

Royal Holloway, University of London **Intellectual Property and Commercial Partnering Policy 2021**

Royal Holloway, University of London (the “College”) Intellectual Property Policy (the “Policy”)

- 1) The College claims ownership of all intellectual property which is devised, made, or created:
 - a) by persons employed by the College in the course of their employment; and
 - b) by postgraduate students in the course of their postgraduate studies.

For the avoidance of doubt intellectual property covers but is not limited to algorithms, biological materials, chemical materials, data, databases, documents and other copyright protected materials (including Teaching Materials as defined in the Framework as set out in section 8) of this Policy), genetically modified organisms, human specimen, images, method descriptions, patentable technologies, patient questionnaires, plant varieties, software, technical data, technical designs, topographies, and/or prototypes.

- 2) The College also expects to own all intellectual property which is devised, made, or created:
 - a) by under-graduate students who are permitted to contribute to a College project,
 - b) by academic visitors who are permitted to contribute to a College project, or
 - c) under a services agreement or under a subcontract which the College issues.
- 3) The College requires that the individuals set out in sections 1) and 2) of this Policy acknowledge that the College is obliged to commercialize via a commercial partnering arrangement, where possible, College intellectual property because of public funding conditions and the College’s own charitable objectives.
- 4) The College's rights under section 1) of this Policy above in relation to any particular piece of intellectual property may only be waived or modified by an agreement in writing with the person concerned. Such agreements may only be authorised by the Principal or the Principal’s authorised delegate.
- 5) Notwithstanding section 1) of this Policy, the College will not assert any claim to the ownership of copyright in:
 - a) Artistic Materials (as defined in the Framework as set out in section 8) of this Policy); and
 - b) Scholarly Materials (as defined in the Framework as set out in section 8) of this Policy);

unless such materials are Teaching Materials or have been specifically commissioned by the College and are therefore University Materials (as defined in the Framework as set out in section 8) of this Policy).

- 6) For the purpose of section 5) of this Policy, University Materials are Artistic Materials or Scholarly Materials which the College has specifically employed or requested the person concerned to produce, whether in return for special payment or not.
- 7) The College grants a royalty-free license to staff leaving the College, to use Teaching Materials they have devised, made or created in the course of their employment by the College, subject to the following conditions:
- a) a useable, clearly labelled and accessible copy of the Teaching Material, whether in electronic form or other, must be left at the College;
 - b) use of the Teaching Material is strictly limited to academic purposes only;
 - c) the Teaching Material may not be used for any commercial publishing purposes whatsoever without the prior written permission of the College; provided that
 - d) where Teaching Materials have been jointly developed, all contributors would need to give permission for the Teaching Materials to be used for teaching purposes beyond the College.
- 8) The College may put in place a framework for the implementation of this Policy (the "Framework"):
- a) which pertains to matters which relate to the Policy such as obligations to maintain confidentiality and to bring suspected intellectual property infringement to the College's attention;
 - b) requiring students and such other persons as may be specified in the Framework to sign any documents necessary in order to give effect to the claim made by the College in this Policy and to waive any rights in respect of the subject-matter of the claim which may be conferred on them by Chapter IV of Part 1 of the Copyright, Designs and Patents Act 1988; and
 - c) generally for the purposes of implementing this Policy.
- 9) This Policy replaces the Intellectual Property Policy (dated 14th March 2018), the Exploitation of Inventions and Patents Code of Practise (dated 24th November 2011), and the Spin-out Company Formation Policy and Procedures (dated 27th March 2007).
- 10) This Policy shall apply to all intellectual property devised, made, or created on or after 1st January 2021 and is subject to the provisions of the Patents Act 1977, the Copyright, Designs and Patents Act 1988, and any other relevant legislation.

Approved by: Academic Board
Date: 24th October 2020
Review by: December 2023