University of Tasmania
DRAFT
Enterprise, Innovation & Commercialisation Framework
Context for the Framework

In the context of *Open to Talent*, the University of Tasmania’s strategic plan, the University aims to be an enterprising and innovative institution contributing locally, engaged regionally and recognised globally for the quality of its teaching and research. Based on the evidence of both national assessment exercises\(^1\) and international benchmarking\(^2\) it is clear that the University has already made significant progress towards achieving these academic goals.

With the shifting emphasis of both Federal and State Governments towards national competitiveness\(^3\), it is timely for the University to develop a more formal Enterprise, Innovation and Commercialisation Framework to capture and promote its own contributions to knowledge exchange, business engagement, research impact and the commercialisation of intellectual capital developed through academic endeavour.

The national policy approach to competitiveness relies heavily on a local and regional emphasis for its delivery, with Higher Education a central element of the strategy. There is only one Higher education institution in Tasmania. The State is dominated by an SME-based business matrix, has poor corporate representation and its population density is also a critical factor to be considered. At this juncture, none of the key conditions for a high performance innovation ‘nation’ are met when measured against the standard international tool kit.

This Framework is therefore, constructed as an instrument that encompasses the organisation’s multifaceted efforts to offer a modern university education to a diverse community of students whilst protecting and growing revenue through a range of commercial activities that ensure a financially resilient business model. The Framework is also designed to support and leverage our capability and capacity (see Annex 1) but also advance key strategic partnerships (both domestically and internationally) that add value to our research, advance our community linkages and ensure the University is functionally competitive as a result of collaborative alliances with industry, business and social enterprises.

The Enterprise, Innovation and Commercialisation Framework will support but not directly cover other income generating activities such as our teaching and international offers. Nor does it address alumni and charitable giving, all of which are managed through other University strategies. It is seen as connected and complementary to the Research, Teaching and Learning, and Curriculum strategies, and to the Community Engagement Strategy, and it will be updated and refreshed in line with these and the Strategic Plan in 2019.

Enterprise, Innovation and Commercialisation

At the University of Tasmania, Enterprise activities fall across a broad canvas, and encompass:

- Applied and contract research
- Commercialisation of IP (including spin-out businesses)
- Academic and student consultancy
- Knowledge exchange partnerships and programmes, Continuing Professional Development (CPD) training

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1. Australian ERA 2015
2. THE, Leiden, QS and AWRU rankings 2016
Delivery on entrepreneurship education
Student/graduate businesses
Social enterprise
Community partnerships for social and cultural purpose
Access to incubation offices and facilities, and transnational education.
Delivering real world impact from research, enterprise and innovation

Within the setting of this Framework, the University aligns with the OECD\(^4\) model and holds Innovation to be a highly interactive and multidisciplinary process that increasingly, involves collaboration by a growing a diverse network of stakeholders, institutions and users to effect change and enhance productivity\(^5\). The University identifies itself as an essential node in the emerging Tasmanian innovation system, both producing and attracting the human capital needed for innovation. There is also recognition that the University must serve as an essential bridge between players – businesses, governments and countries – and be active in broader and more ‘open’ systems of innovation through contributions to the creation, diffusion and application of knowledge. Through our research and enterprise activities, there is capacity for growth in revenue as well as the opportunity to improve our standing in those national and global rankings where engagement with industry/business is used as one of the measures, and evidence of impact serves as a proxy for the societal benefit of research investment\(^6\).

Sitting alongside the processes of knowledge exchange and transfer, is the option to pursue the commercialisation of the intellectual property rights (IPRs) and know-how, generated through teaching, research and other entrepreneurial activities\(^7\). IPRs contribute to the creation of innovation and are important for diffusing knowledge and creating value. The University has been active in developing a patent portfolio and seeking to exploit research-stimulated IPRs through a variety of means aimed at ensuring a proper balance between incentives for innovation, and the benefits that flow from the dissemination of knowledge. There is clear scope to increase this activity and accordingly structures that are more formal are required to support the staff and students who participate in the formal commercialisation processes, as well as appropriate policy instruments to manage the investment of resources and mitigate the risk in order to secure a return on the investment.

The Framework

For the University of Tasmania, the key objectives of the Enterprise, Innovation and Commercialisation Framework are:

1. To be amongst the top group of Australian universities for enterprise-related income by 2025, and therefore we will:

   - Identify new sources of funding and make full use of collaborative funding schemes and industrial sponsorship.
   - Build on our research strengths and working with, and through relevant agencies, nurture competitive critical mass in key thematic areas of importance to Tasmania and Australia.

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\(^4\) https://www.oecd.org/sti/theoecdinovationstrategygettingaheadstartontomorrow.htm#summary

\(^5\) P. Morlacchi, B.R. Martin Emerging challenges for science, technology and innovation policy research: a reflexive overview Res. Policy, 38 (2009), pp. 571–582


\(^7\) http://www.utas.edu.au/research/partnering/technology-transfer-and-commercialisation/commercialisation
• Provide partnership opportunities and professional support that benefits SMEs in their pursuit of commercial outcomes, and ensure innovative support for our own staff and graduate start-ups.

2. To be one of the ten best universities in the country for supporting and fostering student and graduate start-ups and therefore we will:

• Ensure that all students gain real world experience (work placements, structured work experience, or experience in enterprise), supporting them to excel outside of the University.

• Provide advice and guidance to encourage student start-ups, nurturing networks of student entrepreneurs.

• Use our alumni, part-time students, staff and extended professional and local networks to provide formal and informal development, employment and volunteering opportunities for our students.

3. To be an exemplar in knowledge transfer and the commercialisation of research, and therefore we will:

• Develop a high through-put commercialisation model, which ensures that IPRs are used effectively to drive partnerships and effective knowledge translation.

• Support staff to commercialise their knowledge and explore opportunities to spin-out their own companies.

• Create a Tasman Innovation Fund to pump-prime key projects.

4. To be recognised as an enterprising and civic University, and therefore we will:

• Create a distinctive academic environment that motivates staff and students to succeed by ensuring a clear interaction between our teaching, research and enterprise activities.

• Nurturing a strong community-focused culture through tactical and strategic collaborations with local partners.

• Develop provision on our campuses for industry to work in close proximity with researchers and students, and provide ‘soft landing’ and other business incubation facilities.

In order to escalate the University’s Enterprise, Innovation and Commercialisation activities and enable the Framework, requires three new defined elements:

(i) A research stimulated Business Development Network

(ii) A high through-put model for IPR commercialisation, and

(iii) A student enterprise function.

