

THE UNIVERSITY OF WARWICK

Minutes of the meeting of the Intellectual Property Committee
held on 3 February 2014

Present: Professor T Jones (Chair), Mr Q Compton-Bishop, Professor C Dowson, Dr A Reed, Dr J Smith, Professor H Spencer-Oatey and Professor Sir John Temple.

In Attendance: Mr S Gilling (University Legal Advisor), Ms B Lees (Secretary), Mrs J Prewett (Research Support Services Advisor) and Mr B Spillane (Warwick Ventures Ltd).

Apologies: Professor R Dashwood, Ms Lucy Gill.

1/13-14 Statement of Membership and Terms of Reference of the Intellectual Property Committee

RECEIVED:

A statement of the Membership and Terms of Reference of the Intellectual Property Committee for the 2013/14 academic year (IPC.1/13-14).

REPORTED: (by the Chair)

That as Mr P Hedges had left the University, a new Director of Research Support Services would be recruited and would become a member of the Intellectual Property Committee.

2/13-14 Conflicts of Interest

REPORTED:

That should any members or attendees of the Intellectual Property Committee have any conflicts of interest relating to agenda items for the meeting, they should be declared in accordance with the CUC Guide for Members of Higher Education Governing Bodies in the UK.

NOTE: No declarations were made.

3/13-14 Minutes of the Previous Meeting

RESOLVED:

That the minutes of the meeting of the Intellectual Property Committee held on 4 July 2013 be approved.

4/13-14 Matters Arising on the Minutes

(a) Regulation 28 (minute 20/12-13 refers)

RECEIVED:

An oral report from the University Legal Adviser on developments around Regulation 28 (Covering Intellectual Property Rights), noting that:

- (i) The current version of Regulation 28 had been revised such that the new draft version reflected the shift in the deployment and availability of new media and digital capture technology (as represented by e.g. Moodle, MOOCs and the University's lecture capture initiative).
- (ii) Further revisions to Regulation 28 were needed to clarify 'Performer Rights/Performer's Property Rights', following which the principles within the draft new Regulation would need to be discussed by colleagues from the academic community.
- (iii) A 'question and answer' document was being developed to help colleagues understand Regulation 28.
- (iv) The revised version of Regulation 28 would be brought to a future meeting of the IPC for consideration.

Action: Mr S Gilling

(b) Research Notebooks (minute 12/12-13 refers)

REPORTED:

- (i) That the Research Committee had received a paper from the Intellectual Property Committee on the design and use of research notebooks at its meeting on 5 September 2013, noting that the Chair of the Faculty of Science had commented that standardisation of research notebooks should be proportionate and not too prescriptive, focusing on what should be recorded rather than on how it should be recorded.
- (ii) That the Information Policy and Strategy Committee had considered a paper from the Intellectual Property Committee on the design and use of research notebooks at its meeting on 16 October 2013 and had resolved:
 - (A) That it endorsed the underlying principles of research best practice underpinning the exploration and promotion of the use of research notebooks and the potential University expectation that individual researchers should be able to prove and/or share their findings on demand.
 - (B) That it was recognised that the use of electronic notebooks could not be a universal requirement for all disciplines, noting that they were of little relevance to Arts and Social Sciences researchers; and that furthermore there was no real prospect of success for a single institution-wide solution even in Sciences because working practices varied across the range of research activities.

- (iii) That the Research Data Steering Group had liaised with Monash University and ascertained that after investigation of the costs and different disciplinary requirements, Monash had decided not to take forward a proposed institutional Electronic Lab Notebook (ELN) strategy, but had licensed a number of ELN's for use, noting that researchers currently managed their own requirements.
- (iv) That the Research Data Steering Group was in the process of determining the small number of departments that would take part in a pilot on the use of ELNs, noting that these trials were likely to provide understanding of usage, benefits, issues and transferability between disciplines.

(c) Draft IP Operating Agreements (minute 21/12-13 refers)

REPORTED:

That agreements had been formalised to obtain assignment of IP rights from joint PhD students at the start of joint courses.

RECEIVED:

A paper presenting the current status of IP Operating Agreements within the University's strategic partnership agreements (IPC.2/13-14).

REPORTED: (by the Chair)

That the Intellectual Property-related aspects of other partnership agreements would be circulated to the Committee at the appropriate point.

(by Dr J Smith)

That it would be important to consider the Intellectual Property-related aspects of agreements with the NHS Trust, particularly given the University's increasing number of NHS partners, and noting that there was the potential to learn from the current UHCW agreement.

