

<b>Procedure Title:</b>	Commercialization of College-owned Intellectual Property
<b>Procedure ID:</b>	9-907
<b>Manual Classification:</b>	Section 9 – Applied Research
<b>Linked to Policy:</b>	Policy #9-907 Commercialization
<b>Approved by Senior Management Team (SMT):</b>	November 2022
<b>Original Approved by SMT:</b>	N/A
<b>Effective Date:</b>	November 2022
<b>Next Review Date:</b>	November 2025
<b>Contacts for Procedure Interpretation:</b>	Vice President, Applied Research and Innovation

## 1.0 – Purpose

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The purpose of this Operating Procedure (the “**Procedure**”) is to set out the Procedure by which a creator of College-owned Intellectual Property (IP) obtains approval to commercialize or pursue other opportunities to exploit the IP they created.

Terms not defined in this Procedure have the same meaning found in the [College's Policy #9-907 Commercialization](#).

The scope of this Procedure is strictly for College-owned IP and does not apply to IP that rests with College partners, particularly partners who have engaged in Applied Research with the College.

## 2.0 – Procedure

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### 2.1 - Overview

[College Policy #9-903 Intellectual Property](#) establishes when IP belongs to the College. Creators of that College-owned IP may wish to commercialize or pursue other opportunities to exploit the IP they created. Prior approval is required from the College before the creator can pursue the opportunity.

### 2.2 – Education & Awareness

In order to promote the objectives of this policy, the College may:

- a) provide all employees with access to IP education resources made available by the IP office of the Province of Ontario (IPON)
- b) organize and hold annual “IP 101” sessions, during which participants will be introduced to the contents of the College’s IP Policy and this commercialization policy
- c) provide access to IP training and education information materials on the College Intranet

- d) raise awareness of this Commercialization Policy by posting in faculty newsletters (printed and/or online)
- e) take any reasonable steps to further the objectives of this policy.

### **2.3 – Obtaining Approval to Exploit IP**

A creator must follow the following steps to obtain approval to exploit college-owned IP that they created. This must be completed before pursuing any commercialization or other opportunity.

- a) The creator must send a request to the Manager of the Office of Applied Research and Innovation laying out: the IP they wish to commercialize or otherwise exploit, evidence for their claim to be the creator, the opportunity they wish to pursue.
- b) The Manager of the Office of Applied Research and Innovation will consult with the units of the College involved in the creation of the IP.
- c) Based on the information gathered, the Manager of the Office of Applied Research and Innovation will approve (or not) the creator moving forward with the commercialization or exploitation opportunity. In cases which may be high profile or have the opportunity for high profit, the Manager of the Office of Applied Research and Innovation will first obtain approval from SMT/President's Office.
- d) The Manager of the Office of Applied Research and Innovation will draft a Memorandum of Understanding (MOU) between the creator(s) and the College to lay out the agreement between the creator and the College for the pursuit of commercialization. The MOU must address how the College will be involved in the negotiation for commercialization of the IP, how profit/revenue will be split between the creator(s) and College, and who from the College will sign for the College in any resulting agreements.
- e) The Office of Applied Research and Innovation will be the repository of signed MOUs.

### **2.4 – Dispute**

If the creator of the IP does not agree with the decisions related to exploiting of the College-owned IP they created, they can appeal the decision using the appeal process in Operating Procedure 9-903 Intellectual Property.

### **3.0 – Related Documents**

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- College Policy #9-903 Intellectual Property
- College Operating Procedure #9-903 Intellectual Property
- College Policy #9-907 Commercialization

### **4.0 – History of Amendments & Reviews**

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N/A