

Student Research IP Procedures

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1. Governing Policy

[Intellectual Property Policy](#)

2. Purpose

- a. The [Intellectual Property Policy](#) section 4 recognises that enrolled students own the IP created by them in the course of their University studies.
- b. However, in the circumstances specified in section 4.4 of the policy, students may be required to assign ownership of their IP to the University or a third party, as a pre-condition of participating in a particular research activity.
- c. These procedures specify the process required to identify the need for such an assignment, to ensure the student understands and gives informed consent for the assignment, and to implement the assignment.

3. Scope

These procedures apply to:

- a. all higher degree by research (HDR) students, in respect of their time-based research project
- b. all students in a postgraduate coursework course with a research project, in respect of that research project
- c. all Honours students, in respect of their Honours research project, and
- d. all other students enrolled in a University topic that requires IP to be assigned in respect of a formal agreement or activity involving the University and an external third party.

4. Procedures

4.1. Before enrolment

These procedures apply before the student enrolls in:

- their time-based research project (HDR students)
- their research project (postgraduate coursework and Honours students)
- their topic (all other students where IP assignment is applicable).

Principal Supervisor (for HDR students)
Supervisor (for all other students)

- a. Discuss with the student or potential student whether the IP arising from the student's participation in the proposed research activity:
 - i. has, or is likely to have, potential for commercial exploitation. For more information see the [Research IP Management Procedures](#).
 - ii. is likely to result in IP which is jointly created by the student's supervisor or other University staff or academic status holders
 - iii. builds upon pre-existing University-owned IP
 - iv. is the subject of an agreement or activity involving the University and a third party (e.g., a placement or externally funded scholarship or research activity), or
 - v. involves the creation of teaching materials for future use by the University.
- b. Advise the student that if any of the conditions in a. are met, the student may need to assign their IP to the University or a relevant third party, as a pre-condition of participating in the chosen research activity.
- c. If any of the conditions in a. are met, the principal supervisor (for HDR students) or supervisor (for all other students) is to submit a request via [Service One for IP Counselling](#). This request will be actioned by a Student IP Counsellor in the [Office of Graduate Research](#).

Student IP Counsellor, Office of Graduate Research

- d. Contact the student about the consequences of both signing and not signing an assignment of the student's IP. This will include:
 - i. ensuring the student is familiar with the University's [IP Policy](#) and procedures
 - ii. ensuring the student understands any relevant entitlement to possible commercial revenue deriving thereof, and
 - iii. referring the student to any relevant third-party agreements that relate to their candidature or coursework.
- e. Invite the student to consider the matter, obtain legal advice (at the student's cost) from outside the University if they so choose, and indicate in a timely fashion whether they consent to the assignment or not.
- f. *If the student does not consent*: notify the Principal Supervisor/Supervisor, who will endeavour to identify an alternative research activity for the student, in conjunction with the relevant administrator identified at Procedure g.
- g. *If the student consents*:
 - i. confirm that the student understands the consequences of assignment and is giving informed consent
 - ii. execute the necessary IP assignment documents, in conjunction with third parties, if involved
 - iii. advise the Dean of Graduate Research if there is potential for commercialisation (refer to the [Research IP Management Procedures](#)).
 - iv. Notify the relevant administrators with any relevant background information. Relevant administrators may include:
 - the Principal Supervisor/Supervisor
 - Student Finance, Student Administration Services, if the student's scholarship payment is dependent on the assignment of their IP
 - Research Development and Support if the IP assignment is part of an agreement between the University and a third party.
- h. Record a comment on the student's record as follows:

	<ul style="list-style-type: none"> i. indicate that the student has received IP Counselling ii. verify that the student is required to sign an agreement as a condition of participating in the research project iii. upload a fully executed copy of the agreement to the relevant University systems, and iv. detail any other relevant information about the circumstances of the case to assist in managing the IP issues.
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4.2. Throughout candidature (for HDR students only)

Principal Supervisor	Except where an assignment has already been signed by the student, at each Milestone Review, consider whether new circumstances have arisen that might necessitate an IP assignment under s.4.4 of the Intellectual Property Policy . If at any time an IP assignment is necessary, the steps at s.4.1 are to be followed. An IP assignment during candidature may include retrospective assignment of IP, if appropriate.
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* Unless otherwise indicated, this procedure will still apply beyond the review date.

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