Meeting the Needs of Business

With the benefit of directed and targeted investment, the University has developed the capacity for effective knowledge transfer activities (see Annex 1). This is evidenced by the
growing number of invention / opportunity disclosures, the commensurate increase in our registered IP portfolio and the progressive licensing of that IP to secure immediate revenue, equity and/or the rights to future royalty streams. These activities add to approximately $14,818,185 of additional funding from contract research.

The University hosts seven industrial training centres funded jointly by the ARC and industry partners and addressing industry workforce development challenges in forestry, horticulture, aquaculture, mineral extraction, maritime engineering, medical technologies and logistics. Further industry engagement is visible in ARC Linkage awards and the involvement of the University researchers in five Australian CRC programmes. Co-funded and sponsored PhD projects, the new Associate Degree programme and the growing provision of internships and work placements for Higher Degree Research (HDR) students also provide meaningful connections with key industry sectors.

The University in partnership with State Government and Federal Government departments is also fostering a small number of strategic research development partnerships with local businesses to facilitate the innovative use of capital resources and enhance the R & D capacity of key industry groups supporting Digital Technologies, Smart Defence, Tourism, Agribusiness, Aquaculture, Law Reform and Education.

The development of a significant IP flow around new technologies, the aforementioned strategic growth in industrial training centres and a focused effort to forge strategic alliances has attracted >$65 million of inward investment from national and international sources. Within the planned campus re-developments and the opportunity for a greater emphasis around applied research through the Transformation Projects in the North and South there is a clear opportunity for an enhanced enterprise contribution through the University to the social and economic regeneration of this island region.

**Business Development Network**

Clearly, using the vehicle of strategic partnerships, the University has already established a unique footprint as a key supporter of the regional structures for economic and social regeneration through innovation in Tasmania.

It is timely to deepen our engagement with enterprise given both the regional and national agenda for enhancing the exploitation and commercialisation of research, improving the effective use of knowledge exchange to underpin capacity and capability building in the Tasmanian economy and the need to cultivate a more robust entrepreneurship culture. Through our proven success in securing competitive external funding, partnership projects and philanthropy, the University has developed the core capacity to work effectively within an enterprise model to drive innovation, deliver commercial advantage to third parties and contribute to the social and cultural drivers that are unique to Tasmania and Australia.

To further advance this, a Business Development Network focused towards those academic units with the capacity for developing external research partnerships, producing intellectual property of commercial value and supporting knowledge transfer is proposed (see Annex 2).

Given our trans-island presence, this network, supported by a cross-college regional liaison function, will be directed towards pursuing external research linkages and fostering knowledge partnerships to build on our strong research footprint, develop our mission-led applied research functions and expand the enterprise capability and capacity. By this route, the University intends to utilise its strong and distinctive research and community profile to engage actively with the users and beneficiaries of its academic activities.
The Business Development Team and the cross-college Network will:

- act as the first point of contact for companies/agencies/public sector bodies seeking to engage with the research expertise and know-how drawn from anywhere in the University, but leveraging embedded College-based domain expertise to ensure prompt and efficient service.

- provide an effective and targeted response to clients, ensure effective communication and secure project delivery.

- collaborate with the Office of Research Services (ORS), Media and Communications and Marketing functions to secure effective data warehousing and to identify 'best practice' projects within the University and seek to use these as exemplars to secure additional financial support.

**Entrepreneurship and Incubation**

The Chief Economist of Australia adopted the theme of ‘innovative entrepreneurship’ as the source code for his recent report on the innovation status of the nation. This same report echoed the conclusions drawn in other places that innovation-led growth, driven by entrepreneurial and disruptive actions, is needed if Australia is to sustain its position as one of the world’s leading economies in the years to come. Great emphasis has also been placed on the finding that one of the key drivers of innovation, and especially successful ‘open’ innovation models is the capacity of ecosystem to support and develop the entrepreneurial acuity of the workforce. Furthermore, in an extension of this argument, The Social Market Foundation recently noted that those educated to degree level or above, are twice as likely to become ‘high-value entrepreneurs’ – scaling their businesses and contributing most to economic growth. Perhaps the biggest benefit, is that for every student becoming an entrepreneur, many more will end up in ‘intrapreneurial’ roles – innovating from within, improving productivity, competitiveness and economic resilience. However, it also found a relatively low proportion within Australia compared to other developed economies. Enterprise education and support can help close this gap.

The University of Tasmania is committed to offering enterprise education and providing activities that inform and inspire the student and academic community to engage in entrepreneurship and innovation including engagement with start-ups and SMEs. To drive this forward and foster student enterprise expertise and experience the Enterprise, Innovation and Commercialisation Framework will champion an enhanced student enterprise offer, supporting UTAS students to develop their entrepreneurial capabilities and the University’s aim to be a top 10 university for graduate start-ups by 2020.

With our students, the first steps have already been taken – with some UTAS students already fledging entrepreneurs and others progressing their interest through enrolment in one of several reworked entrepreneurship units or work-integrated learning modules now offered within a range of educational programmes at all levels of study.

Institutionally, our ambition goes beyond enterprise education, and currently includes business plan competitions, hackathons, networking sessions, and sponsored pitching days. As this movement grows, plans for some dedicated physical space, IP advice, mentorship, and some, in-house funds are envisaged.

The University has forged links with the Enterprize Tasmania’s incubation hubs in Hobart and Launceston and The Makers workshop in Burnie, where we co-sponsor events relevant to student enterprise. The University has experimented with crowd-funding, recognising the
value of these funding platforms to stimulate investment in creative projects and early stage research. The utility of an Innovation Ideas Fund will be explored. There is currently a gap between recognising that an idea originating from a student has commercial potential and the resource available to support the development of that idea to a point where its viability is better understood (although not proven). This fund would support the development of student business ideas that potentially contain exploitable intellectual property.

To further support student enterprise we will:

- Implement an enhanced programme of extra-curricular student enterprise activities, with a focus on giving students real world experiences and developing their enterprise skills and mindset.
- Provide support for academic staff to develop a more enterprising curriculum through sharing best practice and engagement with the SME and start-up community to inform course development and delivery.
- Building on existing models (e.g. Vice Chancellor’s Leadership Award), establish a credit structure for extracurricular entrepreneurship programmes.
- Use linkages with Enterprize Tasmania and StartUp Tasmania and other business incubation providers to ensure students receive advice and guidance to encourage student start-ups and nurture networks of student entrepreneurs.
- Create hatchery and innovation spaces on our campuses with provision for industry to offer ‘innovation challenges’, to student groups.
- Ensure that all students are offered and / or gain real world experience (through work placements, structured work experience, or experience in enterprise), supporting them to excel outside of the University.
- Use our alumni, part-time students, staff and extended professional and local networks, to provide formal and informal development, employment, and volunteering opportunities for our students.

