



University Policy on Student Intellectual Property Rights

Legal Position

The default legal position is that the student will automatically own all intellectual property rights in work done and results created by him/her during his/her research project / studentship ("Student IPRs").

University Position

The University's position is that the student should retain ownership of Student IPRs except where there is a specific requirement for the University to take ownership of these IPRs, for example, in the following types of situation:

- the grant funding terms for the studentship requires the University to own the Student IPRs e.g. Marie-Curie EST Scheme, CRUK funding.
- the studentship is a CASE or other form of collaborative studentship with an industrial party and the funding terms or collaborative studentship agreement require the University to own the Student IPRs in order to grant licences/options to the industrial party.
- the studentship project forms part of a larger project within the University for which the funding terms and/or research collaboration agreements require the University to own all IPRs.
- the University requires to own the Student IPRs in order to apply for patent protection.
- the University requires to own the Student IPRs for some other commercialisation reason e.g. a spinout.

Accordingly, the requirement or otherwise for an assignation of Student IPRs needs to be assessed in the context of each specific Studentship project. In practice few studentships will involve the creation of commercially significant Student IPRs but it does happen from time to time.

Benefit to Student in return for Assignation

In return for the assignation of the Student IPRs to the University, the University gives the student the same revenue sharing rights in respect of any inventions made by the student as it gives University employees. This is explained to the Student before he/she signs the Assignation and Confidentiality Agreement. There is also a note attached as a schedule to the Assignation and Confidentiality Agreement which explains these rights.

Assignation Process

If there is a specific requirement for the University to own Student IPRs, then the student is asked to sign an assignation of his/her Student IPRs to the University using the University's style Assignation and Confidentiality Agreement.

This is usually done at the start of the studentship at the same time as the student signs the relevant studentship acceptance or Studentship Agreement. However, it can also be done at a later date e.g. where the Student's work leads to or contributes to a potentially patentable invention.