Research & Enterprise Services

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1 [illegible]

1.1 The purpose of this policy is to provide a new framework and drive for the creation of intellectual property (see section 4 for definition) and to provide an environment in which staff and students at the University can make effective use of their ideas to make real change and help shape the world by addressing the challenges that face society today and in the future.

1.2 The University's strategic framework Sussex 2025 has Research with Impact, Learn to Transform and Engage for Change as three of its four key priorities. This new policy will help to create a supportive environment that, encourages academics and students to translate their ideas and research in ways that bring about sustainable economic and social change, emphasises the importance of generating a strong innovation and enterprise portfolio, and grows the potential of valuable intellectual property created by staff and students.

1.3 This policy aims to be accessible to staff and students to discover the value of what they create in their work and studies, how to go about protecting the results of their skills and efforts, and to provide clear mechanisms for them to access support and advice.

2 [illegible]

This policy applies to all staff and students registered at the University, particularly to academic staff and students who generate ideas or conduct research and would like to use, protect and exploit these ideas and research. The policy also applies to visitors who come to the University to work or collaborate and staff at the University who visit other institutions for r [illegible] -3.12 Tc

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and consumer expectations of a product or service. Examples of trade marks include Apple, Google, Kodak, Imperial Leather, and Orange.

5 [illegible]

Copyright protects the *expression of an idea* and not the idea itself. Copyright subsists in original works and arises automatically as soon as a work is created. This right is used to protect various creative works, such as literary works (e.g. books, computer programs, databases, and songs), dramatic works (e.g. plays and concerts), musical works (e.g. songs and musical arrangements), artistic works (e.g. paintings, drawings, photographs, sculptures, and buildings), sound recordings, films and broadcasts, and typographical arrangements of published editions.

5 [illegible]

Database right protects *a collection of independent works, data or other materials which are arranged in a systematic or methodical way and are individually accessible by electronic or other means*. A database or set of data will qualify for protection if there has been substantial investment in obtaining, verifying or presenting the contents of the database. Examples of databases eligible for protection include customer lists, telephone directories, collection of software modules, screen look up tables, and websites.

6 [illegible]

These rights protect new plant varieties, including genetically modified varieties. To acquire protection, a plant variety must be *new* (i.e. has not been commercialised for more than one year), *distinct* (i.e. have different characteristics to other plants of the same species), *uniform* (i.e. all plants in the variety must share the same characteristics) and *stable* (i.e. it remains unchanged after ' repeated propagation', for example reproduction from seeds, cuttings, bulbs or other plant parts). Any plant genera or species can be protected by such rights, including agricultural, horticultural and ornamental plants.

5 [illegible]

Topography rights are a special form of design right and copyright that relate to the layout (i.e. 3D model of electronic components for electric flows) of semiconductor products such as microchips. This right protects original integrated circuits that have at least two layers, in which one layer is made of a semiconducting material which has a pattern fixed on it for the purpose of performing an electronic function. It is the topographical design, not the technical function or the technological arrangement of components that is protected.

8 [illegible]

5.8.1 Know-how is knowledge of the methods or techniques of doing something, such as manufacturing of a product or performance of a service which is not readily available to the general public, that gives the acquirer a competitive advantage.

5.8.2 Almost any information (such as financial, business, scientific, technical, economic or engineering information) can be protected as confidential information, provided it meets a 3-stage test:

(1) *There must be a 'quality of confidence' to the information;*
(2) *The information must be provided in circumstances giving rise to an obligation of confidence, and*
(3) *There must be unauthorised use or disclosure (actual or threatened) of the confidential information which has or will cause a detriment to the information owner.*

5.8.3 A trade secret is defined as any information which

(1) *Is secret, being not generally known*;
(2) *Has commercial value because it is secret*, *and*
(3) *Has been subject to reasonable steps to keep it secret*.

Examples of famous trade secrets include Google's search engine algorithm, the recipes for Coca-Cola and Pepsi, and the formula for the lubricant WD-40.

5.8.4 Confidential information is private information that helps to ensure an organisation's

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6.8.2.3 Staff should inform their Head of School or Department and the academic School's Research Development Officer or equivalent in RES before arranging an external researcher, collaborator or entrepreneur-in-residence to work at the University in order to ensure appropriate arrangements are put in place, including the agreement referred to in section 6.8.2.2, in a timely manner.

7. [illegible]

7.1 [illegible]

7.1.1 The University [illegible]

IP advice and IP management, mostly in relation to patent cases and supporting interactions with external patent attorneys.

7 [illegible]

The University can provide expert support and guidance to exploit staff-generated IP in the most effective way. The support available includes:

Introduction to commercial contacts, potential licensees and investors.
Negotiation of memoranda of understanding ("MOUs") or term-sheets and IP evaluation, licence and assignment agreements with licensees/customers.
Setting up spin-out companies to exploit IP and negotiate shareholder and investment agreements.

8 [illegible]

The process for applying for and obtaining support to develop, protect and exploit staff-generated IP is outlined in Annex 1.

9 [illegible]

7.5.1 If the University decides not to provide any support for development, protection or exploitation of IP in a project, or the University has provided such support but for whatever reason has not been able to develop or exploit the IP in a viable or timely way, the inventor can apply to the Director, Innovation & Business Partnerships to

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13.2.1 Income from shares ("equity") held in the name of the University will be shared and distributed, net of any applicable costs as listed in section 13.4, between the inventor(s)' School(s) and the Univer(h)n the

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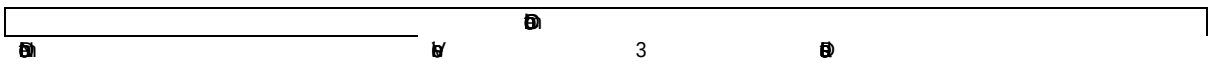
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1.1 Students and graduates interested in receiving financial support for protecting their IP should submit an application to the Innovation and Business Partnerships ("IBP") team at _____@sussex.ac.uk setting out their enterprise idea and how they intend to develop it into a business or social enterprise. The application form is available at_____ and applications are invited at any time during the year. Students and graduates can contact the IBP team at the above address for an initial discussion about their enterprise idea before submitting an application for IP support.

1.2 When applying, students and graduates should indicate what they would like to use the IP funding for, the amount of funding they are seeking and for how long.

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