

# Ordinance XXXIX

## Ownership and Commercial Exploitation of Intellectual Property

*(This version is effective from 1 August 2009 until 31 July 2011)*

1. For the purposes of this Ordinance, the definition of intellectual property includes patentable research results, apparatus, designs, copyright, computer software or other discoveries and inventions but excludes books, artefacts, journal articles and theses.

2. The arrangements for ownership and commercial exploitation of any intellectual property developed by a member of University staff shall be governed by provisions in the relevant Conditions of Service.

3. The arrangements for ownership and commercial exploitation of any intellectual property developed by research students of the University in the course of their studies, or any other work undertaken at the request of the University or using University facilities, shall be governed by the relevant provisions of the Conditions of Service for Academic and Related Staff.

4. Students following taught programmes of study will normally retain ownership of intellectual property where they can demonstrate that they have developed it in the course of their studies or through use of University facilities. For ownership to be assigned to the student, it must be clear that the intellectual property derives from the student's own work with due regard being given to the contribution of members of staff, other students and any external partners. In addition account may need to be given to the following:

- i. Where the student is sponsored by an outside body, any conditions of the sponsorship relating to intellectual property developed in the period of the sponsorship.
- ii. Where the project is fully or partially externally funded, any conditions of the contract with the University relating to intellectual property developed in the course of the project.

5. Ownership of intellectual property by taught students should normally be determined by mutual agreement between the student and the relevant Head of Department. However, where this is not possible, the student or Head of Department may refer the matter to the Pro-Vice-Chancellor (Enterprise) for a decision. Should the matter remain in dispute, the case shall be referred to an appeals committee comprised of three lay members of the University Council, nominated by the Academic Registrar, who shall also appoint an independent member of University staff to act as secretary. The committee shall determine its own procedure but shall act at all times in accordance with the principles of natural justice. The decision of the appeals committee shall be final.

**(remade July 2009)**