

Bangor University Intellectual Property Policy

Policy Title:	Intellectual Property Policy
Brief Description:	Ownership, use, exploitation and sharing rewards from intellectual property

	, Compliance Task Group
Policy Officer:	Head of IRIS
Senior Responsible Officer:	Pro Vice-Chancellor for Research and Enterprise

Sustainability:

1. INTRODUCTION

The exploitation of Intellectual Property enhances dissemination of research results, provides a method for social improvement, and can generate income for the University and its employees. It is important that Staff and Students who have contributed to the creation and exploitation of Intellectual Property are treated fairly in terms of the sharing of any income resulting from the exploitation of Intellectual Property.

2. POLICY STATEMENT

This Policy sets out the position of the University for the creation, ownership, protection, and exploitation of Intellectual Property within the University. This Policy aims to balance the interests of the University with those of the Creator(s) on fair and reasonable terms.

The main principles of this Policy are as follows:

- The University wishes to create an environment that encourages and promotes the creation and dissemination of inventions, new research, and theories.
- The public recognition of the work of academics and researchers (whether Staff and/or Students).
- To protect valuable Intellectual Property and to create a competitive advantage in the exploitation of results .
- To promote the successful exploitation of Intellectual Property
- To encourage knowledge transfer thereby increasing regional and national economic.
- Growth.
- To facilitate the development of Intellectual Property by providing fair and equitable financial rewards to Staff, Students, Departments and the University.

3. RELATED POLICIES

- Consultancy Policy.
- Conflicts of interest.

4. DEFINITIONS

“Commercial Office” : the University Department responsible for the commercialisation of Intellectual Property which at the time of writing was the Integrated Research and Innovation Office (IRIS).

“Conflicts of Interest ”: as defined in the University’s Conflicts of Interest Policy.

“Creator(s)” : any person or persons who creates, devises, or invents an item of Intellectual Property. This may be independently or in collaboration with others.

“Department ”: any college, school, institute, or other academic unit (or equivalent) as having primary responsibility for the delivery of programmes leading to the award of undergraduate and postgraduate degrees and other academic qualifications of the University and/or the conduct and promotion of research activity, participation in third mission activity or self- funded units and/or such other functions including but not limited to general services to the University.

“Intellectual Property ”: shall include copyright, patents, design rights, trademarks, trade names, service marks, database rights, plant breeders’ rights, utility models, know -how, confidential information and other intellectual property rights, in each case whether registered or unregistered and including applications for the grant of any foregoing and all rights or forms of protection in any jurisdiction.

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“University Resources ”: University facilities or resources including (but not limited to):

- (i) Office, laboratory and studio space and equipment.
- (ii) Computer hardware, software, and support.
- (iii) Secretarial services
- (iv) Research, teaching, and laboratory assistants.
- (v) Supplies and utilities.
- (vi) Funding for research and teaching activities, travel and other funding reimbursements, equipment, or time.
- (vii) Central support services such as Finance Office, Legalsupport, or technology transfer support.

5. CREATION AND OWNERSHIP OF INTELLECTUAL PROPERTY

(A) Staff

- 5.1 Staff shall support the University in the implementation of this Policy and will provide assistance with activities associated with the protection and exploitation of Intellectual Property as set out in section 5.
- 5.2 The University shall own all Intellectual Property created by Staff:
- In the course of their employment and/or the performance of their duties for the University.
 - Using University Resources
 - In the course of duties falling outside of normal duties , but specifically assigned to those Staff.
- 5.3 The University may assign its ownership rights through agreements with third parties (see 5.18, 5.19).
- 5.4 The University will normally always assert its rights of ownership to :
- Patentable inventions.
 - Computer software.
 - Intellectual property created for its administrative purposes.
- 5.5 The University will normally waive its right to the ownership of Intellectual Property rights relating to the publication of books and articles written by employees in line with normal academic practice, as well as any material produced by an employee for personal use and reference, including as an aide to teaching. Exceptions to this include Intellectual Property in:
- Course materials for the purpose of a course being run or to be run by the University.

- Where the Intellectual Property cannot be separated from that developed by Staff. For example, where a Supervisor has significantly contributed to the creation of new Intellectual Property in the research leading to the publication of a thesis, the fair and equitable approach would be to conclude joint ownership, subject always to the Student receiving a fair share of any revenue derived from such Intellectual Property.
 - A student who wishes to work with the University to exploit their Intellectual Property and the University decides to do so.
 - A Student creates Intellectual Property using University Resources not normally made available in the normal course of teaching and learning in their course of study.
- 5.11 A Student who has agreed to assign their Intellectual Property to the University under this clause will normally be treated for ownership and reward purposes, as though they were Staff of the University.
- 5.12 Where necessary Students agree to enter into written arrangements to confirm the assignment of Intellectual Property to the University in particular

(C) Non -Employees of the University

5.17 Heads of Department shall also be responsible for ensuring that a written agreement is signed confirming ownership of all Intellectual Property invented or discovered by the visitor and/or any consultant(s) engaged by its Department is put in place before such party undertakes any work for the University (paid or unpaid). If the academic visitor already has an employment contract with an outside institution, and if appropriate, an inter -

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Cumulative Net Receipts (GBP)	Creators and agreed additional staff or students	School	University
Up to 5k	100	0	0
5k – 50k	60	20	20
50k – 100k	40	30	30
Over 100k	30	30	40

The University may agree to take an equity stake in a company as an alternative or addition to the above.

- 7.3 No distribution of income shall be made until the Creators have reached agreement on their share and agreements are in place between the individual(s) and the University which will normally be done at the time of registering the Intellectual Property and always before any commercial activity has commenced. Where they all agree, Creators may agree to include additional Staff or Students in the distribution of income who have made a significant contribution to the IP but who are not deemed to be Creators under this Policy.
- 7.4 Individuals receiving a share of the revenue from exploited Intellectual Property in accordance with the above table will continue to receive their payments if they leave the University until the payments cease. If a Creator dies, the estate of the deceased will receive their payments. The Commercial Office will be responsible for making arrangements to distribute any net revenue.
- 7.5 Individuals who are entitled to payments under the University's revenue sharing arrangements must ensure that the University is notified in writing at all times of their current address to where any revenue payments due may be sent. If the University is not given such current address details, then they will be designated a 'missing individual' and all unclaimed revenue payments may be invested in a deposit account until such revenue payments are claimed whilst all interest shall be retained by the University. The University will not be a trustee of any such unclaimed revenue payments.
- 7.6 Any revenue payments remaining unclaimed for 5 years from the date the revenue is

7.8 Where the University commissions members of staff to produce a written work, or where they wish to be represented as writers by the University in an