

- **What is the University's Policy on the Publication of Research Results ?**

It is the University's policy to encourage staff and post-graduate students to place the results of their research in the public domain either through publication in learned journals or presentation at conferences. This is a vital factor for academic recognition. However, it must be recognised that premature publication or disclosure⁴ except on a confidential basis may make it impossible to obtain valid patent protection.

- **What Support is Available from NovaUCD ?**

- NovaUCD assists researchers in the formal disclosure and assignment of IP to UCD.
- Where there is potential for commercial exploitation, NovaUCD will seek protection for the IP by patenting or other means.
- NovaUCD works with the creator of the IP in commercialisation of the IP typically through licensing to established or spin-out companies⁵.
- NovaUCD also provides access to incubation facilities and other support for spin-out companies including the NovaUCD Campus Company Development Programme.

NovaUCD:
www.ucd.ie/nova

Complete Policy:
www.ucd.ie/nova/internal/ucd_ip_policy_procedures_july06.pdf

Invention Disclosure Form:
www.ucd.ie/nova/internal/idf.html

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Footnotes

1 The *UCD Intellectual Property Policy and Procedures* was adopted by the Governing Authority on 4 July 2006. It incorporates and updates the main provisions of the *UCD Patents Policy and Programme* (1992). The new Policy and Procedures takes account of changes in legislation including the *Copyright and Related Rights Act, 2000*, and the introduction of National Codes of Practice (April 2004 and November 2005) and the *Funding Agency Requirements and Guidelines for Managing Research-Generated Intellectual Property* (February 2006). Nothing in this Policy is designed to interfere with or compromise the academic principles enshrined in the Universities Act 1997.

2 The University will not assert ownership of copyright in pedagogical works, scholarly publications, books or artistic works of its employees, regardless of the form of expression, unless there is a written agreement to the contrary. This exception to University ownership of IP does not extend to copyright in software or to database rights.

3 The University will not assign rights to the usage of teaching materials to any third party without the prior agreement of the author/creator. If there is an opportunity to exploit those materials/works with a party independent of the University, then the commercial value of that exploitation will be shared between the University and the author/creator in accordance with the policy on shared royalties.

4 The placing of a thesis in the University library without ensuring that accessibility is restricted constitutes disclosure.

5 Creators of University IP wishing to commercialise such IP through companies in which they or their immediate family have a shareholding or other interest must declare that interest to the University through NovaUCD.



UNIVERSITY COLLEGE DUBLIN
INTELLECTUAL PROPERTY POLICY
AND PROCEDURES

• Introduction

This leaflet summarises the UCD policy and procedures¹ regarding the ownership and commercialisation of intellectual property (IP) and the sharing of income with UCD staff, post-graduate students and others who generated the IP.

A major objective for UCD (*Strategic Plan 2005-2008, Creating the Future*) is to contribute to the social, economic and cultural objectives of a knowledge society. NovaUCD, the Innovation and Technology Transfer Centre is responsible for the identification, protection and commercialisation of IP arising from UCD research.

• What is University IP ?

University IP is defined as any invention and other IP that is created by academic, research and other UCD staff (full-time or part-time) in the course of their employment or by post-graduate students in the course of their education or by consultants or others in the course of research, development, teaching, consultancy and other intellectual activity carried out for UCD.

• Who owns University IP ?

The Policy augments the Irish statutory provisions governing the ownership of intellectual property rights. The

ownership of University IP rests with the University. Under the terms of the *Copyright and Related Rights Act, 2000* the University owns all copyright in works created by its employees in the course of their employment².

• How to Disclose University IP ?

All inventions, software and other University IP which has commercial potential must be disclosed on a timely basis to the University through NovaUCD. The disclosure shall be made using the Invention Disclosure Form which can be downloaded via www.ucd.ie/nova/internal/idf.html

• How is IP Assigned ?

The creators of University IP assign the IP to the University or to any person or organisation designated by the University. In making such an assignment the assignees shall declare the names of co-inventors or of anyone known to them who may have a claim on the rights to the IP³.

• How is Income from Commercialisation of University IP Distributed ?

The University shares royalty and other income earned from the commercialisation of IP (excluding income earned from equity in spin-out companies) with the creators of the IP.

The income distributed is net of the direct expenses incurred by the University in the protection and commercialisation of the IP.

The following scale will apply in the sharing of net income available for distribution:

Net Income	Creators of IP	College	University/ NovaUCD
Up to €100,000	75%	15%	10%
€100,000-€200,000	50%	30%	20%
€200,000-€1,000,000	40%	30%	30%
Over €1,000,000	30%	30%	40%

If more than one party is involved in the creation of the IP, the division of payments between the parties will be based on their relative intellectual contributions as outlined in the Invention Disclosure Form.

• Are There Other Rewards ?

The University may also provide academic recognition and other rewards to creators of IP and/or their Colleges, Schools, Institutes and Centres.