



# Who owns the intellectual property that I create?

Your research may lead to creation of new intellectual property (IP) that has value for publication, commercialisation or community translation. But who owns the IP you create and how are the benefits shared?

## IP ownership

IP ownership depends on the type of IP, the relationship its creators hold with the University, the existence of any legal agreements in which IP ownership is specifically defined and the University Statute.

### Staff

If you are employed by the University, you own copyright in your scholarly works and the University owns all other IP created in the course of (or incidental to) your employment. Prior to generating IP with Honorary Appointees or Visitors, Staff must ensure that there is a clear written agreement concerning the ownership and use rights of IP that may be created.

### Students, Visitors & Honorary Appointees

The University owns IP created by students, honorary appointees or visitors:

- (a) if there is an agreement between the University and another party regarding the IP (known as a Specified or Contracted Agreement); or
- (b) if that Intellectual Property constitutes Teaching material.

Where research relates to externally funded work, such as an ARC or NHMRC grant, or a direct grant from industry or government, the University will own the IP. Other documents may affect IP ownership, such as those governing arrangements for students hosted by other organisations. If none of these situations apply, then students, visitors and honorary appointees will own the IP they create.

### Graduate Researchers

The IP position of Graduate Researchers mirrors that of other students. However, in certain circumstances, the IP Policy requires Graduate Researchers to assign to the University any IP they create in the course of their enrolment. For further information, see the [Graduate Researcher IP Guide](#).

### Copyright in Scholarly Works

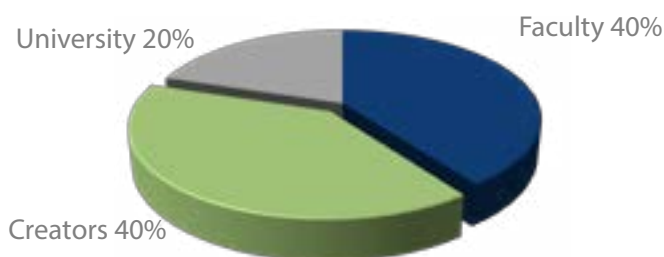
Staff, Students, Visitors and Honorary Appointees retain copyright in their scholarly works including publications and theses. Copyright includes the final form of the ideas, but not the ideas themselves. The University has a licence to use the copyright for education, teaching and research.

### Commercialisation of IP

If you solely own IP, you will receive any financial benefit from its development but you will be responsible for all costs involved. If you assign IP to the University, you will receive support to explore its potential.

## Sharing benefits with creators

Creators of University IP will share in any financial benefits from commercialisation or translation of the IP. IP creators share 40% of the proceeds, less costs involved in protecting and commercialising the IP. Creators must agree how the net proceeds will be apportioned between them. The remainder is split between the creators' Faculty (40%) and the University (20%).



## Case Study

Sophia is a University Research Fellow who has developed a novel method to reduce greenhouse gas emissions in a manufacturing process. She is keen to see her invention deliver impact to the broader community but is uncertain about how to progress its commercialisation.

Sophia meets with Business Developer Maria, who informs her that, since she is a staff member, the University owns the IP she has created. Sophia is pleased that the University provides expert IP and business resources to develop inventions that are deemed to have commercial potential and that, as the IP creator, she is entitled to a 40% share of any benefits that may arise from this.

The University secures patent protection, covering the associated costs and markets the technology widely. The invention is licensed to a partner company with major commercial success.

Sophia achieves significant peer recognition, and impact of her research to the community and gains financial reward from her share of the licensing royalties without personal risk or cost.

### Need Help?

Contact your [Business Development Manager](#) or the [Knowledge, Technology and Transfer team](#).