

THE UNIVERSITY OF MANCHESTER

GUIDANCE NOTE

STUDENTS AND INTELLECTUAL PROPERTY (Sponsored Schemes)

This note is for University students who are thinking of taking part in a sponsored scheme [e.g. EngD].

What is Intellectual Property (IP)?

IP is a term used to describe the rights which protect ideas and other forms of intellectual creation. It is made up of a bundle of different rights. Some rights have to be registered to be effective, others arise automatically. IP can be split into 6 main categories as follows:

- ❖ Patents - protect inventions for products or processes
- ❖ Copyright - protects items such as written works, source code, diagrams
- ❖ Database Rights - protects collections of work or data arranged systematically
- ❖ Designs - protects designs for 3D objects or designs applied to them
- ❖ Trade Marks - protects marks used to denote the origin or quality of goods
- ❖ Know-How - not strictly IP but refers to technical, secret information protected by confidentiality arrangements.

A more detailed description of the different types of IP together with some practical examples of the sorts of things that they protect are set out in "IP and Confidentiality: A Researcher's Guide" available at <http://www.umip.com/images/download/file1.pdf> or, if you are already a University student, the University's intranet IP Awareness Resource available at <http://www.manchester.ac.uk/ipresource>.

Who owns the IP which I create?

Rights in IP created by students of the University usually belong to the student, subject to some exceptions. Students across the University may become involved in projects where they create or contribute to inventions or other works that are capable of IP protection. IP created under projects which are funded by external sponsors is one of those exceptions. In such cases the student is required to transfer any IP which the student creates during such project to the University to allow the University to be able to contract with the external sponsor.

What happens to my IP under the scheme?

As a participant in a sponsored scheme, particular arrangements will have to be agreed between the University and the sponsor to obtain their sponsorship. These include arrangements in relation to IP.

This sponsorship may not involve any payment by the sponsor. The sponsor may simply be giving you, as the sponsored student, the opportunity to carry out research with a particular industry objective or focus. Sometimes there may be specific funding from the sponsor for your research.

In return, the University may require you to transfer any IP which you create as part of the sponsored scheme to the University. This is so that the University can deal with the sponsor in relation to such IP. In return for its sponsorship the sponsor may be entitled to rights in the IP which you create. Your supervisor will be given a copy of the University's agreement with the sponsor of your sponsored scheme.

The rights given to the sponsor, which may include ownership of the IP, do not always mean that the University shares in any returns from any commercialisation by the sponsor of such IP. This is because the University's focus in establishing sponsored schemes is the educational value of them and not the rare commercial benefit which may eventually accrue. If there are returns to the University from the commercialisation of such IP then such returns would be shared with you as the IP's creator in accordance with the University's IP Policy.

A copy of the current IP policy can be viewed at:

<http://www.campus.manchester.ac.uk/medialibrary/policies/intellectual-property.pdf>

The IP Policy is, however, a living document and may be subject to change by the University. Major changes are communicated to students affected by the changes.