

## Policy Procedures

Effective Date: November 3, 2022

Policy Reference: Policy 8815

### Policy 8815: Intellectual Property

#### 1. Disclosure

- 1.1 College employees should inform the Director of Applied Research and Innovation or Dean when they are engaged in work that they believe could generate IP with Commercialization potential.
- 1.2 Employee and student Creators who intend to commercialize IP must file a disclosure, in writing, with the Director of Applied Research and Innovation or Dean prior to commencement of any Commercialization activities, including discussions with third parties.

#### 2. Commercialization of IP

- 1.1 Prior to initiating Commercialization of IP created subject to this policy, Creators shall seek input from the Director of Applied Research and Innovation on IP ownership, how proceeds shall be shared, and how the College's direct and indirect expenses shall be recovered.
- 1.2 If Commercialization is anticipated and there is more than one Creator, a written agreement among the Creators regarding ownership and revenue sharing should be concluded before negotiations related to Commercialization are commenced with third parties.
- 1.3 Selkirk College will use its share of Income realized from Commercialization of IP to further advance excellence in teaching, applied research, innovation and entrepreneurship opportunities at the College at the discretion of the College.

#### 3. Confidentiality

Any information about IP disclosures that the parties deem to be confidential will be kept confidential by the College for a period to be mutually determined by the parties not to exceed 3 years. The College will work with the Creator(s) of IP to ensure that confidentiality requirements related to a patenting process do not negatively affect the academic progression of students.

#### 4. Resolution of Disputes

If a dispute arises among Creators regarding their respective contributions to the creation of IP that cannot be settled by the individuals involved, the advice and assistance of the Vice President Education and/or other administrative designate may be sought.

In cases where the College and Creator(s) cannot reach agreement regarding the provisions of this policy, the dispute shall be solved via binding arbitration pursuant to the British Columbia Commercial Arbitration Act or in accordance with the relevant Collective Agreement where the dispute relates to the application thereof.

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### 5. Administration

The Director of Applied Research and Innovation or designate will administer components of this policy related to creation, assignment, disclosure of IP, and IP Commercialization and revenue sharing. This includes holding confidential records of disclosure and negotiating research and Commercialization agreements that involve IP. Signing of research agreements will follow the policies as set out by the College.

### OTHER RELEVANT POLICIES AND DOCUMENTS

8710 – Integrity in Research

6000 – Employee Code of Conduct and Conflict of Interest

9000 – Signing Authority

Federation of Post-Secondary Educators of BC Common Agreement

BC Government and Service Employees' Union Common Agreement