**Commercialisation**

The third critical driver of the Framework is the commercialisation activities driven from academic endeavour. Academic consultancy is one of the major tools by which knowledge exchange and translation are initiated, promoted and valued, and many staff already pursue this form of engagement with industry, government and non-governmental organisations (NGOs).

Research translation and impact are key goals in the Australian Government’s National Innovation and Science Agenda (NISA) referenced earlier, and commercialisation is one possible pathway to achieving them. It should be noted however, that research commercialisation is likely to be, and arguably should remain, a small proportion of research translation activities undertaken by a University. Why? The majority of research is fundamental research and not solely directed towards solving commercially relevant problems. A significant proportion of research occurs within a collaborative context and many partner organisations are better placed to take the commercialisation lead. Finally, research commercialisation is inherently risky, and requires significant resources to execute properly and, even when well executed there is no certainty of success.
Nevertheless, commercialisation through the capture of intellectual property and management of IPRs must be one of the capstones in the University's contribution to the nation's innovation agenda. Internal consultation with key stakeholders has revealed consistent views and expectations that provide a useful foundation from which to establish the guiding principles for the University's investment in research commercialisation:

- Research commercialisation should be reserved for significant and strategically valuable opportunities.
- Investment of resources should be commensurate with likely returns to the University and inventors.
- Where research commercialisation is approved, it is must be adequately supported and resourced.

The first challenge must be to collate, report and deploy the IP through a process which ensures optimisation of the commercialisation pathway – recent data show that the mechanics of this challenge have been largely met. Further developments will be underpinned by a new Intellectual Property (IP) Policy [see DRAFT Appendix 1], and the development of appropriate asset management and investment instruments by the University. The creation of a Tasman Innovation Fund to provide pump-priming funds to mature projects with commercialisation potential will also be a part of these developments.

**Managing Research Commercialisation**

Research commercialisation is a complex and lengthy process requiring expertise across a range of disciplines and therefore best lends itself to a team approach. The University has now assembled a specialist technical team to work in a close collaborative manner with the research group(s) involved. The research commercialisation process also allows for external experts to be consulted whenever the opportunity may require it. Consultation with key stakeholders and proponents of commercialisation has resulted in a detailed process that should be followed for every qualifying opportunity.

As noted above, it is not expected that commercialisation opportunities will routinely be an outcome of basic research. Even applied research will not often generate commercialisation outcomes; and even those that show promise may not successfully achieve a commercialisation outcome or return on investment. For these reasons, rigorous assessment and selection processes and criteria have been established to ensure only those opportunities that are eligible and have sufficient merit should proceed down the research commercialisation path. It is also important to note that given the level of uncertainty, considerable information must be gathered to inform investment decisions. For this reason, the research commercialisation process will use a staged approach to gather the most pertinent information first in order to build confidence and will then proceed with investing further resources to gather additional information, develop strategies and plans, and execute them.

Alongside the maturation of the University's current commercialisation activity, new activities to be developed include:

- Further workshops for research active staff to encourage them to explore commercialisation opportunities. Both students and staff will be supported to increase their awareness of IP related matters.
New processes for the capture and management of IP arising from externally funded and collaborative research will be embedded into the wider project management structures to ensure that both new and incremental developments are reported.

Support will also be provided to academics to engage with relevant industry sectors to build relationships that will support enterprise and research income generation.

A reward system will be developed that encourages Schools to actively engage in Enterprise activity.

Create processes for effective relationship management underpinning our external engagement and commercialisation ambitions. We will also ensure that data is captured across the University in order to extract value from relationships.

Provide partnership and professional support that benefits SMEs and our local communities, and ensures innovative support for our own staff and graduate start-ups.

Summary

In order to achieve this step-change in activity, the University embarked on a major re-structuring of research support and innovation services after an initial audit of its business out-reach services indicated the existence of a complex and diffuse support system.

The University has deployed funding to deliver this re-structuring and a team of Business Development Managers will be recruited in 2017/18 to support enterprise and the work of the Business Development and Technology Transfer Office in the Research Division. These staff will be focused on providing support aligned with the new Colleges.

In parallel with these structural developments, the University has embraced an enterprise philosophy which can be summarised as follows:

- Central support services are focused on delivery, both to the external client and to the academic community (provided by Business Development & Technology Transfer, Office of Research Services, Finance and Legal).
- External clients frequently find Universities difficult to penetrate due to their devolved and heterogeneous nature – a single, well-defined research business portal for ‘cold’ enquiries with dedicated resource will be developed for reach-out and enterprise activities.
- For generic specialist areas (e.g. intellectual property rights (IPR) management and commercialisation of research) and where economies of scale are beneficial (e.g. contracts, financial services) a central service model will prevail, otherwise the activity should take place as close to the academic community as possible.
- Different academic disciplines have diverse needs, opportunities and markets, and a heterogeneous approach is required.
- Reach-out in research and technology/knowledge transfer must be ‘owned and championed’ within the academic community.
- Different skill sets are required in order to provide an effective interface between different academic disciplines and external clients.
• Developments from separate funding streams need to be integrated within the University framework.

• An Enterprise Steering Group will support the Framework’s implementation.

• Business relationships must be consistent with the ‘core’ research mission and should not be undertaken if this leads to ‘mission drift’.

With the foundations for successful enterprise activity now well established, the University can anticipate significant acceleration of the University’s Enterprise, Innovation and Commercialisation activities, leading to a coherent and professional framework for a further expansion of our links with industry, commerce, government and the creative sectors (Table 2). These activities will also serve to develop those areas of the University’s research that have been identified as having significant potential for developing external research partnerships, producing intellectual property of commercial value and supporting knowledge transfer.

As noted above, it is now timely to escalate our engagement with the enterprise agenda. A key driver here will be the development of a Business Development Network focused towards academic units. This will occur in parallel with the current re-structuring of academic units into multi-disciplinary Colleges, to ensure that the academic, teaching and research outputs are better aligned to meet student, business and community needs.

A key driver for this re-structuring, and the concomitant development of a new approach to business support, acknowledges the experience already gained by the University. It is clear that when fostering new links with business and industry, the added ‘value’ from deploying professional support, with relevant experience, physically into academic teams is substantial. A critical facet in the adoption of this model will be effected by the deployment of dedicated research business development managers across Colleges from the Business Development & Technology Transfer Office; this team to work jointly between the relevant research entities in the Colleges (Schools, Institutes, Centres) and core Business Development & Technology Transfer and Office of Research Services staff. This will guarantee consistency with academic mission, secure robust contractual arrangements with sponsors and deliver the appropriate management of IP exploitation.

