

<b>PROVIDER NAME:</b> CCT College Dublin			
<b>Policy Area:</b> Standard 5: Student Centred Teaching, Learning and Assessment			
<b>Policy Title:</b>	<b>CCTP517: Intellectual Property Created by Students</b>	<b>Policy Number:</b> CCTP517	<b>Version: 1.0</b>
<p><b>Purpose</b></p> <p>CCT College Dublin fosters a culture of research for the benefit of the College, members of the college community and for wider society. This policy reflects the College’s commitment to research and innovation and the development of high-quality Intellectual Property (IP).</p> <p>The policy recognises the role of CCT College Dublin in supporting the creation of Intellectual Property. This support includes but is not limited to, provision of research ideas, data sets, and proposals, research proposal development, provision of physical and human resource supports including access to CCT assets, research supervision, mentorship and expertise to facilitate research, innovation and scholarly activity.</p> <p>The policy aligns with the CCT Strategic Plan 2021-2023 which emphasises a commitment to the CCT Research Strategy, the development of Innovation Learning Spaces, and increasing and strengthening research and publication capacity within CCT. Further to this, the policy is intended to align with the National IP Protocol, “Inspiring Partnership” (2016), and good practice as outlined by Knowledge Transfer Ireland (KTI).</p> <p>The objectives of this policy are to:</p> <ul style="list-style-type: none"> <li>Clearly articulate IP ownership rights in respect of IP created by students, and</li> <li>Raise awareness of the implications and obligations associated with intellectual property ownership</li> </ul>			
<p><b>Scope:</b></p> <p>This policy applies to all students on CCT programmes and covers all Intellectual Property (IP) created by students as part of their programme of study or using the resources (human, virtual and physical), assets knowledge or existing IP of CCT College Dublin.</p> <p>The Policy applies to all IP created by students, and all decisions taken in respect of IP created by students, on or after the date that this policy is approved. CCT reserves the right to amend, update or modify any of the terms of this policy as it may determine from time to time, and additional guidelines may also be developed and issued from time to time as necessary for implementing this policy.</p>			

**Policy:**

**Who Owns IP created by Students?**

Where a student creates intellectual property they will always retain the identity as creator or author but the IP is owned by CCT when it is created by a CCT College student:

- as part of completing College work, assessments or projects related to their programme of study.
- when using CCT equipment, supplies or facilities, assets; or
- when using CCT's confidential information (including trade secrets, and know-how) or any of the IP of CCT

IP created by CCT College students under these conditions is the sole and absolute property of CCT College Dublin unless any of the following exceptions apply:

- CCT will not assert any rights to IP created by a student in a project that is entirely initiated by the student and completed without any input from CCT staff or lecturers and without the use of CCT equipment, supplies or facilities, assets. For the avoidance of doubt, the approval of a research proposal, provision of a research supervisor and access to research supervision in respect of a student-initiated project, is considered input from CCT and therefore the IP will be owned by CCT.
- CCT will not assert any rights to IP created by a student as part of their studies where the creation is initiated by a student in conjunction with their employer, and / or is using/ building upon employer owned IP. As a matter of general law, employers own the Intellectual Property rights created by their employees.

CCT reserves the right to reject a research proposal / potential IP creation where it is felt approval would warrant an unreasonable exploitation of CCT resources, knowhow and assets or where such a proposal goes against the ethos, ethics and principles of CCT College Dublin.

**Assignment (transfer) of IP Ownership**

If CCT decides not to commercialise or maintain an interest in any CCT IP, it will upon request, consider the assignment of IP rights back to the creator(s) by entering into an agreement with the creator(s). A request for assignment of ownership must originate from the creator(s) to the Dean of Faculty and will be considered by the Executive Leadership Team.

**Confidentiality and the Publication of Research**

CCT encourages the publication of research through journals, conference presentations or submission to the CCT Research Repository – ARC. However, it is recognised that from time-to-time student created IP may need to be subject to a non-disclosure agreement (NDA). The College will consider NDAs from students completing research on behalf of or using existing IP or data of third parties, normally their employer. Where a student requires CCT to sign an NDA, it must be forwarded to the Dean of Faculty at the earliest convenience. The Dean of Faculty, or nominee assigned by the College President, is the authorised signatory of NDAs in respect of student IP creation. A copy of the NDA will be retained by the Dean.

