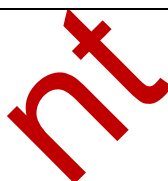


INTELLECTUAL PROPERTY POLICY

Responsible Officer	Deputy Vice-Chancellor Research		
Contact Officer	Ms Bronwyn Greene Executive Officer (Research Policy) Office of the Deputy Vice-Chancellor (Research) Email: b.greene@unsw.edu.au Phone: x 52983		
Superseded Documents	Intellectual Property Policy amended 21 June 2004 (CL04/81),		
Review	1 July 2007		
File Number	961781		
Associated Documents	Academic Paid Outside Work Policy Research Code of Conduct UNSW Delegations of Authority Conflict of Interest Policy Staff Complaint Policy Student Complaint Policy		
Version	Authorisation	Approval Date	Effective Date
1.3	Approved by UNSW Council CL05/163		

This policy is consistent with the [National Principles of Intellectual Property Management for Publicly Funded Research](#)

3. OWNERSHIP OF INTELLECTUAL PROPERTY

3.1 Ownership by the University of Intellectual Property

(or team) subject to agreement including a non-exclusive licence to the University for educational purposes.

3.4 Ownership of Course Materials created with the use of Exceptional University Resources

Where Course Materials are or may be created in whole or in part with the use of Exceptional University Resources, a written agreement should be developed between the staff member and the University as soon as practicable which specifies ownership of the Intellectual Property in the Course Materials and rights to revenue in the event of any commercialisation of the Course Materials and any Intellectual Property generated from the production of the Course Materials.

In the absence of a written agreement, the University will own the Course Materials, but the staff member(s) who provided content for the Course Materials will be entitled to at least 33% of the net benefits of any commercialisation of the Course Materials by the University. Where more than one staff member provided content for the Course Materials, the benefits should be shared in proportions as may be agreed by them or in the absence of a formal agreement, benefits will be equally shared.

3.5 Ownership of artistic, musical, dramatic or creative works

The University does not assert any right or claim to ownership of the Intellectual Property in artistic, musical, dramatic or other creative works created or composed by its staff or students, except where these works have been Specifically Commissioned by the University, or are created in whole or in part with the use of exceptional University resources.

3.6 Assignments of Intellectual Property

The University and staff members will execute, in a timely manner, all assignments of Intellectual Property necessary to give effect to the ownership provisions set out above and to allow for the use and commercialisation of the Intellectual Property by the University in accordance with this Policy.

3.7 Effect of this Policy on existing arrangements

Despite any contrary provision in this Policy, all contracts and arrangements existing at the time of the adoption of this Policy between the University and governments, corporations or other external organisations, which relate to Intellectual Property and in which the University has an interest, will remain in full force and effect, including those where the ownership of developed Intellectual Property is vested in a third party.

3.8 Assignment of ownership by the University

The University reserves its right to transfer the ownership of its Intellectual Property to third parties in accordance with this Policy, or otherwise, where practicable, following consultations with the creator(s) of the Intellectual Property.

3.9 Dealings by staff members or students

Except where expressly permitted under this Policy, no staff member or student may apply for in their own name, assign, license or otherwise deal with Intellectual Property which is the property of the University without the written consent of the University.

4. STUDENTS

4.1 Conditions to apply to Students

Where students are involved in activities that could lead to the development of Intellectual Property over which the University or a third party may claim ownership, the following conditions will apply:

- (a) participation in the research will not interfere with the assessment of the student's academic performance;
- (b) the student's rights in Intellectual Property in any thesis or publications arising from the research will be protected;

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5. EXPLOITATION OF INTELLECTUAL PROPERTY OWNED BY THE UNIVERSITY

5.1

Intellectual Property will be treated equivalently to staff members in
of benefits flowing from the commercialisation of Intellectual

If a staff member or student has created the Intellectual Property, the
benefits should be shared in proportions as may be agreed by them. In the absence
of an agreement, benefits will be equally shared between the inventors.

The forms associated with benefits flowing to creators of Intellectual Property are
of the individuals involved. For the avoidance of doubt, benefits may take
the form of revenue, equity or shares, a right to convert to equity or shares or other non-
dependent upon the commercialisation path.

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