The Business Development Network and business facilitation team will act as the first point of contact for companies/agencies/public sector bodies seeking to engage with the research expertise and know-how drawn from anywhere in the University, but will leverage embedded College-based domain expertise to ensure a prompt and efficient service. In its totality, the Business Development Network will provide an effective and targeted response to clients, ensure effective communication and secure project delivery. The Business Development Network will also support the ORS, Media and Communications and Marketing functions to secure effective data ware-housing and to identify ‘best practice’ projects within the University and seek to use these as exemplars to secure additional financial support.

**Risk Evaluation**

The University’s prevailing policies (equal opportunities, health and safety, recruitment, financial accountability, employment, etc.) will apply and there are no new operational risk factors introduced here.

Failure to support the present Framework poses an over-arching risk that UTAS resources and assets in knowledge capital and exchange will not be developed nor utilised in a timely and effective manner. The primary delivery risk is that the technology commercialisation
elements will not proceed at the rate envisaged, as commercial venturing is typically long-term and inherently risky.

The University has endeavoured to reduce risk and optimise the chances of success by combining the right environment in which ‘business opportunities/needs’ can be identified with the active mentoring and facilitating of our collaborative projects. The ongoing development of staff is also key signature of the proposal. The alternative ‘do nothing’ approach is more risky as the potential of the University to impact positively upon island/regional and national agenda will fail to be realised and the implications of this will be amplified in a national environment in which a University’s federal funding will be affected by its performance in this space. The opportunities for international partnership to contribute must also be vetted and exploited.

Further information may be secured from the Research Division.

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Annex 1:  
Mapping UTAS Enterprise and Innovation Capacity

<table>
<thead>
<tr>
<th>Research Domains</th>
<th>Key Activities</th>
<th>E, I &amp; C Capacity</th>
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</table>
| **Marine and Maritime** | ✓ Marine Biosecurity  
✓ Aquaculture and Fisheries  
✓ Polar Science  
✓ Climate Sciences  
✓ Bio/Geoengineering  
✓ Big Data, Modelling  
✓ Autonomous Underwater Vehicles – natural resource exploration  
✓ Naval Engineering | • Strong IP portfolio  
• Licensing & spin-out activity  
• Contract Research  
• Consultancy  
• Knowledge Exchange  
• Policy Advisory work  
• Specialist CPD |
| **Environmental Sciences & Applied Technologies** | ✓ Agricultural  
✓ Terrestrial Biosecurity  
✓ Wildlife and Natural Resource Management  
✓ Sustainable & Renewable Energy  
✓ Wood Sciences and Forestry  
✓ Software Engineering  
✓ Sensor Technologies  
✓ Digital Technologies and IoT  
✓ Novel applications of extraction, separation and purification technologies  
✓ eHealth  
✓ Chemical Ecology | • Strong IP portfolio  
• Licensing  
• Contract Research  
• Consultancy  
• Knowledge Exchange  
• Policy Advisory  
• Specialist CPD |
| **Biological and Biomedical Research & Applied Technologies** | ✓ Medical Statistics  
✓ Neonatal medical welfare  
✓ Public health/Epidemiology  
✓ Applied genetics Pharma-Therapies  
✓ Smoking prevention tool kit  
✓ Food Safety – new technologies  
✓ | • IP portfolio  
• Licensing  
• Specialist CPD focused to Dementia  
• Clinical Trials  
• Community Health Consultancy |
| **Arts & Humanities** | ✓ Music/performance  
✓ Culture Studies  
✓ Heritage  
✓ Creative industries  
✓ Tourism | • Licensing  
• Specialist CPD  
• Consultancy/Contract Research  
• Policy |
| **Law, Ethics** | ✓ Law and Genetics  
✓ Environmental Law  
✓ Law Reform | • Policy Advice  
• Specialist CPD  
• Knowledge Knowledge/Transfer  
• Consultancy |
## Cont. from previous page

<table>
<thead>
<tr>
<th>Research Domains</th>
<th>Key Activities</th>
<th>E, I &amp; C Capacity</th>
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<tbody>
<tr>
<td><strong>Management &amp; Economics</strong></td>
<td>✓ Health Planning Management ✓ Environmental &amp; Natural resource management issues in water and land conservation</td>
<td>• Consultancy • Specialist CPD • Policy Advice • Knowledge Exchange</td>
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<tr>
<td><strong>Health</strong></td>
<td>✓ Health Systems Innovation ✓ Sports &amp; Exercise Sciences ✓ Human Factors and Behavioral Research ✓ Respiratory Disease Management ✓ Life Course Health and Well being</td>
<td>• Policy Advice • Specialist CPD • Knowledge Transfer • Consultancy • Licensing</td>
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<td><strong>Social &amp; Public Policy</strong></td>
<td>✓ Social Change ✓ Crime &amp; Young Offenders ✓ Housing and Households ✓ Social Work/Social Care ✓ Policy Evaluation</td>
<td>• Knowledge Exchange • Policy Advice • Consultancy • Contract Research with public and voluntary sector organizations</td>
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<tr>
<td><strong>Education</strong></td>
<td>✓ Community Education Models ✓ Maths/STEM Literacy</td>
<td>• Consultancy • Specialist CPD</td>
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Annex 2: Key Outputs & Deliverables

The core theme of E I & C Framework is the creation of a discipline embedded Business Development Network wherein business development managers will provide their support in a targeted way largely aligned to the newly formed Colleges, which are designed to frame the University’s academic and research strengths and expertise. This Framework model is based on three components; (i) close collaboration with partner organisations; (ii) need to analyse economic policy & technological trends; (iii) a strategy to effectively link strong areas of multi-disciplinary research.

Distilled from this is a programme of core activities (see below) which span the new Business Development & Technology Transfer functions around research, business development and the emerging and evolving enterprise activities in colleges; which shall be supported by competitively secured grant funding together with other public and private sector funding:

1. **Technological Development** - This is central to engaging multi-disciplinary researchers more effectively with business and industry. Three specific types of activity are envisaged: (a) demonstrator projects, whereby the potential of new technologies can be explored with individual companies or consortia on a small feasibility scale; (b) contract research, developed around specific technology areas and capable of attracting an array of public and private sector assistance over the long term; (c) consultancy, focused on specific problem solving, measurement/testing issues, curation and/or policy matters.

2. **Networks & Corporate** - Partnerships Building on existing thematic networks and corporate partnerships in key areas that are beneficial to the University’s Enterprise agenda support wider engagement with SME partners.

3. **Skills & Employability** - These issues were identified as critical to the future competitiveness of Tasmania and Australia. In addition to the development of Associate Degrees, the University will engage with regional partners to develop the provision of short relevant short courses (CPD). These courses to be delivered either at the University or “in-house” in companies. The University will also promote taught post-graduate courses, which are designed to meet specific long term industry training needs both domestically and internationally. The University will also seek to attract post-graduate researchers to the University; the issue of mobility and the attraction of key expertise to Tasmania is critical to its future competitiveness.