Student research projects subject to an NDA must clearly identify this on the cover page of the project. Such works will not be placed in the CCT Research Repository (ARC).

**Respecting IP Rights of Others**

Students are reminded to respect the Intellectual Property rights of others. This means not knowingly claiming rights in work created by others, whether academics, students or third parties, or copying such work, or sections thereof, without the owner's written permission.

### **Policy Exceptions**

From time to time, it may be in the best interests of CCT to enter into agreements with members of the CCT Community and/or third parties that are exceptions to the principles reflected in this policy. Exceptions will be made after consultation with the Executive Leadership Team and only by written agreements signed by the Dean of Faculty on the recommendation of the Chair of Academic Council.

### **Definitions:**

**Assignment:** An agreement transferring ownership of Intellectual Property (IP) rights from one party to another. **CCT College / CCT College Dublin (CCT):** the legal entity that is trading as CCT College Dublin CCT

College Community: is the collective term for:

- all CCT employees, part time or full time, permanent or temporary including contractors
- all registered students of CCT;
- all parties who use CCT funds, facilities or other resources, including the College's name and reputation, to carry out teaching and/or research innovation or developments. This includes guest speakers/lecturers/presenters, members of boards, committees and working groups.
- all persons conducting teaching and/or research at or on behalf of CCT College Dublin **CCT IP:** Means IP which is created by any member(s) of the CCT Community as defined above

**Creator:** the term used to describe the individual(s) who developed the product concerned. Alternative terms may be designer, developer, author, inventor, among others.

**Intellectual Property (IP):** Intellectual property (IP) means copyright and related rights including, without limitation, rights in drawings, plans, specifications, software (including source code, object code and user interfaces), data, databases, pedagogical works, video, audio, scholarly publications, books, artistic works, apps, or any other rights affording equivalent protection to copyright, patents, trademarks (registered or unregistered), database rights, rights in designs (registered and unregistered, including industrial designs), semiconductor topography rights, and rights to use and protect confidential/proprietary information including trade secrets and know-how whether registered or unregistered or capable of being registered, tangible or intangible and any rights to improvements, developments, inventions, innovations and discoveries thereto.

**Staff Involved:** Dean of Academic Affairs, Dean of School, School Manager, ICT Programmes Lead, Head of Enhancement, QA Officer, Faculty Co-ordinator, Lecturers, ELT / Management Team, Academic Council, QE Committee

Monitoring		
Monitor (Job Title)	Frequency	Monitoring Method(s)
ELT	Annually	Report from Dean of Faculty re: <ul style="list-style-type: none"><li>- NDA requests</li><li>- Programme Leader / Supervisor feedback and monitoring</li></ul>

**POLICY CONTROL SHEET**

<b>Policy Title</b>	<b>Intellectual Property Created by Students</b>
<b>Responsible Officer(s)</b>	Dean of Faculty
<b>Issuance Date</b>	May 2022
<b>Effective Date</b>	April 2022
<b>Last Review Date</b>	N/A
<b>Supersedes</b>	IP statement
<b>Next Review Date</b>	July 2027
<b>Designated Reviewer(s)</b>	Dean of Faculty
<b>Scope</b>	Internal staff (full and part time);

**Revision History**

<b>Revision</b>	<b>Approval Date</b>	<b>Revision Description</b>	<b>Originator</b>	<b>Approved By</b>
New Policy	April 2022	New policy to replace IP statement in recognition of stand-alone policy on student created IP.	ELT	Academic Council

**References upon which the Policy section is based**

<b>CCT Policy area</b>	Student Centred Teaching, Learning and Assessment
<b>Statutory &amp; System Wide Basis</b>	The Irish Qualifications and Quality Act (Education and Training), 2012; European Standards and Guidelines for QA in the European Higher Education Area, QQI Validation Policy and Criteria, QQI Validation template
<b>Related CCT Policies / Forms</b>	CCTP404: Blended Learning Policy CCTP514: Ethical Practice in Research CCTP803: Staff Code of Conduct

**Acknowledgement of IP Policy Cctp517 Intellectual Property Created by Students**

I **Donal Maher** acknowledge that I have read the above IP Policy Cctp517 Intellectual Property Created by Students

Signed: \_\_\_\_\_  
DocuSigned by:  
*Donal Maher*  
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Dated: \_\_\_\_\_17/10/2023\_\_\_\_\_