

Overview of Intellectual Property rights between the DETC and Full Affiliates

IP may be developed by the DETC and/or affiliates in several ways. The ownership, and rights to use, are set out below.

Type of work	Ownership of any arising IP	Rights to use any arising IP by DETC and Full Affiliates	Rights of Full Affiliates to use any arising IP	Comments
Core work-streams	DETC	All organisations who are Full Affiliates at the time of IP registration will have an automatic right-to-use	<ul style="list-style-type: none"> • For research - OK • Development - OK • Commercial – OK • Sub-license – No 	<ul style="list-style-type: none"> • Core workstreams are funded by DETC core grant (for DETC personnel) plus any ‘match’ from Affiliates. • As such, there is unlikely to be any arising IP and the output is likely to be publically disseminated. • The core workstream subjects are likely to general in nature and of interest/relevance/use to the whole sector, e.g. technology road-maps, and therefore development of new IP is unlikely.
Affiliate (External) Projects	The individual consortium member/s, as set out in the Collaboration Agreement	All consortium members, as set out in the CA, plus DETC for internal research & development only. Arising IP is not published beyond this group.	<ul style="list-style-type: none"> • Research – OK • Development - OK • Commercial – by separate agreement with the IP owner. • Sub-license – Ditto 	<ul style="list-style-type: none"> • Affiliate Projects are predominantly funded by the consortium members and may attract some DETC grant co-funding. • They are analogous to Innovate or APC CR&D projects, in that they are private to the consortium members, but the DETC does retain some rights of access to new IP in order to build the centre’s capability and know-how. • The project’s R&D must be aligned with the DETC aims, and must feed into the centre’s KPIs. • Although the DETC has the rights to use all Affiliate Project foreground IP, it needs to be sensitive in using this with other affiliates who were not part of the project consortium and may be commercial competitors • Background IP is made available to consortium members only if required to perform the project and for use within that project only. No further rights of use are automatically granted.