

POLICY ON INTELLECTUAL PROPERTY RIGHTS

Policy Statement

It is the policy of the University to encourage its staff and/or students to:

create intellectual property (known as 'IP'); and
proactively identify commercially-valuable IP, suitable protection and robust

In the event the University does not apply for patent or other legal protection the relevant staff member(s) and/or students shall be notified of that decision as soon as is reasonably practicable thereafter.

If the invention/discovery is partly or wholly funded by a third party, the University's IPR Panel will review and advise in light of the contractual arrangements with the third party what steps should be taken to advise the third party of the invention/discovery.

Principle 3: Exploitation

Unless the University has expressly assigned back the IP (in part or whole) to the staff member(s) and/or student(s) who created it, the University through the workings of its IPR Panel will at its discretion, after seeking and considering specialist advice (if needed) and the views/interests of the relevant staff member(s) and/or student(s) and/or any third party, decide the appropriate arrangement for exploitation (if any) of any arising IP and shall be responsible for any subsequent negotiations and associated costs (where appropriate).

If the exploitation of any IP gives rise to the University receiving monies directly from it then, after taking into account:

the relevant contributions of the staff member(s) and/or student(s);

the contributions/interests of any third party; and

the direct cost of funding provided or to be provided by the University to protect and exploit the IP,

those monies shall be shared with the relevant staff member(s) and/or student(s) in a proportion to be determined by the University at the time acting in a fair, reasonable and commercial manner.

If any dispute between the University and the relevant staff member(s) and/or student(s) about the determined proportion of monies shared arises and is not resolved by negotiation, the relevant staff member(s) and/or student(s) may appeal against the decision to the Board of Governors.

Other related Policies and Procedures

Failure to comply with this policy will be considered a matter of misconduct and action would be taken under local disciplinary procedures.

The University of Bolton Academic Handbook

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Overall responsibility for the policy implementation rests with the Vice Chancellor. However, all staff and/or students are obliged to adhere to, support and implement this policy.

The Assistant Vice Chancellor (Resources) shall ensure that all existing employees and students are informed of the policy and their role in implementing the policy.