**Intellectual Property (IP) and Copyright Policy.**

**1. Purpose and Scope**

This policy is designed to set out the guidelines and procedures for protecting and managing intellectual property (IP) and copyright within the organisation. It applies to all personnel, including employees, trainers, students, contractors, and any others who may create or use IP in the course of their involvement with the organisation.

**2. Definitions**

* **Intellectual Property (IP):** This encompasses creations of the mind, including inventions, literary and artistic works, designs, and symbols, names, and images used in commerce.
* **Copyright:** This is a legal term describing rights given to creators for their literary and artistic works.

**3. Ownership and Use of IP**

* **IP Created by Employees and Contractors:** In general, any IP developed by employees or contractors during the course of their employment or contractual period is owned by the organisation.
* **Student-Created IP:** The organisation respects the IP rights of students. Any IP created by a student as part of their coursework remains the property of the student, unless otherwise agreed in writing.

**4. Copyright Compliance**

* **Respecting Copyright Laws:** The organisation is committed to respecting and adhering to copyright laws. Unauthorized use, reproduction, or distribution of copyrighted material is strictly prohibited.
* **Fair Use:** Employees and students are allowed to use copyrighted material under the Fair Use provision of the Australian Copyright Act for purposes such as research, study, criticism, review, and reporting news. However, the amount used should be reasonable and appropriate.

**5. IP Protection and Management**

* **IP Protection:** The organisation will take necessary measures to protect its IP rights, which may include filing for patents, trademarks, or design rights.
* **IP Disclosure:** Any new creation or invention that may be patentable should be disclosed promptly to the designated IP Officer.
* **Confidentiality:** Employees and contractors are expected to maintain confidentiality of any IP information that is not publicly available.

**6. Dispute Resolution**

* Any disputes over IP ownership or copyright infringement will be resolved through internal procedures, which may involve consultation, negotiation, mediation, or, in extreme cases, legal action.

**7. Training and Awareness**

* The organisation will provide regular training sessions and resources to ensure all personnel are aware of their IP and copyright responsibilities.

**8. Policy Review**

* This policy will be reviewed annually to ensure it continues to meet legislative requirements and the needs of the organisation.

**9. Non-compliance**

* Non-compliance with this policy may result in disciplinary action, up to and including termination of employment or expulsion for students.

This policy should be read in conjunction with other relevant policies, including the organisation's privacy policy and code of conduct.

**Procedure for Disclosure and Protection of IP**

1. **Disclosure:** If an employee, contractor, or student creates a potentially patentable product or process during their engagement with the organisation, they should immediately disclose it to the IP Officer.
2. **Evaluation:** The IP Officer will assess the disclosed invention for its patentability and commercial potential.
3. **Protection:** If the invention is deemed valuable, the organisation will file for patent protection. Legal counsel should be sought for this process.
4. **Maintenance and Commercialisation:** The organisation will maintain the patent and seek opportunities for commercialisation, if appropriate.