

Policy History
Policy No. RS5
Approving Jurisdiction: Board of Governors
Administrative Responsibility: Provost and Vice President, Academic
Effective Date: June 27, 2019

Intellectual Property Policy

A. CONTEXT AND PURPOSE

1. Kwantlen Polytechnic University (the University) is committed to teaching, learning, scholarship, and research. To fulfil its vision, mission, and mandate, the University encourages the creation, distribution, and utilization of the outcomes of intellectual endeavours by University Members. While doing so, it ensures that the interests of the University and its Members are safeguarded.
2. The University's strategic plan notes that innovation, scholarship, and research benefit itself, students, and society. The University's Academic Plan prioritizes student success, teaching excellence, research, internationalization, open education, indigenization, and graduate studies, among other goals.
3. Consistent with its commitment to academic freedom, the University preserves the rights of Creators and owners during the creation, distribution, and utilization of these outcomes, and when collaborating with third parties concerning intellectual property (IP).

B. SCOPE AND LIMITS

1. This Policy applies to all University Members. It also affects contractors to the University who supply their services under a Contract for Services.
2. This Policy does not apply to IP created by University Members through Independent Effort.
3. This IP Policy and related Procedure shall be interpreted in harmony with up-to-date versions of related legislation, agreements, and policies, as they may be amended time to time.

C. STATEMENT OF POLICY PRINCIPLES

Through this Policy and related Procedure, the University:

1. Fosters creativity, innovation, and other intellectual endeavours by University Members across the University;

2. Encourages dissemination of knowledge for the benefit of the University Members and for the broader society;
3. Educates and informs University Members in dealing with IP, and identifies resources to guide them regarding their rights and responsibilities;
4. Reaffirms IP rights for University Members, and clarifies guidelines and processes for the ownership, protection, disclosure, utilization, and disposition of IP;
5. Enables collaboration with, and funding from, industry, government, and community partners;
6. Provides for continuity of teaching in the cases of personnel changes, and affirms continued access by University and its Members to use educational materials;
7. Ensures compliance with applicable statutory, regulatory, and common law, and allows for both the University and its Members to meet legal commitments and obligations; and
8. Enables the interests of the University and University Members to contribute to economic prosperity, social inclusion, and environmental sustainability.

D. DEFINITIONS

Refer to Section A in the related Procedure for definitions which will enhance the reader's interpretation of this Policy.

E. RELATED LEGISLATION, AGREEMENTS, AND POLICIES

Related Legislation Include

- (1) [University Act](#)
- (2) [Patent Act](#)
- (3) [Copyright Act](#)
- (4) [Trade-Marks Act](#)
- (5) [Industrial Design Act](#)
- (6) [Integrated Circuit Topography Act](#)
- (7) [Plant Breeders' Rights Act](#)

Related Agreements Include

- (1) [Agreement on the Administration of Agency Grants and Awards by Research Institutions](#)
- (2) [Collective Agreement between Kwantlen Polytechnic University and Kwantlen Faculty Association](#)
- (3) [Collective Agreement between Kwantlen Polytechnic University and the BC Government and Service Employees Union](#)
- (4) Terms and Conditions of Employment for Administrative Employees

Canada has joined several international IP treaties. Please see Canadian Intellectual Property Office page at <http://www.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/wr02322.html#iptreaties>.

Related Policies Include

- (1) BP5 [Use of University Property / Procedures](#)
- (2) AC8 [Principles of Academic Freedom and Responsibility](#)
- (3) GV6 [Use of Institutional Name, Coat of Arms, Crest, Logo, Seal and Other Graphic Images](#)
- (4) HR1 [Conflict of Interest / Procedures](#)
- (5) IM1 [Copyright Compliance / Procedures](#)
- (6) IM2 [Freedom of Information and Protection of Privacy](#)
- (7) IM4 [Confidentiality / Procedures](#)
- (8) ST2 [Student Academic Integrity / Procedures](#)
- (9) ST7 [Student Conduct \(Non-Academic\) / Procedures](#)
- (10) RS2 [Integrity in Research and Scholarship / Procedures](#)
- (11) [Employee Code of Conduct](#)

F. RELATED PROCEDURE

Refer to RS5 *Intellectual Property Procedure*.