disclosure agreement)?

- 5) Describe the efforts you have taken to-date to maintain the confidentiality of this material: (attach a separate sheet, if necessary to provide a full explanation)

Signature

Date

¹ A TRADE SECRET is "information, including the whole or any portion or phase of any scientific or technical information, design, process, procedure, formula, pattern, compilation, program, device, method, technique, or improvement, or any business information or plans, financial information, or listing of names, addresses, or telephone numbers that satisfies BOTH of the following: (1) it derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use, (2) it is the subject of efforts that are reasonable under the circumstances to maintain its secrecy." [R.C. §1333.61(D)]

² INTELLECTUAL PROPERTY RECORDS are records that are not financial or administrative records, but that are produced or collected by or for faculty or staff of a state college or university in conducting or as a result of study or research on an educational, commercial, scientific, artistic, technical, or scholarly issue, and that have not been publicly released, published, or patented are not public records. [R.C. §149.43(A)(5)]