

## **Intellectual Property Policy for Students 2023-2024**

This policy describes the rights of students, the University and others in intellectual property that is created by students during their time at the University.

Students are bound by this policy which is part of the Student Agreement (found [here](#)).

*Students should make sure they check and understand the position on ownership of intellectual property at the outset of any project, placement or other arrangement.*

### **Introduction**

Intellectual property is a term used to describe legal rights that can exist in ideas generated and works created by individuals. These rights can have value and may be exploited for commercial and other purposes. It is likely that during the course of their studies or research programmes students will create work in which intellectual property rights arise and this policy will apply.

The most common intellectual property rights that might arise include copyright, design rights, patents and trademarks. A more detailed explanation of intellectual property rights that might arise may be found [here](#).

### **Students covered by the policy**

This policy applies to all students registered with the University, whether as undergraduates, post-graduates or in some other research capacity. It also applies if a registered student is employed by the University or another organisation.

### **The basic principle**

Students will own the intellectual property they create through coursework or research while registered as students at the University. This means they are free to exploit this intellectual property as they choose, subject to any wider legal constraints that apply. There are, however, some important exceptions to this basic principle which are set out below.

### **Exceptions**

*Students participating in a research project supported by the University or another third party*

An organisation funding (or otherwise contributing to or supporting) the research (the “funder”) might make it a condition of funding that any intellectual property rights generated during the project will belong to the funder, or the funder will have rights to use them or the intellectual property is to be available for open access and/or exploitation. In some such cases the University may require the student to assign (which means to transfer) to the University the rights in the intellectual property that is created. The form of the assignment may be found [here](#) . In other cases, the funder might require the student to assign (or grant rights to use) the intellectual property rights created by the student to

the funder before the research starts or at its conclusion. Where this occurs the student will be bound by the terms imposed by the funder.

The University or other funder may also require the student to enter into a confidentiality agreement if the research involves the student having access to confidential information.

### *Collaboration with academics*

There are courses and research projects where students will be working with and/or are supervised by academic members of staff. The academic member of staff might contribute the ideas or concept behind the work that the student then develops or students may join existing research teams during the course of their studies.

Any intellectual property created or developed by the student through interactions of this nature must be assigned by the student to the University. The University will then treat the student as it does an eligible member of staff, which will entitle the student to a share of any fees that arise through the exploitation of the intellectual property. The share of the fees (also known as 'royalties') is determined by the level of the contribution made by the student. This is known as 'revenue sharing'. The University has adopted a formal 'Revenue Sharing Scheme' and further details of this are available [here](#).

*Note: Prior to joining a research group or starting a project, students will be required to sign the form of assignment, found [here](#).*

### *Students on placements*

The organisation offering the placement might make it a condition of the offer that any intellectual property rights created by the student during the placement will belong to the organisation and not to the student. The student may be required to assign the rights to the organisation offering the placement or to the University.

### *Students employed by the University or another organisation*

If a student is employed or sponsored by the University or any other organisation(s) at any time during their course or research programme, the employer(s) or sponsor(s) might own or claim ownership in the intellectual property created by the student during this time. As a matter of general law, employers own the intellectual property rights created by their employees. It is also possible that a sponsor will have a separate agreement with the student or with the University under which the sponsor claims ownership in any intellectual property created by the student.

The University may require the student to assign the intellectual property rights to the University. The University may exercise this right to protect the interests of the employer or sponsor.

The University may also require the student to enter into a confidentiality agreement if the course or research involves the student having access to confidential information.

## **University use of student-owned intellectual property, research publications and scholarly works**

Please see section 5 of the Student Agreement regarding the use the University can make of student-owned intellectual property. This permission helps further the University's charitable [objects](#) and reflects many funders' requirements for open access and exploitation.

We recognise that students may produce scholarly works. Where a student produces a scholarly work, in order for the University and its researchers to disseminate its research and scholarship as widely as possible and comply with funder requirements, each student will comply with clauses 4 to 9 inclusive of the [Research Publications and Scholarly Works Policy](#) as if the student were a "Member of Staff". These clauses set out the steps that need to be taken in respect of scholarly works.

The law gives rights (known as 'moral rights') entitling authors of works in certain situations to be identified as such. The University will respect these rights and will acknowledge students as being the author where the University publishes the student owned work. In other cases where the law does not require this, the student will be acknowledged, where reasonably practicable, in any publication of the University containing the student's work.

### **Respecting the intellectual rights of others**

Students must respect the intellectual property rights of others. This means students must not knowingly claim rights in work created by others, whether academics, students or third parties, or copy such work without the owner's permission. These obligations are described in more detail in the [Rules and Regulations for Students](#).

### **Other relevant University policies**

The University has adopted other policies where there might be some overlap with this policy on intellectual property. These include:

- [The Policy on Live Streaming and Recording Educational Activities](#)
- [Information Security Policies](#)

### **Disputes and appeals**

If a student wishes to complain about any aspect of their treatment under this policy this must be done through the Students Complaints Procedure, details of which are [here](#).

**Approved by the Board of Trustees**

**7 July 2023**

<b>Summary</b>			
This policy describes the rights of students, the University and others, in intellectual property that is created by students during their time at the University.			
<b>Scope</b>			
Applies to all students and applicants.			
<b>Document Control</b>			
Owning Team	University Secretary's Office		
Division	University Secretary's Office		
Lead contact	Keith Feeney		
Type	Institutional Plan	Status	Approved
Asset Number		Version	V 1.2
Approved by/on	University Education Committee via ASIOG	Date current version approved	7 July 2023
Date current version published		Date first published	August 2018
Next review date	AY 24/25	Revision frequency	3 year
Superseded documents	N/A		
Related documents	<a href="#">Student Agreement</a> <a href="#">Rules and Regulations for Students</a>		
Keywords	Intellectual Property, Legal Rights		