4. **Entrepreneurship & Commercial Exploitation** - In a recent survey the “availability of pre-seed financing to establish proof of market” was identified as one of four key issues impeding the generation of more spin out companies. Providing effective two-way links between research and the market to better generate commercially successful new products and services is a key part of recent Government strategy. The development of the University’s capacity to transfer new technologies to the market will provide a focal point for the engagement of the University’s exploitation support infrastructure in the Business Development & Technology Transfer and Office of Research Services.

5. **Marketing & Communication** - A specific and substantial task will be to effectively co-ordinate the implementation of a research-rich marketing and communication strategy. The outcomes of this activity will include an enhanced web site, themed research databases and conferences/workshops; each will be designed to maximise University links with external clients.

6. **Mainstreaming across the University** - Each of the activities outlined above are critical to enhancing the capacity of the University’s multi-disciplinary researchers to reach-out to business. To fully embed the pilot activities undertaken through each

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8 Hughes Report, 2014
College, a programme of ongoing evaluation will be undertaken. This work will be overseen by the Business Development & Technology Transfer Unit, Office of Research Services and University’s Enterprise Steering Group.

Key Deliverables & Milestones:

<table>
<thead>
<tr>
<th>Deliverables</th>
<th>Baseline* (2017)</th>
<th>Yr1</th>
<th>Yr2</th>
<th>Yr3</th>
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<tr>
<td><strong>Enterprise</strong></td>
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<tr>
<td>Enterprise/Entrepreneurship Training</td>
<td><strong>Staff</strong> 60</td>
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<td>No. PhD learning opportunities / student projects with industry (e.g. industry funded HDRs)</td>
<td><strong>Students</strong> 120</td>
<td>200</td>
<td>350</td>
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<td>Competition Entries (iAwards, Innovate, etc)</td>
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<td><strong>Innovation</strong></td>
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<td>Applications to regional funding schemes (e.g. TCF, HHF)</td>
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<td>15</td>
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<td>Income secured from programmes involving collaboration</td>
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<td>Amount HERDC Cat 2-4 funding</td>
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<td>+10%</td>
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<td>Increase in # SMEs working with UTAS</td>
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<td>Industry-led events held (conferences, workshops, seminars)</td>
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<tr>
<td><strong>Commercialisation</strong></td>
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<tr>
<td>No. of new provisional patents per year</td>
<td>2015</td>
<td>2016</td>
<td>2017 (to date)</td>
<td>2018 (target/forecast)</td>
</tr>
<tr>
<td>Total number of IP elements (provs, PCT applications, validations/ granted patents) on foot</td>
<td>2015</td>
<td>2016</td>
<td>2017 (to date)</td>
<td>2018 (target/forecast)</td>
</tr>
<tr>
<td># New Revenue bearing licences secured</td>
<td>2015</td>
<td>2016</td>
<td>2017 (to date)</td>
<td>2018 (target/forecast)</td>
</tr>
<tr>
<td>IP Revenue (cash) secured</td>
<td>2015</td>
<td>2016</td>
<td>2017 (to date)</td>
<td>2018 (target/forecast)</td>
</tr>
<tr>
<td>IP Revenue (book value of equity) secured*</td>
<td>2015</td>
<td>2016</td>
<td>2017 (to date)</td>
<td>2018 (target/forecast)</td>
</tr>
<tr>
<td>Invention / Opportunity disclosures</td>
<td>2015</td>
<td>2016</td>
<td>2017 (to date)</td>
<td>2018 (target/forecast)</td>
</tr>
<tr>
<td># new UTAS subsidiaries</td>
<td>2015</td>
<td>2016</td>
<td>2017 (to date)</td>
<td>2018 (target/forecast)</td>
</tr>
<tr>
<td># spin-out incorporated by third party expressly for exploitation of UTAS IP (SPV)</td>
<td>2015</td>
<td>2016</td>
<td>2017 (to date)</td>
<td>2018 (target/forecast)</td>
</tr>
<tr>
<td>Deliverables</td>
<td>Baseline* (2017)</td>
<td>Yr1</td>
<td>Yr2</td>
<td>Yr3</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>------------------</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
</tr>
<tr>
<td>New Cash investment in UTAS subsidiaries</td>
<td>0</td>
<td>0*</td>
<td>0*</td>
<td></td>
</tr>
<tr>
<td>New Investment in SPVs</td>
<td>$1.3M</td>
<td>$3.1M</td>
<td>$0.5M</td>
<td></td>
</tr>
</tbody>
</table>

* Does not include valuation of UTAS-Nexus Aquasciences Pty Ltd.
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<th>Section</th>
<th>Page</th>
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<td>3. Gated Intellectual Property Exploitation Process</td>
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<td>10</td>
</tr>
</tbody>
</table>
1. Introduction

Under the standard terms of employment adopted by the University, the University owns the intellectual property (IP) generated by its employees in the course of their normal duties. Examples of such intellectual property include inventions, research results, know-how and software. This intellectual property may be protected by certain legal instruments such as patents, copyright, trademarks and design rights.

It is the University’s policy to encourage employees to consider the commercial opportunity for any new inventions or developments arising from their research activities. Professional IP and exploitation support is available to all staff, and on a project-by-project basis, a process has been put in place to ensure College and Institutional management engagement in commercialisation activity.

Currently, net proceeds from exploitation of IP are shared between, the ‘creators’, the budget centre (e.g. school/institute) that the creators are associated with, and the University in accordance with the IP Ordinance (Ordinance 18).

The present policy set out in this document proposes to inform the administration of the Ordinance subject to the revision of the Ordinance such that this policy’s operative features can be implemented.

University employees should also be aware of the University Ordinances, the Commonwealth Criminal Code Act 1975 and the relevant compliance sections of the University’s financial regulations.

2. Encouraging Impact and Innovation

The University via its Research Strategy, and Enterprise, Innovation and Commercialisation Framework actively supports and encourages all employees to use the designated technical resources available through the Business Development and Technology Transfer Office (BD&TT) in the Research Division to commercially evaluate new ideas and developments arising from their research. BD&TT’s role includes providing support to staff to protect these ideas and developments, and to execute agreed exploitation strategies. In this regard, the University has established a gated process for the selection of projects to be supported.
3. Gated Intellectual Property Exploitation Process

College and Institutional management are actively involved in the selection, evaluation and exploitation of all IP projects supported by BD&TT via the Gated Process illustrated below.

The beginning of the Gated Process for all staff is to make an IP Disclosure to BD&TT Office. This can be done electronically, or by direct approach to a member of BD&TT in the Research Division.

In most cases, staff are required to make a confirmatory Deed of Assignment to ensure the University has clear ownership of the IP in question. The declaration will also note their acceptance of the University’s IP and Commercialisation policy terms.

