

# Request to Handback IP to University Member Procedure

## Section 1 - Purpose

(1) To provide clear instructions on how IP can be handed back to the inventor (University Member) and the criteria that will be taken into consideration when assessing the request. (Refer to the 'Commercialising IP' 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. University Member;
- b. Intellectual Property and Commercialisation Advisory Committee (IPCAC); and
- c. Director, Commercialisation.

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

- a. advise Macquarie Commercialisation in writing including reasons for request; or
- b. refer to IPCAC for advice;
- c. assess and consider application;
- d. approve or reject with reasons for decision; and
- e. advise University Member of outcome.

### University Member

(6) Advise Macquarie Commercialisation in writing.

(7) Criteria for agreeing to handback IP include:

- a. the University is not under any legal obligation to retain title to the IP;
- b. the University has advised the University Member that it does not wish to pursue exploitation (commercial or

otherwise) of the IP;

- c. release of the IP is not contrary to the best interests of the University, for example IP which is of strategic value to areas of activity defined in the Research Framework; and
- d. the University has not taken reasonable efforts to assess the potential benefits of the IP within a reasonable period. For the purposes of this dot point, a reasonable period will be not less than six (6) months after the submission to Macquarie Commercialisation of an Innovation Report signed by an Executive Dean.

### **Director, Commercialisation**

(8) Refer matter to IPCAC for advice.

(9) After considering IPCAC advice, approve (including commercial conditions of approval) or reject with reasons for decision.

(10) Advise University Member of outcome.

## **Section 4 - Guidelines**

(11) Nil.

## **Section 5 - Definitions**

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

## Status and Details

<b>Status</b>	Current
<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>	Not Applicable
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