**Why do I need to get students to sign a Deed of Assignment?**

**What is a Deed of Assignment?**

A Deed of Assignment is a formal written agreement that transfers a candidate’s Intellectual Property (IP) to the University. [Intellectual Property is the property of your mind or intellect, including trade marks, patents, designs, confidential information or trade secrets, copyright, circuit layouts and plant breeder’s rights]. In the case of a Deed of Assignment however, it does NOT include transferring copyright [the original expression of ideas] in a student’s thesis. The student retains ownership and protection of their written expression of ideas in their thesis.

**Why is a Deed of Assignment required?**

The University of Tasmania has rights to the Intellectual Property produced by its employees and in consideration of those rights, employees receive a benefit in the form of a salary or fee.

At times a candidate may be required to assign their IP (excluding copyright in a thesis) to the University in favour of certain benefits – without which they would not be able to undertake that particular piece of research. Such benefits might include access to:

- UTAS funding, resources, facilities or apparatus, (over and above what the University is generally obliged to provide), to enable that research to take place;

- significant University or other IP or knowledge that is subject to an existing agreement with UTAS. In most cases that IP is already assigned to another party.

- external funding (APA’s and Tasmania Scholarships excluded), and or other in-kind support (ie background IP, equipment, data, infrastructure).

Candidates who receive these benefits, must agree to the terms and conditions, in order for the University to meet its obligations with other parties, including funding bodies. So the University must own the IP [through a Deed of Assignment] before it can transfer it to the funding body or other party.

**Can a student refuse to sign a Deed of Assignment?**

Yes, a candidate can refuse to sign a Deed of Assignment.

However, in refusing to assign their IP to the University the candidate would NOT be permitted to undertake work on that particular project. (They could NOT receive funding associated with that research, and would NOT have access to information or equipment relating to that work). This is because, without the assignment of IP, the University would be unable to meet the funding body’s terms and conditions (and would therefore be in breach of their agreement).

The candidate would be required to choose a research topic, where those IP conditions would not apply.

Commencement of candidature and enrolment cannot occur until the Graduate Research Unit has received the appropriate number of signed and witnessed Deeds of Assignment.

**Where can I get a Deed of Assignment?**

A Deed of Assignment can be obtained from [http://www.utas.edu.au/universitycouncil/legislation/pol_intellprop.pdf](http://www.utas.edu.au/universitycouncil/legislation/pol_intellprop.pdf) or by contacting the Office of Research Services on 1759 or the Graduate Research Unit on 2762. When completed and signed by the student in duplicate, all copies must be forwarded to the Graduate Research Unit, Private Bag 45 for signing by the Pro Vice-Chancellor Research.