An employee’s need and requirement to publish research findings is understood and any request to delay such activity for commercial evaluation or IP protection will be for the minimum period possible (e.g., in certain circumstances, patent applications can be filed within three weeks if manuscripts are available and the College has approved the accelerated application). BD&TT staff will work with employees to manage the patent application process. Employees are encouraged to seek advice on intended publications from the BD&TT team at an early stage so that any delays to publication can be minimised.
<table>
<thead>
<tr>
<th>STAGE 1 GATE</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Selection / Screening</strong></td>
<td>This gate is intended to provide a first filter on the potential for intellectual property protection of the idea/development and its commercial opportunity. BD&amp;TT are seeking to select opportunities that could have ‘high economic impact’ via either licensing or spin-out company creation.</td>
</tr>
<tr>
<td>From receiving the IP Disclosure, BD&amp;TT will produce a report for College management as soon as possible from the date of disclosure and within six months. This report will consider the commercialisation potential, an IP protection strategy, and potential (commercial) partners. Input will be sought from the University’s patent agent and relevant market sector advisors to inform recommendations as required.</td>
<td></td>
</tr>
<tr>
<td>The report will make a recommendation on IP strategy, commercialisation route and actions to be taken. The College, in consultation with the employee and BD&amp;TT, will decide on what action is to be taken.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>STAGE 2 GATE</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Incubation</strong></td>
<td>This gate is intended to de-risk/mature selected projects to create an investor ready or licensing proposition. BD&amp;TT will work with project teams to secure funding for the required technology development or commercial work required to be undertaken. This includes supporting proposal development for proof of concept or translational funding from internal (e.g. the University’s Knowledge Exchange Fund) and/or external sources.</td>
</tr>
<tr>
<td><strong>Licensing</strong></td>
<td>Projects selected for licensing will be supported by BD&amp;TT. This support includes the preparation of marketing materials (both non-confidential &amp; confidential); identifying potential licensees; supporting ‘sales’ presentations to potential licensees and leading the negotiation of licence agreements.</td>
</tr>
<tr>
<td><strong>Spin-out Companies</strong></td>
<td>Projects selected for spin-out venture will be developed via a University partnership with an appropriate agency or venture capital company, BD&amp;TT will assist in the negotiation of the investment terms to be considered by the person or persons delegated to approval.</td>
</tr>
</tbody>
</table>
De-selection from Gated Process
Given the early-stage nature of new ideas and developments selected, it is highly likely that a number of projects will be de-selected at both GATE 1 and GATE 2. De-selection can occur for a number of reasons including: lack of commercial interest, market factors, technical failure, patent issues (including budget) and lack of progress or engagement in incubation/exploitation activities by the academic team.

Formal Approvals
The STAGE GATE process has two formal approval processes as illustrated below. Senior management in Colleges must approve investment in patent filing and the BD&TT support to be provided as well as the commercial terms agreed with any third party. Colleges may choose at any stage to terminate support and investment in a project.

<table>
<thead>
<tr>
<th>Stage</th>
<th>Process Stage</th>
<th>Approvals Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Investment in IP Protection (e.g. provisional Patent filings) Selection of commercialisation route</td>
<td>Head of School or Director of Institute, (cc to Head of College); Director BD&amp;TT</td>
</tr>
<tr>
<td>2</td>
<td>Continued Investment in IP Protection Final terms for Licensing Terms for Spin-out exploitation</td>
<td>Director BD&amp;TT DVCR Commercial Advisory Panel</td>
</tr>
</tbody>
</table>

The BD&TT Office and the School/Institute (with Head of College endorsement), where agreed, will invest in the patent costs related to the protection of an invention. These costs will be met as follows until either it is agreed to abandon the patent application or a licensee agrees to pay the patent costs.

<table>
<thead>
<tr>
<th>Patent Filing Stages</th>
<th>Approximate Costs (Responsible Cost Centre)</th>
<th>Period before next cost</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disclosure Evaluation</td>
<td>Up to $1k (BD&amp;TT)</td>
<td>1-3 months</td>
<td>BD&amp;TT</td>
</tr>
<tr>
<td>Provisional Filing</td>
<td>$8k - $10k (50% BD&amp;TT) / 50% (School)</td>
<td>12 months from First Filing</td>
<td>BD&amp;TT</td>
</tr>
<tr>
<td>PCT</td>
<td>$10k - $20k (BD&amp;TT)</td>
<td>12 -24 months from PCT Filing</td>
<td>BD&amp;TT</td>
</tr>
</tbody>
</table>
In licensing negotiation BD&TT will attempt to seek relief from patenting cost to the greatest extent and as early as possible. Typically, as the IP owner, the University will prosecute these cases, but do so in consultation with the licensee. It is normally expected that if no licensee is found (or no credible likelihood that one will be secured) before Patent Cooperation Treaty (PCT) the patent applications will be abandoned. The College, and if there is no appetite from the College to maintain the patent (for reasons associated with associate grants), the inventors will be given the option to personally secure the IPRs before this step is taken.

4. Variations to the Ownership of Intellectual Property

In certain circumstances, the University’s ownership of Intellectual property it has created may be varied. This includes where the terms and conditions of the grant funding for a project require that any IP which arises, is owned by the funder, or where the University has agreed to the IP being owned by a commercial third party which has funded the research. There are existing protocols by which BD&TT provides advice in these circumstances, (see following figure).

The University is only legally able to exploit IP which it owns or where it has the permission of any joint owners to do so. The University’s right to commercialise the IP will be considered at the outset of every project, and with appropriate legal advice. In some cases further discussion and negotiation may be required with the third party before the IP can be exploited. The same will apply to any IP which is jointly created with a third party who is not an employee of the University, for example visiting or honorary academics or students who have not assigned their IP to the University.

<table>
<thead>
<tr>
<th>National Phase to Grant</th>
<th>$10k - $100k + depends on countries selected</th>
<th>12-24 months + before grant</th>
<th>BD&amp;TT (College to be advised), or Third Party (licensee)Licensee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post Grant Maintenance</td>
<td>$10- 30k + annual renewal fees (BD&amp;TT)</td>
<td>BD&amp;TT Third party licensee</td>
<td></td>
</tr>
</tbody>
</table>
Regardless of ownership of the IP, the University requires access to all data generated, using University resources and will retain the original raw data when an individual (staff or student) leaves. Normally, data will be deposited in the University’s digital repository.

5. **Requirement for Confidentiality of Intellectual Property Disclosures**

Employees should be aware that disclosure or publication of IP prior to filing a patent application may harm or eliminate the opportunity to obtain patent protection for the invention. Employees should make every effort to keep all IP confidential until discussions with BD&TT Office have taken place and any opportunity to file for patent protection has been assessed.

