

IP and projects

IP is an important topic for collaborators and the management/licensing of IP is usually a key issue in contract agreement.

In practice, however, not all funded projects develop IP. The parties should be asked at the outset what background IP they are bringing into the project and what, if any, new (foreground) IP is to be developed during the project.

IP terms and Collaborative Innovation projects

Finalising a project agreement can be more straightforward if the university and industry partner have agreed IP terms before a project is submitted for approval and the agreed terms are included in the project agreement.

In practice, it can be tricky to ensure agreement on IP terms before the project is submitted for approval as often the parties will not have access to their IP and legal terms before a project is given the green light. Also, sometimes what is verbally agreed can resemble something different when written into a contract.

That said, setting and agreeing expectations between the parties on the IP terms will benefit all stakeholders.

The Data Lab Baselines - minimum IP offer

For the standard collaborative innovation projects, The Data Lab has the expectation that ***at a minimum*** that the industrial partner will receive a ***non-exclusive commercial license to use any IP generated as part of a funded project***. The the draft terms in the project agreement reflect this position.

Negotiation

Industry and academic partners are free to negotiate different suitable IP terms: ***they must however exceed the minimum set out above***. Some universities may be willing to transfer IP to industrial partners, some may not and each project is treated on a case by case basis.

Consultancy

When The Data Lab pays universities consultancy rates, as a rule ***it is our expectation that any IP generated during the consultancy is assigned to the industrial partner the work is being done for***, rather than the University doing the work.

Data scientist delivered projects

When The Data Lab does the work in a Quick Start Project, any IP generated shall be assigned to the industrial partner.