Research Intellectual Property Policy

Contents

1. PURPOSE 3

2. SCOPE 3

3. DEFINITIONS 3

4. RESEARCH INTEGRITY AND ETHICAL CONDUCT 3

4.1. Policy Framework 3
4.2. Intellectual Property (IP) at Australis 4
4.3. Training and Education 4
4.4. Compliance 4
4.5. Ethical Approval and Monitoring 4
4.6. Research Misconduct 4

5. IP OWNERSHIP AND RESPONSIBILITIES 5

5.1. Staff IP Ownership 5
5.2. Student IP Ownership 5
5.3. Role of Supervisors 5
5.4. External Collaborations and IP 5

6. DISCLOSURE AND REPORTING OF IP 5

6.1. Mandatory Disclosure 5
6.2. Procedures for Disclosure 6

7. SUPERVISION AND SUPPORT 6

7.1. Qualified Supervisors 6
7.2. Academic and Research Support Services 6
7.3. Progress Monitoring 6

8. MANAGEMENT OF RESEARCH DATA AND IP 6

9. COMMERCIALISATION AND USE OF IP 7

10. INDIGENOUS CULTURAL AND INTELLECTUAL PROPERTY (ICIP) 7

11. MORAL RIGHTS AND THIRD-PARTY ARRANGEMENTS 7

12. DISPUTE RESOLUTION AND CONFIDENTIALITY 8

13. COMPLIANCE AND POLICY REVIEW 8

14. RELATED DOCUMENTS, EXTERNAL REFERENCES AND VERSION CONTROL 9

14.1. Related/Referenced Documents 9
14.2. Related Legislation and External References 9
14.3. Version Control 9
14.4. Document Review 9

1. PURPOSE

The purpose of this policy is to establish a framework for the management and protection of Intellectual Property (IP) arising from research activities at the Australian School of Business Pty Ltd trading as Australis Business School (Australis). This policy aims to:

- Promote the creation and dissemination of new knowledge through high-quality research and research training.
- Protect the rights and interests of researchers involved in Australis' research activities, including staff, students, and collaborators.
- Ensure compliance with the *Higher Education Standards Framework (Threshold Standards) 2021* and other relevant legislation.
- Facilitate the ethical commercialisation of IP for the benefit of researchers, Australis, and society at large.
- Uphold principles of research integrity and ethical conduct in all research activities.

2. SCOPE

This policy applies to all individuals involved in research at Australis, including staff, HDR supervisors, research students, visiting academics, and external collaborators. This policy covers all Intellectual Property (IP) arising from research activities, including inventions, patents, discoveries, scholarly works, publications, research data, datasets, creative works, designs, models, software, databases, and technical applications. It must be read in conjunction with other relevant Australis policies, such as:

- *Responsible Conduct of Research Policy and Procedure*
- *Research Ethics and Integrity Policy and Procedure*
- *HDR Supervision Policy and Procedure*

3. DEFINITIONS

See the Australis *Glossary of Terms* for definitions.

4. Research Integrity and Ethical Conduct

4.1. Policy Framework

Australis is committed to fostering a culture of research integrity and ethical conduct across all research activities. This commitment is guided by:

a. the *Australian Code for the Responsible Conduct of Research (2018),*
b. the *National Statement on Ethical Conduct in Human Research (2023)*, and

c. Australis' internal research ethics framework, as outlined in the *Research Ethics and Integrity Policy and Procedure*.

All research must align with the policies and standards set by Australis' Research and Ethics Committee (REC) and Higher Degree Research Committee (HDRC) to ensure compliance with ethical guidelines, research best practices, and national and international regulations.

4.2. Intellectual Property (IP) at Australis

a. For Australis, Intellectual Property (IP) encompasses all outputs of intellectual and creative activity that are capable of being owned, including but not limited to inventions, patents, scholarly works, publications, research data, datasets, creative works, designs, models, software, and technical applications.
b. Researchers are responsible for disclosing any IP created through research activities, and Australis will manage the protection, commercialisation, and ethical use of such IP in accordance with institutional and legal frameworks.

4.3. Training and Education

a. All researchers must undertake ongoing training in research ethics, data integrity, and IP management as outlined in the *Responsible Conduct of Research Policy and Procedure*.
b. The HDRC facilitates training, as required, to ensure all researchers understand their ethical obligations.