Disclosure includes the IP being made available publicly in a written or oral format, including open access theses submitted in respect of a degree at the University of Tasmania, or any other institutions; submissions to journals; conference papers; seminar contributions; poster presentations; correspondence and emails; and any discussions or conversations with third parties which are not covered by an obligation of confidentiality. If there is a need to disclose information relating to an invention prior to a patent application being filed, an appropriate non-disclosure agreement **must** be put in place. Please contact the BD&TT Director if a non-disclosure agreement is required.
6. IP Revenue

The University's policy is to share income received from the exploitation of IP by licensing and other mechanisms to those that ultimately stimulate it (the creators of the IP and the academic units hosting them), after deduction of its costs.

Net IP revenue will be distributed as set-out below except where exceptional circumstances apply and a special agreement has been reached with the College and Deputy Vice-Chancellor (Research).

IP revenue is the gross cash amount received under the terms of a license agreement net of any legal, patent or other expenses incurred by the University and any other deductions as appropriate. Examples of ‘other deductions’ include revenue-share payments to research funders under their terms and conditions or to joint patent owners where there is an obligation to share revenue relating to IP which has been jointly generated with a third party.

In some cases, the consideration for access to the IPR may include shares in a company. In this scenario the shares will be held by UTAS Holdings Ltd on behalf of the University (unless reasons for the University to hold such equity directly exist). Any disposal of the shares will be at the sole discretion of UTAS Holdings Ltd. Any dividends and income received from disposal of the shares will be shared with the employees upon receipt in the same manner as other licensing income.

<table>
<thead>
<tr>
<th>Net License Income</th>
<th>% share of Licensing Income</th>
<th>Inventor(s)</th>
<th>College</th>
</tr>
</thead>
<tbody>
<tr>
<td>First $50,000 in aggregate</td>
<td>50</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Anything Over $50,000</td>
<td>33</td>
<td>67</td>
<td></td>
</tr>
</tbody>
</table>

**Arrangements for sharing revenue where there is more than one inventor**

Individuals need not be named as inventors on the patent application to benefit from the revenue generated from IP. Where more than one individual is involved in the creation of the IP, the inventors' share will be split between the various individuals. The decision as to what percentage of the inventors' share goes to whom, must be agreed by the relevant individuals and the University will not make, or become involved in the discussions regarding this determination.

No distribution of IP revenue can be made until the individuals have reached an agreement and agreements are in place between individual(s) and the University regarding the revenue sharing arrangements.

**Individuals who are no longer employed by the University**

Each individual who may be entitled to payments under the University’s revenue sharing arrangements must ensure that the University is notified in writing at all times of his or her current address to where any revenue payments due to him or her may be sent. If the University is not given such current address details then they will be designated a ‘missing individual’ and all unclaimed revenue payments may be invested in a deposit account until such revenue payments are claimed. The University will not be a trustee of any such unclaimed revenue payments.

**Unclaimed revenue**

Any revenue payments remaining unclaimed for five years from the date the revenue is received by the University will, after that date, be forfeited and will revert to the University, and will be distributed plus any net interest earned between the University and any
others entitled to share in such revenue stream, excluding the missing individuals(s), on the same basis as set out above.

**Death of an individual**
In the case of the death of an individual due a share of licensing income, that share will be payable to the estate of the deceased.

**Tax Due on Royalties**
Where the individuals receiving a share of licensing income are employees at the date of such receipt, the University's Finance Office will ensure that both employer's and employee's costs are remitted to the Australian Tax Office. The statutory deductions for income tax will be made, and employees will receive the net amount via the payroll.

Non-employees will receive the gross amount due to them. Such individuals must ensure that they are registered with the Australian Tax Office and will be legally responsible for their own tax arrangements in relation to any income received from the University.

7. **Spin-out Companies**

The University supports entrepreneurship and the creation of spin-out ventures. This support is provided via BD&TT Office. The BD&TT Office will secure appropriate independent support as needed.

For all spin-out ventures, the founding equity will be nominally shared between employees and the University before any funds are invested into the business. That is to say, there will be a written understanding of the allocation of the foundation equity that will be managed by the University such that when the University (in its absolute discretion) liquidates the equity, an employee will receive the appropriate cash amount. The percentage split to be negotiated on a case-by-case basis, with the University share reflecting in some appropriate manner prior investment.

The University shareholdings will be held by UTAS Holdings Ltd which will manage the shareholdings and any disposals at its sole discretion.

Initial shareholdings may vary where third party rights or joint IP needs to be taken into account (in which case the holder of the joint IP may require a share of the founding equity).

Founders will hold their shares in their own name and will be responsible for their own tax arrangements in relation to any shares held in the spin out venture. Founders are encouraged to take their own advice in relation to any tax consequences.

As with licensing arrangements, where there is more than one individual who has been involved in the creation of the IP, the founders equity share will be split between the various individuals. The decision as to what percentage of the equity share goes to whom, must be agreed by the relevant individuals and the University will not make, or become involved in the discussions regarding this determination. The spin out company cannot be formed until this has been agreed.

Founders who have received a share of the equity in the spin out will not be entitled to share in any revenue received from the University's shareholding, and will be required to sign a waiver to this effect.
The University's policy for the split of the equity in any spin out company with the founding scientists is non-negotiable.

**Employee Participation in Spin-out Companies and Access to University Resources**

The involvement of employees in the early-stage of a spin-out venture is very important and requires arrangements to be put in place with the employee's College. Typically, the strategy will be to recruit a management team or identify an entrepreneur to work with the employee and BD&TT to take forward a venture proposition. Active participation will be required from employees and needs to be agreed with employee's line management, College and Deputy Vice-Chancellor (Research). The different ways in which employees may participate in a spin-out company are outlined below.

<table>
<thead>
<tr>
<th>Directorships in Spin Out Companies</th>
</tr>
</thead>
<tbody>
<tr>
<td>UTAS Holdings will typically appoint a Director and/or Observer to each spin-out venture and will maintain the role for as long as appropriate or required.</td>
</tr>
<tr>
<td>In some cases, a founding scientist may also become a director of the spin-out company. Employees will require permission of their line manager and Head of College to become a director in a spin-out venture. This is non-negotiable.</td>
</tr>
<tr>
<td>In line with the University's Conflict of Interest Policy, internal procedures will need to be put in place to manage any conflicts of interest that may arise in the spin-out company's dealings with the University.</td>
</tr>
<tr>
<td>Employees who take up roles as directors of spin out companies should note that directors have legal fiduciary duties to act in the best interests of the spin out company (including duties in relation to managing conflicts of interest). The University can provide general guidance. However, employees should take their own independent advice on their legal responsibilities.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Employee Secondments into Spin-Out Companies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inventors may be seconded to a spin-out venture only with the consent of their College and where the spin-out venture is providing necessary levels of reimbursement for the Individual's time.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Employee Consultancy with Spin-Out Companies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inventors may act as consultants to spin-out ventures only with the consent of their College and in accordance with the Consultancy Policy.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Spin-Out access to University facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spin-out ventures that need access to University facilities are required to enter appropriate commercial agreements with the University which must be agreed with the College through the normal approval processes.</td>
</tr>
</tbody>
</table>

8. **Easy Access IP**
In some cases the University may not be best placed to develop the IP to a stage at which a high value spin out or high value licensing opportunity could be obtained. This could be because of a lack of the necessary skills and expertise within the University, or because the investment required to take the IP forward exceeds the funding available to the University or would not justify the potential rewards for the University, or because the IP is within a specialist or niche area.

