

ACADEMIC POLICY - INTELLECTUAL PROPERTY

<p>1. Policy Statement</p>	<p>This policy aims to encourage a learning environment in SAE Institute Pty Ltd trading as SAE Institute wherein teaching, research and the creation of ideas will flourish, while recognising that the use of intellectual property and its possible commercialisation require responsible regulation.</p>
<p>2. Purpose</p>	<p>This policy aims to protect and respect the moral right of SAE and the originators of intellectual property. SAE Institute Pty Ltd recognises the right of originators to be consulted and where appropriate to participate in decisions regarding the commercialisation and use of intellectual property created by them. This policy also provides for the commercialisation of intellectual property created by staff and students. SAE Institute Pty Ltd recognises that originators are entitled to a share of any financial returns from such commercialisation.</p>
<p>3. Scope</p>	<p>This policy applies in the context of SAE Institute Pty Ltd operations in Australia and its approved offshore delivery sites, and is applicable to students enrolled with, or intending to enrol with SAE. Procedures for SAE campuses internationally may vary in compliance with statutory requirements in other countries of operation. Students registered with SAE Institute Pty Ltd who transfer their studies to a campus outside Australia, will have their registration with SAE Institute in Australia terminated and are required to adhere to the guidelines, policies and procedures of the legal entity to whom they have transferred their registration. This policy is applicable to all students or prospective students of The Institutions, irrespective of their place of residence, campus or mode of study.</p>
<p>4. Associated Policies and Procedures</p>	<p>This policy should be read in conjunction with the following policies and procedures;</p> <ul style="list-style-type: none"> • Grievance Policy
<p>5. Associated Documents</p>	<p>This policy should be read in conjunction with the following documentation;</p>
<p>6. Policy</p>	<p>6.1 Introduction</p> <p>For the purposes of this policy: “intellectual property” includes any proprietary right which arises under, or is capable of being obtained relating to copyright, discoveries, patents, designs, concepts, developments, trademarks, new products or enhancements to existing products, software development and creative artefact, and “staff” includes all persons employed in any capacity by SAE Institute.</p> <p>6.2 Ownership</p> <p>a) SAE Institute Pty Ltd retains ownership of all intellectual property created by members of staff in the course of their employment. b) SAE Institute Pty Ltd makes no claim of ownership of intellectual property created by students as part of their course of studies, but retains the right to use student work for educational and/or promotional purposes through appropriate licence agreements. c) Where SAE Institute Pty Ltd is the owner of intellectual property created by a staff member, SAE Institute Pty Ltd has exclusive rights to adapt, modify, and/or initiate commercialisation of that intellectual property for a period of twelve months from the original date of creation or notification, but may waive those rights in writing before the expiry of that period.</p> <p>6.3 Use by Non-Owners</p> <p>Where the SAE Institute Pty Ltd is the owner of intellectual property created by a staff member SAE Institute Pty Ltd agrees to grant the originator a licence to use that intellectual property for teaching, research or that individual's professional purposes.</p>

ACADEMIC POLICY - ACADEMIC HONESTY

6.4 Moral Rights

SAE Institute Pty Ltd must take reasonable steps to respect the right of an originator to be acknowledged as the creator of intellectual property, and to ensure that others respect that right.

Where SAE Institute Pty Ltd uses intellectual property created by an originator it must take reasonable steps to consult with the originator before modifying or adapting that intellectual property.

Where an originator wishes not to be acknowledged as the creator of intellectual property which has been modified or adapted, The Institution must take reasonable steps to respect that wish, and to ensure that others respect it.

An originator must take reasonable steps to ensure due acknowledgment of the SAE Institute Pty Ltd contribution of facilities and resources used in the creation of intellectual property in any subsequent use of it that they may make.

6.5 Commercial Exploitation

Where originators create intellectual property or teachers become aware of intellectual property which may have commercial application or potential, they must report its existence to the relevant Campus Manager.

Once that notification has been made, SAE Institute Pty Ltd must decide within twelve months whether or not it wishes to become involved in the process of commercial exploitation.

In making such a decision, The Institution must consult with the originator. Strict confidentiality will be observed by all parties during that period of consideration.

6.6 Dispute Resolution

It is the responsibility of the relevant Campus Manager reporting to the Managing Director and or CEO to administer all the provisions of this policy equitably. If a dispute arises as to the operation of this policy, or as to any matter on which the operation of this policy hinges, the Managing Director or CEO will refer the matter to the Governing Council, whose decision shall be final in all respects.

7. Records

13 July	2007 policy implemented (approved Academic Board)
9 September	2009 policy amendment (Approved by Academic Board)
10 September	2010 policy approved (by Academic Board)
28 February	2011 policy approved (by CEO & Managing Director)
1 July	2013 Policy to be reviewed

Authorising Officer : Prof. Z. Klich
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