



Rules of
**Department of Economic
Development**

**Division 85—Division of Business and Community
Services**

Chapter 7—Entrepreneurial Development Council

Title	Page
4 CSR 85-7.010 Entrepreneurial Development Council	3



**Title 4—DEPARTMENT OF
ECONOMIC DEVELOPMENT
Division 85—Division of Business and
Community Services
Chapter 7—Entrepreneurial Development
Council**

4 CSR 85-7.010 Entrepreneurial Development Council

PURPOSE: This rule establishes the terms for members of the Entrepreneurial Development Council, sets the initial registration fee for the council, and describes the council's powers and duties.

(1) Definitions. The following terms have the following meanings for purposes of this rule:

(A) "Council" shall mean the Entrepreneurial Development Council established by section 620.050, RSMo.

(B) "Fund" shall mean the Entrepreneurial Development and Intellectual Property Right Protection Fund established in the state treasury.

(2) The Council.

(A) The council shall consist of seven (7) members who are either licensed attorneys with specialization in intellectual property matters or representatives of businesses located within the state. Initially, the governor shall appoint one (1) member for a one (1)-year term beginning July 1, 2010, and ending June 30, 2011; two (2) members for a two (2)-year term beginning July 1, 2010, and ending June 30, 2012; two (2) members for a three (3)-year term beginning July 1, 2010, and ending June 30, 2013; and two (2) members for a four (4)-year term beginning July 1, 2010, and ending June 30, 2014. Thereafter, the governor shall appoint members for a four (4)-year term, except that all vacancies shall be filled for unexpired terms for the same periods as set by the original appointments. Members may be reappointed to the council.

(B) The council shall hold at least four (4) meetings each year, at times and places fixed by the council, for the purpose of administering and performing the duties and powers charged to it. Other meetings may be held at times and places on the call of the council's chairperson.

(C) For all matters, motions, or questions pending before the council, the council must vote, and a quorum of council members must be present in order for a vote to occur. Four (4) voting members shall constitute a quorum. Members may appoint designees in writing who may attend meetings and vote on their behalf. In order to make a decision or act on

any matter, motion, or question pending before the council, a simple majority of voting council members must vote in favor of the decision or action.

(D) At its first regular meeting, the council shall elect a chairperson to serve a term of one (1) year. Each chairperson shall serve a term of one (1) year, but chairpersons may be elected to successive terms. The chairperson shall be the administrative and executive officer of the council and it shall be his or her duty to supervise and expedite the work of the council. Upon the expiration of the chairperson's term, whether or not he or she is reappointed, or upon the chairperson not being able to complete his or her term, the council shall elect a chairperson at its next regular meeting.

(3) Registration Fee.

(A) Every entrepreneur of this state who desires to avail himself or herself of the benefits provided by the council must register with the council and must pay an annual registration fee. The initial registration fee shall be one hundred dollars (\$100). On an ongoing basis, the council shall gather empirical data and evidence concerning council costs in the past, as well as anticipated costs in the future, and may annually set the registration fee in an amount it believes will be sufficient to cover such costs. The council may establish a fee schedule for entrepreneurs that takes into account the services desired by the individual entrepreneur.

(B) All fees, gifts, grants, endowments, or other contributions received by the council shall be deposited in the state treasury and shall be credited toward the fund. All administrative costs and expenses of the council shall be paid from the fund.

(4) Low-Interest Loans and Grants to Registered Entrepreneurs.

(A) For the purpose of providing financial aid for product development, manufacturing, and advertising of new products, the council may allocate grants and low-interest loans to registered entrepreneurs to provide financial assistance for product development, manufacturing, and advertising of new products. The determination of whether a registered entrepreneur needs assistance from the council and the fund for product development, manufacturing, and advertising of new products, and any resulting allocation the council makes to registered entrepreneurs in connection with product development, manufacturing, and advertising of new products, shall be at the council's sole discretion based upon 1) the entrepreneur's demonstrated financial need; 2) the product's likely commercial suc-

cess; and 3) the projected impact on the state economy.

(B) The allocation of what percentage of moneys in the fund shall be used for grant awards, low-interest loans, and other forms of financial assistance for the purpose of product development, manufacturing, or marketing expenses shall be at the council's sole discretion.

(5) Intellectual Property Protection.

(A) The council may assist registered entrepreneurs in determining how best to protect their intellectual property, which may include facilitating the procurement of intellectual property insurance.

(B) Upon notification of an alleged infringement of intellectual property rights of an entrepreneur, the council shall evaluate such allegations of infringement and may, based upon need and defensibility of the claim, award grants or financial assistance to subsidize legal expenses necessary to remedy the alleged infringement.

(C) The council may provide other services to the entrepreneurs of this state by—

1. Acting as a liaison between entrepreneurs and the universities and research institutions of this state;

2. Assisting with the cataloguing of unused and underused intellectual property within the state;

3. Providing outreach, education, and other services to entrepreneurs;

4. Contracting with third parties, if necessary, to perform any of the council's functions as specified by section 620.050, RSMo, and this rule; and

5. Engaging in all other activities that may be necessary to fulfill the purposes of section 620.050, RSMo.

AUTHORITY: section 620.050, RSMo Supp. 2009. Original rule filed Jan. 27, 2010, effective Aug. 30, 2010.*

**Original authority: 620.050, RSMo 2008.*