

Intellectual Property Management - Policy & Procedures

1.0 Purpose

- 1.1 This policy establishes guidelines for the management, protection, and commercialization of intellectual property created by members of the University community, including faculty, staff, students, and visiting scholars.

2.0 Scope

- 2.1 This policy applies to all intellectual property created by members of the university during their employment or enrollment, and that results from significant use of University resources.

3.0 Definitions

- 3.1 Intellectual property - creations of the mind, including inventions, literary and artistic works, designs, symbols, names, and images used in commerce, and others, protected by law, and enabling individuals to earn recognition or financial benefits from their creations.
- 3.2 Fair market value - the estimated price an item would sell for in an open market between a buyer and seller.
- 3.3 Significant use of the University - utilization of University facilities, equipment, funds, or other resources beyond what is typically provided for the normal course of employment or study. If only standard resources are used, the intellectual property rights generally remain with the creator, subject to any other applicable agreements or policies.
- 3.4 Net income from intellectual property - revenue generated from the intellectual property, less any direct expenses related to its production, protection, and administration, including legal fees, patenting costs, taxes, and University overhead.

4.0 Policy

Ownership of Intellectual Property

- 4.1 The University claims ownership of intellectual property created by its employees and students when the intellectual property is created during employment or enrollment, with the use of University resources, or when developed under a sponsored research agreement that assigns ownership to the University.
- 4.2 Creators retain ownership of intellectual property created without the use of university resources and outside the scope of their employment or study.
- 4.3 Any intellectual property created by faculty remains the property of the faculty unless it involves significant use of University resources or falls under sponsored research agreements or contractual obligations that indicate University ownership. The University

will review intellectual property created under these circumstances to determine appropriate ownership based on the nature of the contribution and any applicable agreements.

Disclosure of Intellectual Property

4.4 All employees and students must promptly disclose any potential patentable inventions or inventions with commercial potential to the University's Vice President of Administration and Finance (VPAF).

4.5 For students, disclosure should also be made to their faculty supervisor or the concerned dean, as well as the Vice President for Academic Affairs (VPAA).

4.6 Disclosure should be made in writing and include all relevant information regarding the creation and potential applications of intellectual property.

Commercialization

4.7 The University will seek to commercialize intellectual property through licensing agreements, partnerships, or the creation of start-up companies. Revenue generated from the intellectual property will be shared with the creators according to a predefined distribution policy, which typically allocates a percentage of net income to the creators, their department, and the University.

Confidentiality

4.8 All intellectual property disclosures and related information must be treated as confidential and should not be publicly disclosed or shared without proper authorization from the President.

Dispute Resolution

4.9 Any disputes arising from the interpretation or application of this policy will be resolved through the University's established grievance procedures. If the dispute remains unresolved, it will be subject to the jurisdiction of specialized Iraqi courts, according to Iraqi laws.

5.0 Procedures

5.1 Creators disclose intellectual property promptly, assist with evaluation and protection processes, and comply with confidentiality requirements.

5.2 Deans and department heads support intellectual property creation and commercialization efforts within their colleges or departments, in coordination with the VPAF. This support includes advising faculty and students on intellectual property matters, providing access to clinics or labs for research and development, and organizing workshops focused on the creation process, intellectual property rights, commercialization strategies, and related topics.

5.3 The VPAF manages intellectual property disclosures, evaluations, protection, and commercialization efforts.

Disclosure Process

5.4 Creators complete and submit a memo to the VPAF. For student-created intellectual property, the memo should first be submitted to the dean, who will then coordinate with the VPAF. The VPAF acknowledges receipt and initiates an evaluation of the disclosure. The Vice President assesses the intellectual property for novelty, feasibility, and market potential, and consults with creators and other sources to gather additional information as needed.

Protection Process

5.5 The University protects intellectual property. VPAF will coordinate with legal counsel to file the necessary legal protections, whether patent, copyright, or trademark.

5.6 The VPAF manages all interactions with government authorities, coordinating with the Government Relations Department.

Commercialization Process

5.7 The VPAF develops a commercialization strategy, which may include marketing the intellectual property to potential licensees or investors.

5.8 The VPAF, through the Financial Administration Department, negotiates licensing agreements and ensures compliance with all contractual obligations.

Revenue Distribution

5.9 The VPAF, through the Financial Administration Department, tracks revenue generated from intellectual property commercialization and distributes it according to the University's revenue-sharing guideline: Creators, 40% of net income from intellectual property, Creators' departments, 20%; and the University, 40%, without contravening the prevailing laws.

Record keeping

5.10 The VPAF maintains comprehensive records of all disclosed intellectual property, protection actions taken, and commercialization activities.

Related Policies and Documents

Conflict of Interest Policy

Financial Administration Policy