



Academic Policy 6

Intellectual Property Policy

N.B: This policy is to be read in conjunction with the information available through the 1993 Privacy Act, the 1994 Copyright Act and the Berne Convention for the Protection of Literary and Artistic Works 1928 (Rome Act revision) and in accordance with the Animation College policy on Research and Ethics.

1. Purpose

The purpose of this policy is to ensure that all research activities carried out at Animation College are done so according to clear, well defined intellectual property regulations which correspond to domestic and international copyright law.

2. Scope

This policy covers all research and intellectual property creation facilitated by Animation College.

3. Policy Principles

These principles apply to Animation College's **Research and Ethics Policy** and Animation College's **Intellectual Property Policy**.

3.1 The development of innovation and creativity must be nurtured and fairly rewarded.

3.2 Faculty and students should be compensated for work which is commercialised.

3.3 The commercialisation of research and creation of creative enterprises should be encouraged.

3.4 Outstanding student and staff contributions can be used to promote the school and its qualifications.

4. Policy

4.1 Animation College owns and asserts commercialisation rights over all intellectual property created by staff as a result of research or creative endeavour as a part of regular duties or during work hours and of students, where college resources (excluding library material and teaching materials) are used.

4.2 Animation College will take all reasonable steps to fairly allocate the benefits to all relevant parties when commercialising intellectual property. All commercialisation of intellectual property must be subject to a contractual agreement between the College, creator of the intellectual property and with any relevant external parties.

4.3 No conflict of interest should be created from commercialisation of any intellectual property for staff or students, subject to Animation College's **Conflict of Interest Policy**.

4.4 Any artworks or other intellectual property created using educational software or education-only resources is not eligible for commercialisation.

4.5 If a supervisor recognises commercial potential in a project proposal, they are responsible for talking with the researcher(s) involved and liaising with the Directors of the College to initiate arrangements for an independent commercial agreement between the researcher(s) and the College.

4.6 Staff engaged in research within work hours but outside of their regular duties have the following rights to intellectual property ownership:

4.6.1 When staff create work facilitated by Animation College for commercial businesses, a contract will be agreed to, detailing the rights and responsibilities of each party.

4.6.2 When staff produce creative work as the result of independent research outside of regular duties, the creator of the work retains intellectual property.

4.6.3 The College supports the formation of new businesses to facilitate staffs' abilities to commercialise their intellectual property. In these cases, a company is formed and any intellectual property produced for this purpose belongs to the company.

4.7 Students engaged in research facilitated by Animation College have the following rights to intellectual property ownership:

4.7.1 When students create work facilitated by Animation College for commercial businesses, a contract will be agreed to, detailing the rights and responsibilities of each party.

4.7.2 The College supports the formation of new businesses to facilitate students' abilities to commercialise their intellectual property. In these cases, a company is formed and any intellectual property produced for this purpose belongs to the company.

4.8 The college retains marketing and promotional use rights for any intellectual property facilitated by Animation College in perpetuity, but subject to commercial sensitivities.

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