

THINK.
CHANGE.
DO.

INTELLECTUAL PROPERTY RIGHTS

INTELLECTUAL PROPERTY RIGHTS

- 1. What is Intellectual Property (IP)?**
- 2. Forms of IP**
- 3. Typical research agreement terminology**
- 4. Things to consider**

WHAT IS INTELLECTUAL PROPERTY?

Intellectual Property

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graph TD; IP[Intellectual Property] --> CM[Creations of the mind]; IP --> O[Ownership]; CM --> CM_Details[Methods, designs, data, literature, devices, processes....]; O --> O_Details[Can be kept, sold, licensed, given away, destroyed...];
```

**Creations of
the mind**

Ownership

**Methods, designs, data,
literature, devices,
processes....**

**Can be kept, sold,
licensed, given away,
destroyed...**

FORMS OF INTELLECTUAL PROPERTY

1. **Patents** - Protects a product or process, must be novel, useful and inventive
2. **Copyright** - An automatic right, protects literary works, data, software code etc
3. **Trademarks** - A distinctive sign that identifies certain goods or services
4. **Design Rights** - Protects the ornamental or aesthetic aspects of an object
5. **Circuit Board Layouts** - Similar to Copyright, protects the layout of circuits
6. **Plant Breeders Rights** - Similar to Patents, protects distinctive, stable plants
7. **Trade Secrets** - Can protect anything as long as it stays a secret!

TYPICAL TERMS IN RESEARCH AGREEMENTS

Background IP (BIP)

The Intellectual Property that each party brings to a project. It is common to provide a BIP statement which specifically lists the IP you are making available.

Note: a list of publications is not BIP – try to be specific

Project IP (PIP)

The Intellectual Property that will be developed during the project, which may rely on the BIP. Project IP will differ a great deal depending on the nature of the project.

THINGS TO CONSIDER

- Articulate the BIP you are making available
- What are the expected deliverables from the research?
- What rights will research partners have to use the BIP and PIP?
- How will IP be managed by the research team?
- Who will own the Project IP?
- What happens after the project?
- Remember that IP and Commercialisation are completely separate

THANK YOU

Questions?

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