

Intellectual Property Policy (MPF1320)

1. Objective

The objective of this policy is to set out principles of management and administration of intellectual property in which the University asserts ownership under the Statute.

2. Scope

- 2.1. This policy applies to all University staff, students, honorary appointees and visitors.
- 2.2. This policy does not apply to intellectual property created pursuant to the outside work rules contained in the [Appropriate Workplace Behaviour Policy](#) and supporting processes.

3. Authority

This policy is made under the [University of Melbourne Act 2009\(Vic\)](#), the [University of Melbourne Statute](#) and the [Vice-Chancellor Regulation](#).

4. Policy

4.1. Staff, students, honorary appointees and visitors identify, protect and manage intellectual property in which the University asserts ownership under the Statute:

- (a) in a manner that enables the University to determine how to best use such intellectual property to realise its full value and achieve the objects of the University specified in the Act; and
- (b) in accordance with the processes approved under section 5.1 of this policy.

5. Procedural principles

5.1. The Executive Director, Research, Innovation and Commercialisation must, within the scope of the Statute, Vice-Chancellor Regulation and this policy, and on advice of the University's General Counsel, set processes for managing and administrating intellectual property including:

- (a) its ownership, protection, enforcement, defence, licensing, assignment and use, including the Vice-Chancellor's power of attorney;
- (b) its disclosure, development, security and commercial exploitation;
- (c) the apportionment of proceeds of commercialisation; and
- (d) the obligations and rights of creators and other relevant persons or bodies.

6. Roles and responsibilities

<i>Role/Decision/Action</i>	<i>Responsibility</i>	<i>Conditions and limitations</i>
Approve processes supporting this policy	Executive Director, Research, Innovation and Commercialisation	Within the scope of the Statute, Vice-Chancellor Regulation and this policy
Advise the Executive Director, Research, Innovation and Commercialisation on	General Counsel	

processes supporting this policy.		
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7. Definitions

Creator means any member of staff, students, honorary appointees or visitors who create any intellectual property whether or not in conjunction with other persons.

Honorary appointee means any person, other than a member of the academic staff, who holds an honorary or other academic appointment at the University irrespective of the date of commencement of that appointment, and who has access to University facilities for teaching, research or other scholarly activity.

Specified agreement means an agreement or deed between the University and any party which relates to the ownership or use of intellectual property that may arise out of an activity, including research, which is identified in the agreement or deed.

Teaching materials means all versions, digital or otherwise, of information, documents and materials created or used for the purpose of teaching and education by the University, including the permitted adaptation or incorporation of the scholarship, learning or research of the relevant member of academic staff, honorary appointee, visitor or student for that purpose. Teaching materials include lecture notes that are made available to students, computer-generated presentations, course guides, overhead projector notes, examination scripts, examination marking guides, course databases, websites and multimedia-based courseware, but exclude scholarly works.

Visitor means a person appointed as a member of the University community who, while not required to perform any specific work for the University, contributes to the teaching and research or general betterment of the University through voluntary activities.

POLICY APPROVER

Deputy Vice-Chancellor (Research)

POLICY STEWARD

Executive Director, Research, Innovation and Commercialisation

REVIEW

This policy is to be reviewed by 2 December 2021.

VERSION HISTORY

Version	Approved By	Approval Date	Effective Date	Sections Modified
1	Vice-Chancellor	21 July 2016	21 July 2016	New policy arising from the Regulatory Framework Review and Policy Consolidation Project.
2	Executive Director, Research, Innovation and Commercialisation	2 December 2016	2 December 2016	Editorial change to section 2.2 to reflect newly published Appropriate Workplace Behaviour Policy (MPF1328).
3				No change made - Version 2 archived in error.

4	Executive Director, Research, Innovation and Commercialisation	19 June 2017	19 June 2017	Editorial change, amending reference to process.
5	Executive Director Research, Innovation and Commercialisation	19 June 2017	22 November 2018	Amended link for the University of Melbourne Statute and the Vice- Chancellor Regulation at 3.
6	Vice-Chancellor	7 March 2019	19 August 2019	Changed Policy Approver to Deputy Vice-Chancellor (Research) (previously Vice-Chancellor).