

# Request a Waiver of HDR Candidate IP Assignment Procedure

## Section 1 - Purpose

(1) To provide clear instructions on how HDR candidates can request a waiver of the requirement to assign the Intellectual Property (IP) generated during the course of their enrolment to the University and the criteria that will be taken into consideration when assessing the waiver request. (Refer to the 'Students' heading within the [Intellectual Property Policy](#).)

### Scope

(2) This Procedure applies to all University Members.

## Section 2 - Policy

(3) Refer to the [Intellectual Property Policy](#).

## Section 3 - Procedures

### Responsibilities and Required Actions

(4) This Procedure requires actions by the following:

- a. HDR Candidate;
- b. Manager Operations, HDRO; and
- c. Director, Commercialisation.

(5) The steps and / or actions that must be undertaken include:

- a. advise Higher Degree Research Office (HDRO) in writing including reasons for waiver request;
- b. confirm the HDR candidate's enrolment;
- c. assess and consider application;
- d. approve or reject with reason why;
- e. advise the candidate and HDRO of outcome; and
- f. record in HDRO database.

### HDR Candidate

(6) Advise HDRO in writing including reasons why waiver is sought.

(7) Criteria for exemption include but will not necessarily be limited to:

- a. the HDR Candidate possesses substantial pre-existing IP related to the intended thesis topic;
- b. the HDR Candidate is bound by an employment or other contract preventing him / her from doing so;
- c. IP that is likely to be generated will have low value and be difficult to protect; and
- d. IP that is likely to be generated will be considered unethical to protect, e.g. a surgical procedure.

### **Manager Operations, HDRO**

- (8) Confirm the candidate's enrolment and forward request to Director, Commercialisation for assessment.
- (9) Advise the candidate of the outcome.
- (10) Record in HDRO database for statistical record.

### **Director, Commercialisation**

- (11) Assess and consider application.
- (12) Approve or reject with reasons for decision.
- (13) Advise HDRO of outcome.

## **Section 4 - Guidelines**

- (14) Nil.

## **Section 5 - Definitions**

- (15) Definitions specific to this Procedure are contained in the [Intellectual Property Policy](#).

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	22nd February 2021
<b>Review Date</b>	1st October 2021
<b>Approval Authority</b>	Deputy Vice-Chancellor (Research)
<b>Approval Date</b>	1st July 2014
<b>Expiry Date</b>	10th February 2025
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