AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #539463

Ohio Administrative Code

Rule 3361:10-30-02 Research: publication restrictions in sponsored research.

Effective: November 18, 2025

(A) The university of Cincinnati is committed to maintaining a teaching and research environment that is open to the free exchange of ideas. The university will not approve agreements for the conduct of externally sponsored research which impose unreasonable limitations on the freedom to publish or to disseminate the results of sponsored research. As used herein, "Sponsored Research" includes any research activity which is designed to produce findings of the type which are commonly published in the scientific literature. "Sponsored Research" shall not include testing agreements, fee-for-service agreements, and similar projects which have been determined by the university as being unlikely to produce any publishable or patentable results.

(B) The university will not permit terms in agreements for the conduct of "Sponsored Research" which allow for sponsor editorial control over the publication of research results or conclusions; call for unreasonable delays in dissemination of research results; or which interfere with the evaluation of a student or fulfillment of degree requirements.

(C) Subject to the foregoing limitations, the university will accept reasonable limitations on the right to disseminate research findings in the following circumstances:

(1) Sponsor comment period.

Agreements covering "Sponsored Research" projects may provide for delay of publication, not exceeding one hundred twenty days, when requested to permit a sponsor to offer comments or suggestions, provided that such terms shall not include a requirement that the author is bound to accept such comments or suggestions.

(2) Reviews for proprietary information.

Agreements covering "Sponsored Research" which require access to and/or use of a sponsor's bona fide proprietary data or materials will be accepted only if terms regarding access, use, and protection of such data or materials do not unreasonably restrict the dissemination of scholarly findings made within the project.

(3) Delays for intellectual property protection.

Delays, not exceeding one hundred twenty days concurrent with the review period in paragraph (C)(1) of this rule, are permitted to enable the university and/or sponsor to screen proposed publications for possibly patentable ideas and to commence necessary steps to assure appropriate legal protection for such patentable ideas.

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(4) Multicenter clinical trials.

A delay for up to eighteen months following the conclusion of a multi-center clinical trial is acceptable when necessary to permit a first publication from the trial to represent the work from all sites. Any term reflecting this delay must affirmatively provide for the ability of the faculty member to publish site-specific results if no multi-site publication has occurred within the eighteen month period, and for the right of the faculty member to petition the sponsor to provide information (e.g. randomization codes) which is reasonably necessary to permit a site-specific analysis and publication to occur.

(D) In any circumstance in which a publication restriction appears in a written agreement in violation of this rule, the appropriate office of sponsored programs in coordination with the office of general counsel and the principal investigator shall promptly confer with the sponsor in an effort to remove or modify such restriction. If such efforts are unsuccessful, such restriction or delay may be approved only upon written request of the principal investigator subject to approval by the vice president for research, who shall retain records of all such approvals.