



DIVISION OF RESEARCH


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OFFICE OF THE VICE PRESIDENT FOR RESEARCH

December 20, 2023

MEMORANDUM

TO: All UMD Investigators

FROM: Gregory F. Ball 
Vice President for Research

SUBJECT: Blanket IP Waiver

You are likely aware of increasing federal and other sponsor requirements to make data and software developed under sponsored awards available to the public via open access repositories or open source licenses. NIH, NASA, NOAA and U.S. DOT are just a few of the sponsoring agencies that are now including such requirements in solicitations and award terms and conditions. The University of Maryland (UMD) also encourages open source releases of data and/or software in support of a publication or where needed to validate the scientific conclusions of a peer-reviewed publication resulting from an award. Under UMD's Policy IV-3.20(A) University of Maryland Policy on Intellectual Property (IP) (Effective January 10, 2018), UMD owns IP and data created under sponsored research agreements. Requests to release such UMD-IP under an open source license are currently approved through an IP waiver.

To comply with federal sponsor terms and conditions, and to streamline UMD's internal waiver process, the Vice President for Research has approved a blanket waiver of the IP policy for awards subject to these requirements. This memorandum confirms that Principal Investigators (PIs) may release data and software under open access and open source licensing requirements, for those sponsors that require it at the proposal submission, in accordance with the following process:

- The PI is responsible for providing a certification via Quali Research as follows: "This proposal is being submitted to a sponsor, either directly or as a subawardee to a Prime Sponsor, that has public access or open-source requirements for data or software or specific data management/sharing requirements that would normally require a waiver of the UMD IP policy. I agree to these requirements and agree to notify every person hired to work on the project, if awarded, of these requirements and to submit any necessary additional information to ORA/SPA/UM Ventures, if requested."
- The PI is responsible for, acknowledging, and agreeing to abide by the terms and conditions of funding awards.
- The PI is responsible for educating students, post-docs, and others working under their awards or under their supervision about the IP terms of each award, including any open source requirements.
- The PI is responsible for contacting UM Ventures with questions about appropriate open source license(s) to use.

- The PI is responsible for forwarding any release or data sharing agreement that needs a UMD signatory to the appropriate office*.

The Vice President for Research is authorized to revoke this blanket waiver entirely or to issue exceptions to this blanket waiver when necessary to protect UMD's interests or fulfill UMD's legal or contractual obligations to another party.

To comply with award terms and guidance from sponsoring agencies that require the open sharing of data and software developed under sponsored awards, UMD will add a new routing question to the Kuali Research proposal routing process, for PIs to complete appropriately. Additional questions about a specific sponsor's requirements can be directed to your [ORA Contract Administrator](#). Open source or other IP related questions can be addressed to UM Ventures, umdtechtransfer@umd.edu.

Thank you for your attention to this important matter.

*In addition to license agreements, UM Ventures signs outgoing data use/sharing agreements on behalf of UMD