SOCIETY POLICY

RESEARCH

I. PREFACE

Article C2.1.1 of the ASME Constitution presents a list of the purposes of the Society that defines the extremely broad interests of the Society.

II. PURPOSE

To provide the policies and procedures needed to govern the operation of the Society's Center for Research and Technology Development.

III. POLICY

In order to accomplish these objectives, the Society has established the Center for Research and Technology Development (CRTD) and adopted the following policy to govern its operation:

A. Governing Board

1. The CRTD shall be governed by a Board on Research and Technology Development (BRTD).

B. Organizational Units

1. In accordance with B5.6.2.2. of the Society By-Laws, research committees, task forces, expert panels, consortia, and other organizational units in specifically assigned technological areas may be established by the BRTD. They shall organize their own procedures and, when appropriate, shall plan, conduct, and report upon a project or projects within their designated scope, under the general direction of the BRTD.

C. Assessment of Research Needs and Establishment of Research Priorities.

1. The BRTD and its organizational units shall carry out on a continuing basis the assessment of research needs in the field of mechanical engineering and the establishment of research priorities.

D. Research Projects

1. Where research projects are to be carried out as ASME-sponsored research, the Research Committee or Task Force must first receive

approval from the BRTD. The approval of a project authorizes the Research Committee or Task Force to approach potential donors such as industry, government, or other appropriate funding agencies for funds for supporting the project and to negotiate with research groups for carrying out the work. If sufficient support is offered, a proposed contract shall be prepared for review, and approval if warranted, by the BRTD (or its executive committee) and the Executive Director or Chief Financial Officer. If approved, either the Executive Director or the Chief Financial Officer must sign the contract before work may commence.

a. The CRTD shall strive to operate all of its research projects on a financially self-supporting basis. Accordingly, the budgets associated with new project proposals shall seek full compensation for all anticipated direct costs for the proposed project including staff time, fringe benefits and travel. Additionally, such proposals shall include an assessment for the indirect costs associated with conducting such projects (e.g. postage, rent, phone, IT support, and staff training). The amount of this assessment shall be calculated at the beginning of each fiscal year by the Society's Controller. Charges for staff salaries and indirect costs shall accrue to the General Fund of the Society.

b. To assure that the Society's research projects are reasonably priced, the BRTD shall be authorized to offer partial cost sharing with potential users of the Center's services.

c. Project budgets may include a charge for subcontract management, set by the BRTD, that accrues to the General Fund of the Society. The purpose of this charge is to generate revenue to reflect the added value and offset the costs associated with preparing bids and proposals and providing volunteer and staff oversight of the Center's operations.

d. Project budgets may also include a Fee for Advanced Research, set by the BRTD to be used to provide seed money for portfolio development, for new R&D projects of national interest, to assist the BRTD and its research or planning committees in carrying out their supervisory functions and to provide a quick response to requests for assistance by Federal agencies, the Congress and other appropriate organizations. Such funds shall be disbursed in accordance with Society Policy P-2.1.

e. If, at any stage of a particular project it appears that the costs of performing that project will exceed the funding available, the responsible unit shall either acquire the necessary additional funds from external organizations, use its own resources (e.g., its own general custodial account, as opposed to the specific project account), or negotiate a change in the scope of work with the sponsor and subcontractors.

E. Cooperation with Other Institutions

1. The CRTD shall facilitate the development and application of technology by encouraging partnerships among organizations from industry, government, and academia.

F. Conflict of Interest in Research Contracts

1. Sponsorship of research projects by ASME Research Committees inherently endows each such project with the prestige of the ASME name. This conveys to prospective or active contributors of financial support implicit assurance that available funds will be spent wisely for intelligently planned and efficiently executed work designed to produce useful results. For this reason, it is imperative that Society-sponsored research projects be planned and executed using the highest levels of technical competence, financial integrity, and professional ethics.

2. ASME consistently and strongly opposes actions that involve actual or potential conflicts of interest. See Policy P-15.8 for detailed guidance.

3. Similarly, in order to avoid internal inconsistencies and possible conflicts of interest, if any proposed research project relates to an area of technology covered or addressed by an existing or proposed code and standard supervised by the Society's Standards and Certification Sector, appropriate representatives of that Sector should be consulted prior to the undertaking of such project.

G. Patents

1. Because patentable discoveries are always possible in research, all agreements with individuals and with research agencies shall contain provisions concerning patent rights.

2. Such provisions shall be for the purpose of precluding unauthorized and possibly restrictive exploitation of discoveries arising from Society-sponsored research as well as for the purpose of encouraging the use of such discoveries for the benefit of the profession and humankind.

3. Such provisions shall recognize the need for flexibility in order to give proper credit to a contractor for his prior knowledge or technology, and accordingly will follow three different patterns, as appropriate to the specific conditions of the project. The appropriate pattern is to be determined prior to signing a contract.

a. In all cases, each research agency or individual will be required, upon entering a project, to agree in writing to make prompt and full disclosure to the Research Committee of any invention which may be patentable and which results from the research contract.

b. Where the contract is in a field of science or technology where any likely discovery can be attributed primarily to the work funded through the Society, then each research agency or individual must agree to assign any and all rights to said invention to ASME or its designee if so requested by ASME. In such an event ASME shall have the right, at its discretion, to prosecute one or more patent applications with respect to said invention at its expense, and the contractor shall be required to cooperate fully in such prosecution and in the subsequent enforcement of any rights under any resulting patents. In such cases the contractor may (if ASME so agrees) acquire a royalty-free, non-exclusive license, with the right to sub-license, under any patents issued on said inventions.

c. Where the purpose of the contract is to build upon existing knowledge or technology, and it is in a field of technology in which the contractor has acquired technical competence and has an established commercial position, the contractor may acquire the exclusive rights throughout the world in and to any resulting invention.

4. If and when the Society acquires any patent rights it will exercise diligence in bringing the invention into public use. To this end, the Society may either administer the invention itself or alternatively entrust its administration to a patent management agency of its choice.

H. General Benefit

Contributions for research may be received only on the basis of general benefit to humankind, the profession, or industry. Contributors may be acknowledged in reports of the research and, when useful to the research, contributors may participate in technical advisory capacity.

IV. PROCEDURE

A. Research Project Approval

1. Each suggested research project shall be presented for approval to the BRTDB. If the BRTD considers the proposed project to be appropriate for ASME sponsorship, it shall authorize the appropriate CRTD organizational unit to conduct the project. Alternatively, the BRTD may choose to refer the proposal to any other group with relevant expertise. The Knowledge and Community Board shall be given written notification of all approved projects.

2. When insufficient time is available to seek the entire BRTD’s approval on a proposal, the Executive Committee has the authority to review and approve a proposal on the BRTD’s behalf. The proposal, along with a mail ballot, will be sent to each BRTD member for endorsement.

Responsibility: Knowledge and Community Board on Research and Technology Development

Reassigned from Council on Engineering/Board on Research and Technology Development 6/1/05

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