

# UCL Intellectual Property Rights

Tea talk - Tuesday 30th January

# Some background/context

- Intellectual Property Rights (IPR) policy in the process of being amended.
- “Working group” has been established  
*The role of the Working Group will be to meet to review an amended version of the IPR policy, to consult with colleagues in their Faculty*
- Lead by Dr Celia Caulcott, Vice-Provost (Enterprise and London)



# Definitions

**intellectual property or IP** means patents, utility models, rights to inventions, copyright, performers' and related rights, trade marks, business names and domain names, rights in get-up, goodwill and the right to sue for passing off, rights in designs, database rights, rights to use, and protect the confidentiality of, confidential information (including technical know-how and trade secrets) and all other intellectual property rights, in each case whether registered or unregistered and including all applications and rights to apply for and be granted, renewals or extensions of, and rights to claim priority from, such rights and all similar or equivalent rights or forms of protection which subsist or will subsist now or in the future in any part of the world; together with all intellectual creation capable of being protected by the foregoing.

**UCL staff** means UCL employees, officers, consultants, contractors, individuals seconded to UCL or working under an honorary contract or other visiting appointment at UCL, casual workers, agency workers and other individuals contracted to work on UCL matters.

**Student(s) and UCL student(s)** means any student enrolled (or otherwise participating) on a course of study and/or research at UCL.

# Intellectual Property Rights at UCL

- Separate agreement for students and for staff
  - Students retain all IPR with some exceptions:
    - collaborations with staff or external sponsor
    - reproduction of “creative work” (e.g., photographs)

As a general principle UCL recognises the student as owner of any IPR he/she produces while a registered student of UCL. This principle may be subject to variation in the case of collaborative or externally sponsored work, or other exceptional circumstances.

- Staff are bound by UCL’s policy on IPR

## 14. Intellectual Property

14.1 You are bound by UCL’s policy on Intellectual Property Rights, as amended from time to time.

- Academic Board has proposed re-draft to “clarify and consolidate” current IPR

# Intellectual Property Rights for UCL staff

2.1.1 With the exception of the matters covered in section 2.1.2, all IP created by UCL staff in the course of their duties will belong to UCL. Further details of how this general position applies in relation to specific categories of IP are provided at section 2.2.

2.1.2 There is an exception to the general position in relation to ownership of copyright in **scholarly materials** and **teaching materials**. UCL agrees that copyright in scholarly materials and teaching materials shall belong to the UCL staff member who is the author/originator of such materials, except where those materials fall within any of the specific categories referred to in section 2.1.3 below. UCL retains a licence to use scholarly and teaching materials, as set out in section 2.3. The terms "scholarly materials" and "teaching materials" are defined in the glossary at section 6.

- But waiver of rights in 2.1.2 does not apply to:
  - Institutional materials: work created by UCL staff for UCL administrative and/or operational purposes (e.g., syllabi, curricula, examination papers, ...)
  - **Computer programs** (!): "including but not limited to software, source code, object code, preparatory design materials and supporting documents ..."
  - Technical specifications & designs
  - Databases
  - Sound recordings, films and broadcasts created for the purpose of teaching where UCL has made the necessary arrangements for recording



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Empowered to make it open source on behalf of UCL, but they retain ownership

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# Intellectual Property Rights for UCL staff

UCL also owns IP created **outside** of staff duty where UCL resources have been used

- 2.1.4 To the extent permissible by law, UCL shall own IP created by UCL staff *outside* the course of their duties where Additional UCL Support has contributed to the development of such IP. Where such rights do not vest in UCL automatically, UCL staff members shall assign these rights to UCL upon request. For these purposes **Additional UCL Support** means support from UCL which is more than incidental and which is over and above that normally provided to UCL staff for activities outside the course of duties, and could include (but is not limited to):
- (a) provision of funding;
  - (b) use of UCL IT resources;
  - (c) use of UCL premises, facilities, equipment and/or capabilities; and/or
  - (d) use of UCL IP, including use of UCL name and/or branding.

# Revenue Sharing Policy

## 4. Revenue Sharing – Staff and Students

- 4.1 In circumstances where UCL commercialises IP generated by a UCL staff member and/or student, that staff member and/or student will be entitled to a share of any revenue received by UCL on the terms of UCL's Revenue Sharing Policy.

## 3. Revenue distribution

- 3.1. The aggregate total Net Revenue received by UCLB from commercialisation of Applicable IP will be disbursed in accordance with the table below:

Net Revenue (£)	Originator(s) (%)	UCLB/UCL (%)	Department (%)
≤£100,000	80%	10%	10%
>£100,000 but ≤£1m	50%	30%	20%
>£1m	30%	40%	30%



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## Oxford Revenue Sharing

### Revenue sharing from licensing

For each piece of intellectual property, the revenue from successful exploitation by Oxford University Innovation (whether lump sums or royalties, from option, licence, assignment or other agreements), is explained in the steps below.

- 1 It is first subject to repayment of external project costs including patenting and legal costs.
- 2 Oxford University Innovation then retains 30% as a contribution towards its ongoing costs on this and other patents.
- 3 The remainder, ie 70% of the net licence income, is then passed on to the University for distribution to the researchers, General Fund and Department, in accordance with [University Council Regulation 7 of 2002](#).

Table: Revenue sharing from licensing

Total net revenue	Inventor(s) total	General fund	Department	Oxford University Innovation
to £72k	60%	10%*	0%	30%
£72k to £720k	31.5%	21%	11.5%	30%
over £720k	15.75%	28%	26.25%	30%

## Edinburgh Revenue Sharing

Up to and including £50,000	
Inventor(s)	50%
Inventor's School	30%
University corporate	20%
Over £50,000	
Inventor(s)	35%
Inventor's School	35%
University corporate	30%

## Further resources:

- Staff IPR: <http://www.ucl.ac.uk/library/copyright/ipr>
- Student IPR: <https://www.ucl.ac.uk/students/policies/intellectual-property-rights>
- Revenue sharing: <https://www.ucl.ac.uk/library/docs/copyright/revenue-sharing-policy-final>