4.4. Compliance

a. All research must adhere to national and institutional regulations, including the *Higher Education Standards Framework (Threshold Standards) 2021*, the *Australian Code for the Responsible Conduct of Research (2018)*, and the *Research Ethics and Integrity Policy and Procedure*.
b. The HREC oversees compliance, ethical approval, and manages allegations of research misconduct. Refer to the *HDR Supervision Policy and Procedure* for detailed compliance responsibilities of supervisors.

4.5. Ethical Approval and Monitoring

a. Researchers must obtain ethical clearance before starting research involving human participants, animals, or Indigenous knowledge, as per the *Research Ethics and Integrity Policy*.
b. Regular monitoring ensures ongoing compliance with ethical standards.

4.6. Research Misconduct

a. Allegations of research misconduct, including plagiarism, data fabrication, or misattribution of authorship, will be addressed according to Australis' formal investigation procedures, detailed in the *Responsible Conduct of Research Policy*.

5. IP OWNERSHIP AND RESPONSIBILITIES

5.1. Staff IP Ownership

a. Australis owns intellectual property (IP) created by staff during their employment or through the use of Australis resources or funding.
b. Staff must disclose any IP created and comply with Australis' IP management and commercialisation policies (refer to the *Responsible Conduct of Research Policy*).
c. Supervisors are responsible for ensuring research candidates understand their IP obligations and that proper disclosure procedures are followed.

5.2. Student IP Ownership

a. Students retain ownership of their IP, but Australis may claim ownership or require assignment in cases of collaborative or funded research.
b. These arrangements are documented at the start of the project in the *Student/Supervisor Agreement* and align with the *HDR Supervision Policy and Procedure*.

5.3. Role of Supervisors

Supervisors are responsible for:

a. Ensuring research candidates understand IP policies, disclosure obligations, and the attribution of authorship, especially in collaborative research settings.
b. Providing guidance on IP rights, particularly in external collaborations or contractual research settings (refer to *HDR Supervision Policy and Procedure*).

5.4. External Collaborations and IP

a. In collaborations with third parties, Australis will establish agreements to protect the IP rights of all involved, ensuring compliance with national IP laws and Australis' IP ownership policies.
b. These agreements clarify IP rights and responsibilities for any new IP generated during collaborative research (refer to this policy and the applicable written collaboration agreement).

6. Disclosure and Reporting of IP

6.1. Mandatory Disclosure

a. All researchers (staff, students, and collaborators) must promptly disclose new IP to Australis, ensuring protection, commercialisation, and management of the IP in accordance with institutional policies.
b. IP generated during employment, research projects, or use of Australis resources must be disclosed (refer to the *Responsible Conduct of Research Policy and Procedure* and *HDR Supervision Policy and Procedure*).
c. Failure to disclose IP in a timely manner may result in delays in protection or commercialisation and may violate Australis' policies.

6.2. Procedures for Disclosure

a. Researchers must submit an IP disclosure form detailing the nature, creation context, and involvement of external collaborators.
b. Supervisors are responsible for ensuring candidates fulfill their IP disclosure obligations.
c. The HDR Director oversees the disclosure process and ensures compliance with Australis' *Responsible Conduct of Research Policy and Procedure*.

7. Supervision and Support

7.1. Qualified Supervisors

a. HDR supervisors must be qualified and experienced in their research fields. They must guide candidates through research challenges and ensure they understand their IP obligations.
b. Supervisors must adhere to the *HDR Supervision Policy and Procedure* and *Student/Supervisor Agreement*.
c. In collaborative or funded research, supervisors must ensure research candidates fulfill their IP disclosure obligations.

7.2. Academic and Research Support Services

a. The *Student/Supervisor Agreement* outlines mutual responsibilities, including research timelines, IP disclosure, and ownership.
b. This agreement promotes alignment between candidates and supervisors, minimising misunderstandings in IP handling.

7.3. Progress Monitoring

a. Supervisors conduct regular reviews to assess research progress, compliance with IP disclosure policies, and address potential IP or research integrity issues early on (refer to the *HDR Candidate Progress Procedure*).

8. MANAGEMENT OF RESEARCH DATA AND IP

a. Australis is committed to the proper management, storage, and protection of research data generated through research activities, ensuring compliance with the *Research Ethics and Integrity Policy and Procedure* and the *Responsible Conduct of Research Policy and Procedure*.
b. IP related to research data belongs to Australis if generated using Australis resources or funding. Researchers must comply with data management policies to protect both institutional and researcher interests.
c. Researchers must disclose research data promptly and store it securely according to Australis' policies, ensuring transparency and availability for institutional use.

