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.