

**University of North Dakota**  
**Research Council Meeting Minutes**  
**Friday, November 30, 2007**  
**Time: 3:07 – 4:20 p.m.**  
**Memorial Union, River Valley Room**

Members in Attendance: Harmon Abrahamson, Julie Anderson, Gerald Combs, Bob Gallager, Kristin Hillman, Mark Hoffmann, Gary E. Johnson, Steven Light, Glenda Lindseth, Peter Meberg, Jim Petell, Tom Petros, David Schmidt, Richard Schultz, Mary Ann Sens, Wilbur Stolt, and Klaus Thiessen.

Members Absent: Bishu Bandyopadhyay, Joey Benoit, Alice Brekke, Holly Brown-Borg, Patrick Carr, Sharon Carson, Rick Duquette, Tom Erickson, Gerald Groenewold, Tom Hill, Linda Hurst-Torgerson, Jon Jackson, William T. Johnson, Art Jones, Barry Milavetz, Charles Moretti, Leon Osborne, Kathryn Rand, George Seielstad, Jeffrey Stamp, Mary Wakefield, John Watson. Greg Weisenstein, Kara Wettersten, and H. David Wilson.

Others in Attendance: Lynn Kubeck and Ron Marsh

Dr. Johnson called the meeting to order at 3:07 p.m.

- I. Approval of the minutes: Dr. Harmon Abrahamson moved to approve the October 19, 2008 meeting minutes as distributed. The motion seconded by Dr. Richard Schultz was unanimously approved by the Council.
- II. Announcements: Dr. Johnson reported that the economic impact study is being completed and would be ready for distribution to the URC members next week. He indicated that UND had \$85.98M in total sponsored research expenditures with an over-all economic impact of \$174M. Dr. Johnson also stated that the research division annual report is being finalized and would be ready for distribution in the next two weeks.
- III. Reports:
  - A. Sponsored Awards YTD and Grants & Contracts Expenditures YTD: Mr. Schmidt reported that sponsored awards year to date indicate that the number of proposals for the last three years has been stable; however, the dollar amounts of the proposals have increased. He went on to say that the key numbers are the awards which took a jump in October from September, and all indications show that we are on pace for another \$80M to \$90M for the current year. Mr. Schmidt also reported that the fiscal year 2008 grant and contract expenditures are realistic and are holding constant at \$80-\$85 million with no indication it will slow down.
  - B. EPSCoR : Dr. Johnson reported that he, Dr. Phil Boudjouk and David Givers of NDSU, and eight North Dakota legislators attended the National NSF EPSCoR Annual Meeting November 6-9, 2007 in Waikoloa, Hawaii. He stated that cyberinfrastructure to advance networking and information technology collaboration

among the EPSCoR states was a key discussion point throughout the meeting. Dr. Johnson also reported that the five-year RII proposal is on track to be submitted by the January 4, 2008 due date.

- C. IP Report: Dr. Petell presented the intellectual property report indicating that 54 IP disclosures and 35 US patents and trademark applications had been filed over the past three years. He indicated that the number of trademarks filed last year exceeds that of the last six to eight years. He also stated that one patent was issued and he expects more. He went on to comment that there is a strong diversity of IP disclosures across campus departments. Dr. Petell presented a PowerPoint presentation on the UND Research Foundation, its organizational structure, and active participants. The presentation also gave an up-date on the construction progress of the Center of Excellence in Life Sciences and Advanced Technologies Facility in the Research Enterprise and Commercialization Park. The presentation included floor design, financing structure and scheduled occupant companies. An electronic copy of the PowerPoint presentation will be distributed to the URC members.
  - D. CRC : Dr. Richard Schultz reported that the program is progressing well and good partnerships are being formed.
  - E. Northern Tier Up-date: Lynn Lubeck reported that the segments necessary to connect the state to the backbone routes should be lit up by the end of the fiscal year, June 2008, and an RFI has been issued for the operations portion of that East-West, North-South North Dakota piece. Ms. Kubeck indicated that equipment was coming in and UND is working with AT&T to make sure everything is working. At the request of the Northern Tier Network Consortium, UND has been asked to provide research vision and how to tie in, to affect networking. Dr. Gary Johnson, Dr. Richard Schultz, Lynn Kubeck and Dorette Kerian will meet to pull this information together.
  - F. GPB Up-date: Dr. Hoffmann reported that the necessary people continue to gather and discuss on a regular basis.
  - G. Cyberinfrastructure Workshop Report: In November Lynn Kubeck and Ron Marsh, Computer Science, attended an EPSCoR sponsored Cyberinfrastructure Assessment Workshop in Kentucky. The PowerPoint report presented by Ms. Kubeck will be distributed electronically to the URC members. Ms. Kubeck reported that the NSF is proposing a cyberinfrastructure that will enable EPSCoR state researchers to pull data from a network of TeraGrid supercomputers versus designing individual environments. Ms. Kubeck indicated that common findings in all the EPSCoR jurisdictions are the shortage of professional central IT staff and computational scientists and limited funding support.
- IV. Old Business: There was no old business.
- V. New Business:
- A. Export Control Regulations: Mr. Schmidt explained to the Council that export control has come to the forefront in research after 9-11. He indicated that the following three government agencies have export regulations in place: 1. US State Department (International Traffic in Arms Regulations) 2. US Commerce Department (Export Administration Regulations) 3. US Treasury Department (Office of Foreign Assets

Control). Mr. Schmidt gave a “heads up” that UND will need to put in place a procedure to ensure compliance with the regulations and that it would most likely be done at the proposal stage. He reminded Council members that this should not be viewed as a road block, but rather a compliance facilitator in the timeliness of the proposal process. Mr. Schmidt stated that these compliance concerns have been brought to the attention of HURON, the F&A Consultant group. They will be providing feedback in the compliance area in mid-January and will evaluate risk assessment in their final report.

- B. Matters Arising: Dr. Petell stated that during the past six months, UND has received and increased number of research and intellectual property agreements where the outside party requires that the governing law be that of their state or country. These types of agreements include material transaction agreements (MTA), confidentiality agreements, licensing agreements and other intellectual property agreements.

He went on to say that according to the Contact Drafting and Review Manual from the North Dakota Office of Attorney General, it is not recommended to have another state or country be the state or country of governing law. To overcome potential liabilities, we have required that the academic unit pay for any costs incurred as a result of accepting such agreement conditions.

In view of our expanding research enterprise working more often with other states and countries, we will evaluate whether we keep this same procedure or develop a new procedure.

- VI. Adjournment: The meeting was adjourned at 4:20 p.m.

Minutes recorded by Rosemary R. Thue