

House Bill 1248

By: Representative Byrd of the 20th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated,
2 relating to general provisions for the Department of Economic Development, so as to provide
3 that the department shall create and maintain a website for the promotion, advertisement, and
4 potential commercialization of available intellectual property of Georgia universities and
5 colleges; to provide requirements for such website; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to
10 general provisions for the Department of Economic Development, is amended by adding a
11 new Code section to read as follows:

12 "50-7-18.

13 (a) As used in this Code section, the term:

14 (1) 'Institution' shall mean any university, school, or college which is under the
15 jurisdiction of the Board of Regents or the State Board of Technical and Adult Education.

16 (2) 'Intellectual property' means patentable materials, software, and trade secrets,
17 whether or not formal protection is sought.

18 (b) Not later than January 1, 2009, the Department of Economic Development shall ensure
19 the existence and operation of a single searchable website, accessible by the public at no
20 cost to access, that provides a listing of this state's available intellectual property.
21 Intellectual property listed shall include all intellectual property available for
22 commercialization, including such property where a patent application is pending, a patent
23 has been obtained, or there is no exclusive licensing agreement for such property. The
24 department shall utilize best commercial practices to timely and accurately post
25 information about all of this state's intellectual property available for sale or licensing.

1 (c) Each institution shall cooperate with the department by timely providing information
2 concerning the institution's intellectual property available for commercialization. No
3 institution shall post on any institution's own website any information about an intellectual
4 property until such time as information pertaining to such intellectual property has been
5 provided to the department.

6 (d) The website shall make contact information readily available so that an interested
7 person may contact the appropriate institution or person for the purchase or licensing of
8 posted intellectual property.

9 (e) The website shall also provide additional information regarding public resources
10 available to persons and entities interested in establishing businesses in this state, including
11 any such reasonable information requested to be posted by another state agency or
12 institution."

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SECTION 2.

14 All laws and parts of laws in conflict with this Act are repealed.