



Commercialisation of Intellectual Property Created by Staff and Students

Preamble:

Australian Institute of Business (AIB) has rights to ownership of intellectual property created by staff, whether members of the academic staff or the general staff, in the course of their employment.

However, AIB does not own the intellectual property rights in material created by student, facilitators, consultants, or contractors, unless it is transferred to AIB upon creation.

Purpose:

To manage the intellectual property rights in materials created by AIB staff, facilitators, other contractors and consultants.

Scope:

Institution Wide

Detail:

1. Material produced by staff

Copyright in teaching materials or other works which are produced by AIB staff in the course of their employment belongs to AIB. The use of such material by AIB does not constitute commercialisation or commercial exploitation under this policy even where AIB may receive fees from students, royalties or any other revenue from such use.

In respect of staff who have left AIB employment, and either wish to use at their new place of employment the teaching materials which they prepared while employed at AIB, or use teaching materials for publication and other academic purposes, they should request for permission from AIB.

Requests for permission to use any teaching material for a purpose other than an AIB purpose should be made to the Director of Corporate Affairs, who will decide on the matter and communicate the decision to the relevant staff member and the Compliance Officer who shall maintain an official record.

Where AIB believes that any specific teaching material has strategic or commercial significance, AIB may forbid or restrict its use other than at AIB.

2. Intellectual Property of Students

In respect of intellectual property developed by an AIB student in the course of their studies, AIB acknowledges that in law, ownership of such intellectual property vests in the originator on creation. AIB therefore makes no claim to ownership of intellectual property developed by a student except where a student has developed the intellectual property directly in the course of working as a staff member of AIB, in which case the provisions of section 1 of this Policy relating to staff will apply.

AIB may require students working with or under the supervision of staff to agree to assign intellectual property rights to AIB upon request. AIB undertakes that student originators will be treated equitably, and on the same basis as staff, with respect to the financial returns from the commercial exploitation of intellectual property.

Nothing in this policy shall restrict the rights of students to hold copyright in their theses and other forms of assessment exercises and to submit these for examination. AIB may require examiners to keep confidential the contents of a thesis where necessary to enhance or preserve the value of intellectual property contained therein.

AIB will take reasonable steps to ensure that the moral rights of originators are respected.

3. Sharing of Financial Returns

An equitable return will be provided to staff originators of intellectual property other than learning materials produced for student use. The costs of, and reasonable charges related to, protecting, maintaining protection, marketing, administering and commercialising an item of intellectual property shall be a first charge against revenues received.

Related Forms:

Nil

Responsibility:

Director of Corporate Affairs

Related Policies:

Third Party copyright

Current Status	version 2
Approved By:	Board of Directors
Date of Approval:	1 July 2011
Previous version:	27 October 2008