

## **Session 4: Workshop 6**

**Title:** University-Industry links: what every vice-chancellor should know about intellectual property

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**Chair:** Professor Savitri Goonesekere, Vice-Chancellor, University of Colombo, Sri Lanka

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Intellectual Property Rights (IPR) were originally devised to protect and increase the spread of knowledge, to encourage innovations that contribute to social welfare and to benefit the innovator by granting specific rights. However, there needs to be more awareness within universities in both developed and developing countries of the problems and benefits that are beginning to arise today. One of the major problems that universities can face in research is that they do not have the resources to protect their patents worldwide when challenged by an unrelated company. The cost implications can be huge. One possible solution is that a university collaborates with an industrial company and the latter undertakes to carry the responsibility for the financial costs of defending any patents that arise from the collaboration.

If, on the other hand, a university has access to sufficient capital, it could form its own affiliated company to conduct the research. If the studies are successful and it leads to an end-product becoming marketable, then the university stands to gain significant revenue either from sharing with the company any profits that are made or from the ultimate sale of the company. It is, however only in rare instances (albeit they are increasing in the UK) that universities have sufficient funds to form a company and therefore funding through collaborations is a far more common practice.

Universities are also facing problems with the question of the ownership of copyright teaching materials and papers. One key issue is whether or not to formalize in the employee's contract the concept that the copyright of teaching material belongs to the university and cannot be used if the employee leaves. As, in many cases, the employee is likely to have been the author of the material in question, such a policy is likely to cause a great many problems and much resentment if enacted. Equally, if an employee leaves, and starts a course at his/her new place of employment using the same teaching materials, then questions of competitive advantage arise. Of even greater potential importance as far as both teaching materials and scientific papers is concerned is the difficulty of protecting the copyright of material that appears on, and can be so easily down-loaded from, the internet. The advantage, of course, of an author's owning the copyright to his/her papers is that it at least allows for the possibility of making some personal financial gain from it.

University libraries, too, are struggling in the light of increasing prices to maintain their collections of current journals. And herein lies something of a paradox in that it is the staff of these institutions who are doing the research and publishing papers in the journals and yet it is these very universities that are unable to afford the journals their papers are published in.

The management of intellectual property is a growing industry and it is an imperative that universities provide such training as will ensure that their graduate students and their staff are aware both of the pitfalls and of the benefits of IPR. In addition, it was suggested that ACU should set up a series of workshops/seminars on this topic and/or collect and disseminate case studies demonstrating how universities can tackle IPR problems. (*The ACU's Research Management initiative is already addressing these issues. Ed.*)