RESOLVED:

That Warwick Ventures (with support from Research Support Services) consider the Intellectual Property-related aspects of agreements with the NHS Trust.

Action: Mr Q Compton-Bishop with input from Ms J Prewett and Dr N Bains

(d) 'M5' Consortium – Equipment Sharing (minute 22/12-13 refers)

RECEIVED:

A paper from the Director of Research Support Services on developments with a proposed M5 equipment-sharing agreement. (IPC.3/13-14)

REPORTED: (by Ms J Prewett)

That it would be wise to question the statement in Schedule 1 of Annex 1 that 'The Recipient hereby grants the Provider an irrevocable, fully paid up licence to use for academic research, teaching and publication (with the right to sub-license other academic institutions) **all results** achieved by use of the Services'.

RESOLVED:

That Ms J Prewett clarify with the previous Director of Research Support Services (Mr P Hedges) the current status of the M5 equipment-sharing agreement, with a view to appropriately amending the statement in Schedule 1 referred to above.

Action: Ms J Prewett

- (e) Co-ordination of IP and Research Contracting Activities
(minute 23/12-13 refers)

RECEIVED:

- (i) An oral report from the Chair on improving the co-ordination of IP and research contracting activities, noting that:
- (A) The Registrar initiated a review of contracts last year with the aim of developing a consistent and coherent approach to managing contracts and contractual negotiations across the University, to enhance the effectiveness of the service delivered to both internal and external customers and partners.
 - (B) Colleagues from a range of administrative departments took part in two workshops looking at contracts across the institution, not just those relating to research.
 - (C) Work was in progress to take forward the outcomes of those initial discussions to develop an overarching institutional contracts framework.
 - (D) Whilst how best to co-ordinate IP and contracting activities had not been discussed in any detail to date, this would be addressed as part of the ongoing work.
- (ii) A chart produced by Research Support Services to show changes to the pending to awarded contract times by Faculty for each 6 month period between August 2010 and July 2013 (paper IPC.5/13-14).

- (f) Launch of Warwick Scientific Services (minute 16/12-13 refers)

RECEIVED:

A copy of the information sent to the Heads of Physics, Chemistry, Engineering and Life Sciences in September 2013 on the launch of Warwick Scientific Services (paper IPC.4/13-14).

REPORTED: (by Dr A Reed)

That the pilot phase of Warwick Scientific Services had been a success and that the challenges were now to consider the wider implications of this approach and scale it up appropriately, noting the importance of the terms and conditions and IP statements being appropriate, clear and consistent.

5/13-14 Research Impact

RECEIVED:

An oral report from the Chair on the Research Committee's current work towards developing an institutional Research Strategy which would have a research impact strand.

CONSIDERED:

The Intellectual Property-related elements of a potential research impact strand of an institutional Research Strategy.

RECOMMENDED (to the Research Committee):

That the following points be taken into consideration as part of the development of the research impact strand of the University's Research Strategy:

- (a) The need to consider impact *at the same time as* research is undertaken, (rather than considering how to exploit research once it has been completed).
- (b) The benefits of attempting to identify at an early point who owns the impact of a piece of work (particularly where complex partnerships are involved), in order to avoid problems once the work has been completed.
- (c) The potential to prioritise the pump-priming of funding for areas of research where the impact could be most considerable.
- (d) The benefits of the IDEATE system being used as intended (as a corporate system in which all related research information is held).
- (e) The potential to develop an engagement and communication strand to the Research Strategy (which in part would raise awareness relating to IP as part of a broader cultural change).
- (f) The usefulness of developing a list of all those with whom the University has signed a non-disclosure document.

Action: Ms B Lees

6/13-14 Open Access Research Data Management

RECEIVED:

A paper from the Librarian on Research Data Management, as considered at the 13 January 2014 meeting of the Information Policy and Strategy Committee (IPSC.11/13-14).

REPORTED: (by the Chair)

That the first priority of the Research Data Steering Group was to ensure that the University had effective research data management, following which a roadmap towards Open Access (along with the associated IP implications) would be considered.

7/13-14 Annual Update of Performance of Warwick Ventures Ltd – 2012/13

RECEIVED:

A presentation from the CEO of Warwick Ventures Ltd providing an annual update on the performance of Warwick Ventures (paper IPC.6/13-14).

8/13-14 Next Meeting

REPORTED:

That the next meeting of the Intellectual Property Committee would be held on Tuesday 1 April, 2-4pm in CMR 1.2.