

Students and Intellectual Property (IPR)

What you need to do:

Find out about the University IPR Policy – read it in full here.

<http://my.cumbria.ac.uk/ipr>

Find out how to protect your ideas. TAKE THE IP QUIZ!

<http://www.ipo.gov.uk/blogs/iptutor/>

IPR FAQs

1. What is Intellectual property?

IPR may be generated by individuals or teams as a result of scholarly activity and/or research, or projects that create a tangible expression of ideas and could possibly lead to future inventions. An idea or concept on its own is not IP.

IP can be:

- An invention
- A literary or artistic work
- A name, symbol or image used in a business
- A design

You may, during your studies, create such IPR and become the “inventor”. This is a valuable asset and requires protection.

There are four kinds of protection under the IPR umbrella:

1. Patents
2. Designs
3. Trademarks
4. Copyright (<https://my.cumbria.ac.uk/Student-Life/Learning/Copyright/>)

2. Who owns my IPR?

The University does not automatically own intellectual property developed by students.

Students will generally own the IP they develop during the course of their studies unless ownership is governed by a third party agreement. Examples include research contracts, studentship, certain placement organisations and funding agreements.

The University retains IP rights in certain forms of assessed work, such as examinations, dissertations, presentations, portfolios as per Academic Regulation para F3.2. View these on the student handbook page: <https://my.cumbria.ac.uk/Student-Life/Student-Handbook/>

If you are a creative arts student, you may exhibit your work within the university, post-assessment with agreement from your tutor. Subject to

approval by the Head of Department, via your tutor, external exhibitions and sales may also be permitted.

3. How can I exploit my IPR?

If you wish to develop your "invention" the University can help you.

In this case an agreement may be needed whereby you assign your IPR back to the university, or enter into a sharing agreement (called a shared equity scheme) for joint ownership of IP. We have enterprise staff who can help you to make these decisions and take your ideas forward.

As part of this students would normally grant the University a licence to use certain IP and Performance Rights that they own.

Assessed work (e.g. a prototype) that you later want to take to market requires explicit permission from the university before you can do so. Then follow the process outlined above.

In brief:

- Your invention must be commercially viable with an identified market
- Don't tell people about your ideas for your invention or they may use it before you have protected your IP (for example with a registered trade mark or patent)
- A non-disclosure agreement may be needed before you discuss your plans with a third party
- A legal IP specialist may be needed.

4. What about articles that I write or projects that I work on with my tutor?

If you write an article jointly or work collaboratively with your tutor on a project (that is not an assessment) you will need to discuss who owns the IPR. It is best to agree this in advance and record it.

Where collaborative projects are undertaken with substantial academic staff input, IPR is shared between the University and you. Ideally this needs to be agreed before the project commences so both you and the University benefit appropriately.

If you are the sole author of an article, you will own the copyright unless you assign it to the publisher. Many publishers require this as a condition of publication. However, there are many different ways to publish, including in open access journals, so do seek additional guidance from your supervisor/academic lead before making the decision. Or contact Library and Student Services: email: copyright@cumbria.ac.uk

5. What about IPR in my dissertation?

You can't protect concepts or ideas - these are not necessarily IP in themselves. If your creative ideas, as expressed in your dissertation, have future commercial value, and you wish to exploit them, please discuss the issue with your tutor and/or university enterprise staff in the first instance. (see also FAQ 3. above). The University owns the physical format (copyright) of all assessments including dissertations, as outlined in the Academic Regulations. You still retain the IP rights once/if the concept(s) in your dissertation develop into a tangible "invention". (See FAQ1)

6. I am a former student how does the IPR Policy apply to me?

Articles authored by alumni of the University of Cumbria and its legacy institutions for use in alumni print publications and the alumni pages of the website will remain the ownership of the author.

A letter of consent will be agreed and documented in advance that determines the right to (1) reproduce the work, (2) prepare derivatives of it, (3) distribute it, (4) perform it, and (5) display it as appropriate.

7. How can I find out more?

If you need further help contact the Library, library@cumbria.ac.uk