

THE UNIVERSITY OF MANCHESTER

GUIDANCE NOTE

STUDENTS AND INTELLECTUAL PROPERTY

This note is for University students. There are specific notes for students who may as part of their degree take part in a project involving University employees or who are thinking of taking part in a sponsored scheme.

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. There will be copyright in a student thesis. This copyright will be owned by the student author, unless there is a contract with a sponsor which says something different.

Under the IP Policy, students give the University rights to use IP created by the students for administrative, promotional, educational and teaching purposes of the University and its subsidiaries. This allows the University to take copies for purposes such as assessment. Sometimes the University may use pieces of student artwork, for instance, to promote the University.

There are some exceptions. For instance under the IP Policy students agree that IP created under projects which are funded by external sponsors or under projects where the student works on the project with one or more University employees, will belong to the University. In such cases the student is required to transfer any IP which the student creates in such circumstances to the University. This allows the University to protect and commercialise the IP from a project as a whole.

As the University has charitable status it has to avoid unauthorised use of its resources. This would include things like setting up an internet business using University IT (which would also be contrary to the University's policy on use of its IT). So if a student creates IP outside of their course using University resources then the student is also required to transfer such IP to the University.

Do I get any reward for the IP which I create?

The University acknowledges the position of students who have created IP, which is owned by the University, and seeks to ensure that they get proper recognition and reward as set out in its IP Policy. There is no obligation on the University to commercialise IP as its main areas of focus are teaching and research. 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.

Where can I find the 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.