Intellectual Property Policy

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# Purpose

To establish a structure for the ownership, reporting, identification, management and commercialisation of Intellectual Property.

# Scope

This policy applies to:

All professional and employees whether full-time, fractional, continuing, fixed term, contract or casual.

# Policy Statement

The business seeks to provide an environment for the encouragement of creative work, the dissemination of knowledge and the advancement of research and technology.

Intellectual Property created out of these activities is recognised by the business as a valuable asset.

This policy seeks to facilitate, where appropriate, the Commercialisation of Intellectual Property created by the Employees and recognises that Employees as Originators are entitled to recognition and morale rights and financial returns of commercialisation is that of the business due to being the financial stakeholder.

# Principles

This policy sets out the principles of ownership of intellectual property generated by Employees. The policy provides procedures for the disclosure protection, management and Commercialisation.

The policy acknowledges the contribution of Employees who assign ownership of their Intellectual Property to the business.

# Ownership of Intellectual Property

Other than as stated in paragraphs 3 and 4 of section 5.1.1 below, the business, as an employer owns all Intellectual Property invented, created, made or designed by an Employee in the Course of Employment. This includes copyright in any material that is:

IT technology Works;

Administration Material; or

Material created at the express request or direction of the University.

An Employee may be required to sign an agreement to formally record the business ownership of business Intellectual Property, in particular to enable patent applications to be made. This includes agreements where an Employee is engaged on a directed Project.

# Confidential Information

Employees who receive business Confidential Information must not disclose that information without express consent from the business. If required by operation of the law to make a disclosure, the Employee will first inform the business prior to making the disclosure.

# Moral Rights

The business recognises the right of an Originator to be acknowledged as the creator of Intellectual Property, and the right to object to derogatory treatment of that Intellectual Property. The business will take all reasonable steps to ensure that the Moral rights of the Originator are respected and to endeavour that others respect those Rights.

Subject to any contracted obligation to which the business is a party, the use of the whole or part of the work of an Originator shall be appropriately acknowledged in accordance with the business practices.

# References

University of Southern Queensland Intellectual Property Policy 1996