9. COMMERCIALIsATION AND USE OF IP

a. IP generated through Australis' resources or funding will be commercialised following the institution's procedures. A transparent revenue-sharing model will be in place to distribute proceeds fairly between Australis and the researchers involved.
b. Researchers' rights regarding their works will be protected in line with institutional agreements, such as the Student/Supervisor Agreement and Authorship Agreement, ensuring their contributions are acknowledged while adhering to ethical and legal standards.
c. Australis retains the right to use IP for its educational, research, and academic purposes.
d. Australis oversees the ethical commercialisation of IP to ensure that its benefits extend to society while maintaining the interests of researchers.

10. Indigenous Cultural and Intellectual Property (ICIP)

a. Research involving Indigenous knowledge, resources, or communities must comply with national and international standards, including ethical guidelines that honour the cultural and intellectual heritage of Indigenous peoples.
b. Prior agreements with Indigenous communities must be established to determine the ownership and management of ICIP, ensuring that Indigenous contributions are acknowledged, respected, and protected.
c. Australis respects and protects Indigenous Cultural and Intellectual Property (ICIP) rights, in line with the *Responsible Conduct of Research Policy and Procedure* and *Research Ethics and Integrity Policy and Procedure*.
d. Australis is committed to ethical partnerships and ensuring that Indigenous rights are maintained throughout the research and IP processes.

11. MORAL RIGHTS AND THIRD-PARTY ARRANGEMENTS

a. Australis acknowledges and protects the moral rights of researchers, ensuring that they receive proper attribution for their work and that their research outputs are not subject to derogatory treatment.
b. Researchers are entitled to the right of attribution and integrity concerning their research works, in line with the provisions of the *Copyright Act 1968*.
c. All collaborative research involving third parties must include clear agreements outlining IP ownership and responsibilities, in accordance with this policy and the *HDR Supervision Policy and Procedure*.

d. Supervisors are responsible for ensuring that third-party collaborations are compliant with institutional standards and that quality assurance is maintained throughout the research process (refer to the *Research and Ethics Committee Terms of Reference*).

12. DISPUTE RESOLUTION AND CONFIDENTIALITY

a. Australis has clear procedures in place for resolving disputes related to IP ownership, use, or commercialisation. Researchers have access to these procedures, which are designed to ensure fair and transparent resolution of conflicts.
b. The HDR Director will oversee the resolution of disputes, with serious matters escalated to the Academic Board (AB) if necessary, in accordance with the *Research Ethics and Integrity Policy and Procedure*.
c. Researchers must maintain the confidentiality of unpublished research, IP, and related materials, as outlined in the *Responsible Conduct of Research Policy and Procedure*.
d. Confidentiality agreements must be adhered to, especially in collaborative research or third-party agreements, ensuring the protection of sensitive information in line with Australis' ethical standards and legal obligations.

13. COMPLIANCE AND POLICY REVIEW

a. This policy aligns with the *Higher Education Standards Framework (Threshold Standards) 2021*, the *Australian Code for the Responsible Conduct of Research (2018)*, and other relevant legislation.
b. Researchers must comply with all relevant legal and institutional standards, ensuring that research activities meet the highest levels of integrity and accountability.
c. This policy will be reviewed at least every five (5) years to ensure ongoing compliance with regulatory standards and best practices, in line with the *HDR Assessment and Examination Policy and Procedure*.

The HDR Director is responsible for maintaining and updating this policy in consultation with the Higher Degree Research Committee (HDRC).

14. Related Documents, External References and Version Control

14.1. Related/Referenced Documents

- HDR Supervision Policy and Procedure
- HDR Assessment and Examination Policy and Procedure
- HREC Terms of Reference
- HREC Standard Operating Procedures
- Records and Information Management Policy
- Research Ethics and Integrity Policy and Procedure

14.2. Related Legislation and External References

- Higher Education Standards Framework 2021
- Tertiary Education Quality and Standards Agency (TEQSA) Act 2021
- Australian Code for the Responsible Conduct of Research (2018)
- Australian Privacy Act
- Australian Qualifications Framework (AQF)
- Education Services for Overseas Students Act 2000
- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- National Statement on Ethical Conduct in Human Research (Revised 2025)
- TEQSA Guidance Note: Research and Research Training (Version 2.0, September 2022)

14.3. Version Control

Version	Date	Reviewed/approved by	Key notes/changes
1.0	03/06/26	Chief Executive Officer and Higher Degree Research (HDR) Director	Australis new template used with no change to policy content
2.0	05/11/26	Academic Board	References updated and editorial improvements incorporated

14.4. Document Review

To be reviewed at least every five (5) years from the date of final approval.