



**Australian Stroke Clinical Registry**

## **INTELLECTUAL PROPERTY POLICY**

**Version 2.1**

**Approved 29 August 2012**

## 1.0 Background

All members of the Australian Stroke Clinical Registry (AuSCR) staff, collaborators associated with AuSCR, and persons who work with AuSCR data must demonstrate a commitment to the highest standards of research and ethical conduct.

It is essential that all staff, collaborators and students are familiar with and follow the national codes of conduct for the responsible and ethical conduct of research, in particular the “Australian Code for the Responsible Conduct of Research”, issued by the National Health and Medical Research Council in 2007. It is also recommended that this Code and the AuSCR Intellectual Property (IP) Policy be read in conjunction with the following documents:

1. *AuSCR Data Access Policy*
2. *AuSCR Publication Policy*

### 1.1 Interpretation

In this Code, unless the contrary intention appears:

- “Parties” means the National Stroke Research Institute (NSRI) being a division of the Florey Institute of Neuroscience and Mental Health, The George Institute for Global Health (TGI), the National Stroke Foundation (NSF) and the Stroke Society of Australasia (SSA) collectively. “Party” refers to one of any of these collective entities.
- “Background IP” means pre-existing or independently developed Intellectual Property made available by a Party for the purpose of AuSCR.
- “Management Committee” means a committee which has been created to oversee the operational aspects of AuSCR.
- “Confidential Information” means all trade secrets and know-how, Background IP, financial information and other commercially valuable information of whatever description and in whatever form but excludes the interpretation, analysis and application of general information generally known to the public.
- “Intellectual Property” or “IP” includes but is not limited to all inventions, discoveries, innovations, technical information and data, prototypes, processes, improvements, patent rights, circuitry, computer programs, drawings, plans, specifications, copyright, trade mark rights, design rights, plant variety rights and Confidential Information.
- “Steering Committee” means the AuSCR Steering Committee which has been created to oversee the governance of the Registry and maintain the confidence of all parties involved.
- “AuSCR” means the Australian Stroke Clinical Registry

## 2.0 Background Intellectual Property

Background IP remains owned by the Party that introduces it to the AuSCR.

Each Party warrants that it is the owner of, or is otherwise entitled to provide, the Background IP which it makes available to the AuSCR.

The Parties grant to each other for the duration of the AuSCR, a non-exclusive royalty-free licence to their Background IP for the sole purpose of the carrying out AuSCR routine business.

The Parties must treat Background IP as confidential in accordance with section 4.0 of this document unless it has been published or is in the public domain.

Each Party agrees that:

- (a) It will take all necessary steps to protect Background IP introduced to AuSCR;
- (b) It will give to the other Party, prompt notice of any infringement of Background IP that comes to its attention; and
- (c) It will give to the other Party, all assistance which is reasonably required in order to protect Background IP.

The AuSCR Consortium are responsible for maintaining a register of all Background IP that they introduce to the AuSCR, and any conditions associated with the provision of that Background IP.

### **3.0 Intellectual Property**

The National Stroke Research Institute, being a division of the Florey Institute of Neuroscience and Mental Health, is the currently appointed Licencee for AuSCR, and as such, NSRI will hold a licence on behalf of the parties to use AuSCR material (including IP) for academic, research and teaching purposes, including publication in peer-reviewed journals, unless otherwise determined by existing funding agreements. Access and permission to publish is, however, granted by the AuSCR Management Committee in accordance with the AuSCR Data Access and Publication Policies. This does not, however, affect the ownership of Background IP.

The Parties shall ensure that their Personnel participating in the AuSCR:

- (a) Identify IP generated or developed by them;
- (b) Promptly communicate details of that IP to their employer, who shall inform the other Parties; and
- (c) Promptly do all acts and execute all documents necessary for the purpose of vesting ownership of the IP as contemplated by this clause.

The AuSCR Office will maintain a register of all IP that is generated or developed. Copies of the register will be held at AuSCR Office and the National Stroke Research Institute (being a division of the Florey Institute of Neuroscience and Mental Health).

### **4.0 Confidential Information and Publication**

The Parties agrees to treat as confidential and not disclose any:

- (a) Confidential Information received by them while associated with AuSCR;
- (b) Personal Information received by them from AuSCR;
- (c) Background IP introduced to AuSCR; and
- (d) All IP developed as a product of AuSCR,

without the written consent of the Management Committee acting as the owner on behalf of AuSCR.

Public Disclosure is governed by funding agreements. To ensure adherence with existing funding agreements, all parties will ensure that any public disclosure of project information must be agreed with the Management Committee who are aware of all existing Funding Agreements that are enforceable.

All parties agree that they will not publish the Background IP or Confidential Information owned by any other Party at any time without the written consent of that Party.