

 جامعة الإمارات العربية المتحدة United Arab Emirates University 	Research and Sponsored Projects Policies Manual	Policy Number	RA-07
		Effective Date	02-Mar-2014
	Subject Intellectual Property	Most Recent Review Date	01-Dec-2013
		Due Date for Next Review	01-Sep-2016
	Responsible Office: DVC Research & Grad. Studies	Pages of this Policy	1 of 3

7. Intellectual Property

Overview

Defines the ownership and use of Intellectual Property at and by United Arab Emirates University.

Scope

Applies to all faculty, staff, any other person employed by UAEU, all persons receiving funding administered by the University or receiving other compensation from the University, and all enrolled students regardless of funding or employment status.

Objective

The University encourages innovative work and supports Inventors to capture the social and financial benefits of their inventions. This Policy provides protection to Inventors and offers them legal protection of Intellectual Property while ensuring equitable returns to the University in support of its mission.

Definitions of Terms

- a) **Inventor:** “Inventor or Inventors” means the individual or group of individuals who individually or jointly with others invented, authored, or were otherwise responsible for the creation of the Intellectual Property.
- b) **Intellectual Property:** “Intellectual Property” means any invention, discovery, improvement, copyrightable work, integrated circuit mask work, trademark, trade secret, and licensable know-how and related rights. Intellectual property includes, but is not limited to, individual or multimedia works of art, records of confidential information generated or maintained by the University, data, texts, instructional materials, tests, bibliographies, research findings, organisms, cells, viruses, DNA sequences, other biological materials, probes, crystallographic coordinates, plant genes, chemical compounds, and theses. Intellectual property may exist in a written or electronic form, may be raw or derived, and may be in the form of text, multimedia, computer programs, spreadsheets, formatted fields in records or forms within files, databases, graphics, digital images, video and audio recordings, live video or audio broadcasts, performances, two- or three-dimensional works of art, musical compositions, executions of processes, film, film strips, slides, charts, transparencies, other visual/aural aids or CD-ROMS.
- c) **Gross Income:** “Gross Income” means the total monetary payments the University receives as a result of transferring rights in the Intellectual Property to a third party.
- d) **Net Income:** “Net Income” means monetary payments received as a result of transferring rights in the Intellectual Property to a third party, after the University’s expenditures (including legal fees) directly attributable to protecting, developing, maintaining, and transferring that Intellectual Property, have been deducted from the Gross Income.
- e) **Instructional Work Product:** “Instructional work product” means a copyrightable work product that constitutes, or is intended to disseminate the results of, instructional materials for use in conjunction with courses. Instructional work product includes class materials, class notes, theses and dissertations of UAEU students, course materials designed for the web and e-learning materials. Software specifically needed

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to support a regular instructional work product or that is designed to disseminate the results of an instructional work product is also considered an instructional work product.

- f) **Research, Scholarly and Creative Activity Work Product:** “Research, scholarly and creative activity work product” means a copyrightable work product that is an artistic creation or that constitutes, or is intended to disseminate the results of, academic research or scholarly study as distinct from instructional work product. These work products include books, theses and dissertations of UAEU employees, articles, poems, musical works, dramatic works, pantomimes and choreographic works, pictorial, graphic and sculptural works or other works of artistic imagination.
- g) **Employee:** “Employee” means a person employed or otherwise compensated by the University, including faculty members, staff members, and students. In general, students are not employed by the University, but those being compensated for their research activities are treated as employees for the purposes of this policy.
- h) **Specially Commissioned Work:** “Specially commissioned work” means a work specially ordered or commissioned in a written agreement signed by the University and the Inventor.

Policy

This policy sets forth the rules applying to ownership, distribution, and commercial rights to intellectual property developed by the UAEU Community. While the primary functions of the University are education, research including creation and dissemination of knowledge, and service, the UAEU recognizes Intellectual Property of commercial value serve the public interest best when they reach the private sector under appropriate licensing agreements and are protected by patents and other means, as applicable.

1. Governance

The Office of the DVCRGS on behalf of the University shall have the responsibility to:

- a) Provide oversight of Intellectual Property management and technology transfer;
- b) Implement policies and procedures for the exploitation of Intellectual Property created by UAEU Inventors, and establish procedures for patenting and licensing of Intellectual Property;
- c) Promote effective distribution and marketing of Intellectual Property;
- d) Take or initiate measures to protect the University’s Intellectual Property, and
- e) Inform individuals covered by this Policy about its provisions.

2. Responsibilities of Concerned Individuals

Employees, students, and all persons receiving funding administered by the University or receiving other compensation from the University, regardless of funding or employment status, have a responsibility to:

- a) Adhere to the principles embodied in this Policy.
- b) Sign, when so requested by the University, the University’s Intellectual Property Policy Acknowledgment.
- c) Create, retain, and use Intellectual Property according to applicable UAE and international laws, and University Policies.

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- d) Disclose promptly in writing any and all Intellectual Property (whether or not patentable) pursuant to this Policy and regardless of the funding source of the research leading to such Intellectual Property, and assign title to such Intellectual Property to the University or its designee.
- e) Cooperate with the University in securing and protecting the University's Intellectual Property, including cooperation in obtaining and maintaining patent, copyright, or other suitable protection for such Intellectual Property and in legal actions taken in response to infringement.

3. Compliance

Failure to comply with the provisions of this Policy may result in disciplinary action of an Employee and all persons receiving funding administered by the University or receiving other compensation from the University in accordance with applicable University Policies and Procedures.