

Academic Policy	
Intellectual Property	
Policy Statement	This policy aims to encourage a learning environment in SAE Institute Pty Ltd trading as SAE Institute wherein teaching, research and the creation of ideas will flourish, while recognising that the use of intellectual property and its possible commercialisation require responsible regulation.
Purpose	This policy aims to protect and respect the moral rights of SAE and the originators of intellectual property. SAE Institute Pty Ltd recognises the right of originators to be consulted and where appropriate to participate in decisions regarding the commercialisation and use of intellectual property created by them. This policy also provides for the commercialisation of intellectual property created by staff and students. SAE Institute Pty Ltd recognises that originators are entitled to a share of any financial returns from such commercialisation.
Scope	<p>This policy applies in the context of SAE’s operations in Australia and its approved offshore delivery sites, and is applicable to staff and students enrolled with, or intending to enrol with SAE Creative Media Institute</p> <p>Procedures for SAE campuses internationally may vary in compliance with statutory requirements in other countries of operation. Students registered with SAE Institute Pty Ltd who transfer their studies to a campus outside Australia, will have their registration with SAE in Australia terminated and are required to adhere to the guidelines, policies and procedures of the legal entity to whom they have transferred their registration. This policy is applicable to all students or prospective students of SAE, irrespective of their place of residence, campus or mode of study.</p>
Associated Policies and Procedures	<p>This policy should be read in conjunction with the following policies and procedures;</p> <ul style="list-style-type: none"> ● Grievance Policy ● Scholarship and Research Policy
Associated Documents	<p>This policy should be read in conjunction with the following documentation:</p> <ul style="list-style-type: none"> ● Australian Copyright Act (1968) ● Patents Act (1990) ● Trademarks Act (1995)
Policy	<p>6.1 Introduction</p> <p>For the purposes of this policy: “intellectual property” includes any proprietary right which arises under, or is capable of being obtained relating to copyright, discoveries, patents, designs, concepts, developments, trademarks, new products or enhancements to existing products, software development and creative artifact, and “staff” includes all persons employed in any capacity by SAE Institute.</p> <p>6.2 Ownership</p> <p>a) SAE Institute Pty Ltd retains ownership of all intellectual property created by members of staff in the course of their employment.</p> <p>b) SAE Institute Pty Ltd makes no claim of ownership of intellectual property created by students as part of their course of studies, but retains the right to use student work for educational and/or promotional purposes through appropriate license agreements.</p> <p>c) SAE Institute Pty Ltd retains a perpetual, world-wide, royalty-free licence to:</p> <ul style="list-style-type: none"> ● deposit electronic versions of intellectual property created by students as part of their course of studies, and intellectual property created by staff for the purposes of teaching, to the SAE Institutional Repository; ● store the intellectual property on the Repository and to make the intellectual property available online via the internet: ● create a back-up copy of the intellectual property for security and preservation

	<p>purposes:</p> <ul style="list-style-type: none"> • convert the intellectual property, without changing the content, to any other format or medium necessary for preservation and storage of the intellectual property. <p>d) Where SAE Institute Pty Ltd is the owner of intellectual property created by a staff member, SAE Institute Pty Ltd has exclusive rights to adapt, modify, and/or initiate commercialization of that intellectual property for a period of twelve months from the original date of creation or notification, but may waive those rights in writing before the expiry of that period.</p> <p>6.3 Use by Non-Owners Where the SAE Institute Pty Ltd is the owner of intellectual property created by a staff member SAE Institute Pty Ltd agrees to grant the originator a license to use that intellectual property for teaching, research or that individual's professional purposes.</p> <p>6.4 Moral Rights SAE Institute Pty Ltd must take reasonable steps to respect the right of an originator to be acknowledged as the creator of intellectual property, and to ensure that others respect that right. Where SAE Institute Pty Ltd uses intellectual property created by an originator it must take reasonable steps to consult with the originator before modifying or adapting that intellectual property.</p> <p>Where an originator wishes not to be acknowledged as the creator of intellectual property which has been modified or adapted, SAE must take reasonable steps to respect that wish, and to ensure that others respect it. An originator must take reasonable steps to ensure due acknowledgment of the SAE Institute Pty Ltd contribution of facilities and resources used in the creation of intellectual property in any subsequent use of it that they may make.</p> <p>6.5 Commercial Exploitation Where originators create intellectual property or teachers become aware of intellectual property which may have commercial application or potential, they must report its existence to the relevant Campus Manager. Once that notification has been made, SAE Institute Pty Ltd must decide within twelve months whether or not it wishes to become involved in the process of commercial exploitation. In making such a decision, SAE must consult with the originator. Strict confidentiality will be observed by all parties during that period of consideration.</p> <p>6.6 Dispute Resolution It is the responsibility of the relevant Campus Manager reporting to the Managing Director and or CEO to administer all the provisions of this policy equitably. If a dispute arises as to the operation of this policy, or as to any matter on which the operation of this policy hinges, the Managing Director or CEO will refer the matter to the Governing Council, whose decision shall be final in all respects.</p>
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Administrative Information and Version Control

Date	Summary of Changes	Approved by
13 July 2007	policy implemented	Academic Board
9 September 2009	policy amendment	Academic Board
10 September 2010	policy amendment	Academic Board)
28 February 2011	policy approved	CEO & Managing Director
25 August 2015	policy reviewed	J. Anthonyysz CEO & Managing Director
1 December 2017	policy reviewed	Academic Board