The University will establish an EASY ACCESS IP (EAIP) which is a scheme designed to ensure that any IP which is not (for whatever reason) selected for support through the process set out above can still be made available for use by industry. Each employee has the option (subject to College and Research Division approval) to exploit their IP via the EAIP scheme if they wish to do so.

The rules of the EAIP scheme are very straightforward. The licensee is required to enter into a license agreement with the University. No financial consideration will be due, but the licensee must:

a) demonstrate to the University’s satisfaction how it will use the IP to benefit the economy within three years
b) agree to no restrictions on use of the IP by the University in future research and teaching activities
c) agree to publicly acknowledge the contribution of the University in the event of successful commercialisation.

EAIP licenses will only be granted to companies not connected with the IP’s Inventor. Licenses will not be granted to third parties where:

- the inventor(s) or a family member have an ownership interest in the company
- the inventor(s) or a family member have a personal commercial agreement with the company or the company’s owners
- the inventor(s) have a Directorship or Advisory Board position with the company.

All EAIP opportunities must be approved by the Deputy Vice-Chancellor (Research).

**Intellectual Property Not Commercialized by Easy Access IP or by the University**

For IP which is not being commercialised by the University or via the EAIP route, the University will, upon the request from the Employees, and subject to any terms and conditions in place with third parties, license or assign such IP (with the right to sub-license) to the Employees in return for 3 per cent of all income, e.g. royalty-earned and/or equity disposal and/or sub-license income. All costs associated with licensing or assigning the IP and maintaining any patents to be borne by the Inventors.

Any use of University resources, facilities, personnel or own work time by Employees to develop their licensed IP must be approved by their College with an appropriate commercial arm’s length contract being agreed in advance of any such activity.

9. **Student Intellectual Property**

By law, students who are not employed by the University will own any IP they create.

Where a third party is sponsoring a student, the student may be required to assign any IP to the University or to the sponsoring body, in accordance with the terms and conditions,
which apply to the studentship. The same may apply if the student is working in an area where the University has valuable IP and/or where arrangements are in place with commercial companies in relation to the results of funded research. In other cases, students will be given the option to assign any IP to the University. Any student who chooses to assign their IP to the University will then be granted the same rights as any employee inventor as set out in this policy and should follow the same procedures as set out in this policy.

Regardless of ownership of the IP, the University requires access to all data generated using University resources and will retain the original data when a student leaves.

10. Leavers / Former Employees

All employees are entitled to use any IP created by them in the course of their normal duties whilst employed at the University, including in further research related activities (subject to any other funders Terms & Conditions not conflicting with any contractual obligations entered by the University with third parties e.g. licensees). However, employees are not automatically entitled to use any IP created by them whilst at the University after they leave the University.

The University will consider reasonably, any requests received from leaving or former employees to use any IP created by them whilst at the University for future academic and non-commercially funded research and teaching purposes. Where it is able to do so, the University will grant a license to the employee’s new employer for this purpose. Any requests for licenses should be directed to the BD&TT Office within the Research Division who will liaise with the College as appropriate.

Employees are reminded that by law they are bound to keep confidential any proprietary information owned by the University that is not in the public domain and are not permitted to use such information, or disclose it to third parties, after cessation of their employment with the University.

Regardless of ownership of the IP, the University requires access to all data generated using University resources and will retain the original data when a staff member leaves.

11. Software

This policy applies to any software, databases and any other copyright materials created by employees in the course of their normal duties. Where employees generate software using open source materials, there may be an obligation to make any improvements to the open source material publicly available and there may be restrictions on commercialising any IP generated using open source materials. For that reason, employees should seek advice from the BD&TT Team in the Research Division before using any open source materials in research projects funded by grant or by a commercial third party.

12. Record Keeping

In order to properly exploit any IP, it is likely that access will be required to the laboratory notebooks and other written records (including data and research results) generated by employees. It is, therefore, best practice for all employees to keep full, accurate and up-
to-date written records of all IP they create in the course of their employment. Such records should be regularly signed off by the employee's line manager and should be kept safe from unauthorised access and will be retained by the University when the individual leaves.

13. **Use of Third Party Intellectual Property**

By law, rights to use IP owned by third parties for research purposes are extremely limited and all employees should be very careful if they are using or intend to use any IP created outside of the University in their research activities. If any employee receives a notification from any third party alleging that that employee has infringed the third party's rights in any IP, the employee should contact the BD&TT Team in the Research Division immediately.

14. **Teaching and Learning Materials**

Teaching Materials are any materials created within the University or created on behalf of the University that are intended to be used or accessed by Students for the purposes of their course of study including course guides, handouts and presentation materials (including lecture notes, slides and other audio-visual materials), instruction manuals and assessment and examination questions.

**Ownership of IP in Teaching Materials**

Teaching materials created by an employee of the University (or in the case of a Student, Teaching materials created by a Student and provided to the University for that purpose) shall belong to the University. If material from other works protected by copyright is included in any Teaching Materials, it is the Individual(s) responsibility to identify such material and obtain all necessary written permissions from the owners. The University is free to commercialise such Teaching Materials as it sees fit, including licensing or assigning the IP in the Teaching Materials to third parties. The Individual(s) will share any revenue in accordance with Section 6.

**Income from Teaching Materials**

Where the authorship of Teaching or University materials results from simultaneous or sequential contributions over time by many employees of the University and/or Students, such that authorship of the relevant Teaching Materials cannot readily be attributed to an identifiable set of authors, the Creator(s) share will be allocated to the School(s) where the Teaching or University Materials were developed, to be used for the purposes of teaching, learning and/or assessment and/or Student support.

**Permitted Uses of Teaching Materials**

The University grants each Individual a royalty-free, non-exclusive license to use the Teaching Materials created by them for teaching or research purposes which are non-commercial only for as long as the Individual remains employed by the University or a Student.

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