

IPR at Glyndŵr University – a guide for students

1. During the course of your studies you may generate some novel work. This is known as Intellectual Property (IP). Intellectual Property is the term used to describe the outputs of creative endeavour in literary, artistic, industrial, scientific and engineering fields that can be protected under legislation. In the university context this can be considered broadly as the results from research or creative projects.
2. As the generator of IP you are considered to be an 'inventor' or 'creator' and you, together with the University, have rights to the Intellectual Property. This is known as Intellectual Property Rights (IPR). IPR give legal recognition to the ownership of intellectual property. There are several different forms of rights or areas of law giving rise to rights that together make up IPR.

The four main types of IP are:

- Patents for inventions – new and improved products and processes that are capable of industrial application
 - Trade marks for brand identity – of goods and services allowing distinctions to be made between different traders
 - Designs for product appearance – of the whole or a part of a product resulting from the features of, in particular, the lines, contours, colours, shape, texture or materials of the product itself or its ornamentation
 - Copyright for material – literary and artistic material, music, films, sound recordings and broadcasts, including software and multimedia
3. Students occupy a different position from members of staff. The University normally makes no claim to ownership of intellectual property which a student makes arising from his or her research project, for example. However, any student may be required to sign an agreement assigning first ownership of such rights to the University as a condition of participation in a specific project or programme of study. A common situation is one in which a research student is a member of a team whose work has resulted in an invention. The University's practice is to treat the student concerned in no way differently from the members of staff constituting the team and enable him or her to participate in the revenue sharing arrangements that are agreed. The position of students sponsored by an employer or under an arrangement such as a CASE award, or other externally funded research will be governed by the terms of the grant or funding agreement. If a student develops IP while employed by the University in the capacity of a research assistant or demonstrator then the position is the same as for a member of staff. The full text of the University's Policy Statement concerning IP created by students follows.
 4. Normally the University will work with 'inventors' or 'creators' to manage the IP. The University's Research Office can provide expert help and advice. Therefore if you feel that you have created some IP, please speak to your project supervisor as soon as possible. Then you and your supervisor should contact the Head of Research Services and together we can work to help exploit and manage the IP you have invented as effectively as possible. In order for students to benefit from the exploitation of IP they will be required to assign their IP to the University.
 5. Information disclosed to a student during the course of research activities and any results generated during that period (whether or not technical or commercial in nature) may constitute valuable intellectual property and require protection prior to any form of non-confidential disclosure. It is the responsibility of the student's supervisor to advise the student as to which results and/or information are to be kept confidential. If in any doubt, advice should be sought from the Head of Research Services.

Policy Statement concerning Intellectual Property (IP) created by students

- i. The University recognises that it cannot automatically assume ownership of student generated IP. However, any student may be required to sign an agreement assigning first ownership of such rights to the University as a condition of participation in a specific project or programme of study (including but not limited to final year projects, postgraduate theses, projects involving third parties, work requiring the use of the University-owned pre-existing IP, know-how or facilities). The University as first owner reserves the right to exploit such IP. In such cases the University will normally collaborate with the student originator(s) and where appropriate, share benefits deriving from exploitation as if the student(s) were employees.
- ii. Any student asked to assign IP Rights to the University is advised that they are responsible for seeking their own independent legal advice, as appropriate.
- iii. Where a student is proposing to enrol on a postgraduate or professional programme of study and will participate in an externally funded project and/or is to be sponsored by an external organisation, rights in relation to IP will be examined on a case by case basis. In cases in which the agreement with the funder or sponsor does not specify arrangements in relation to IP, the student will be required to assign any resulting IP to the University in the first instance, so that the University can ensure that any interest the funder or sponsor may have in the resulting IP is appropriately dealt with.
- iv. Where a student proposing to enrol on a postgraduate or professional programme of study is granted a scholarship by the University, the student will be required to assign any resulting IP to the University in recognition of that financial support.
- v. The conditions of use associated with equipment or facilities (including computer software) may impose particular requirements in relation to IP. Where this is the case, the student will be required to assign any resulting IP to the University in the first instance, so that the University can ensure that any interest the provider or licensor has in the resulting IP is appropriately dealt with.
- vi. In a situation in which a research student is a member of a team whose work has resulted in the creation of IP, the University will treat the student concerned in no way differently from the members of staff constituting the team. The student will be required to assign resulting IP to the University and the University will enable him or her to participate in any deriving from exploitation as if he/she were an employee.
- vii. In a situation in which a student creates IP not owned by any other person or organisation and which has not been the subject of a requirement to assign IP to the university, the student may seek the University's assistance in the commercial exploitation of that IP. Should the University be willing to provide that assistance, the student will be required to assign ownership of the IP to the University.
- viii. Where there has been input by University staff or use of University resources in the creation of IP by students not otherwise covered by this policy statement, the University may claim fair and reasonable interest in the IP and any revenue arising from exploitation.
- ix. The University requires all students to grant to the University a licence to use all IP resulting from their studies and not otherwise assigned to the University, in teaching and in promotional activity such as prospectuses and open days.
- x. If the University is unable to commercialise IP assigned by a student, the student may request reassignment of that IP. The University will not unreasonably refuse such a request, but will have no obligation to provide assistance in the commercialisation of the IP.
- xi. Disputes concerning ownership and assignment of student generated IP shall be referred to the Pro Vice-Chancellor, Research for resolution.