

COMMERCIALIZATION POLICY

PURPOSE

The purpose of this Policy is to set out Brock University's commitment to supporting the mobilization, dissemination, and commercialization of researcher-generated intellectual property (IP), in order to maximize the impact of university research, scholarship, and creative activity, while serving societal needs and the interests of IP creators, the University, and its research partners. This policy advises University faculty, staff, and students on the services and resources available to support them with commercialization.

SCOPE

This Policy applies to all faculty, staff, and students at Brock University.

If any provision of this Policy is found to be inconsistent with the provisions of a collective agreement, the collective agreement will prevail, unless the Policy provision is required by law, in which case the Policy provision will prevail.

POLICY STATEMENT

1. Commitment to the mobilization of Intellectual Property for the benefit of Ontario and beyond.

The University strives to mobilize research for the benefit of Ontario and society by promoting opportunities for enhancing the impact of university research, scholarship, and creative activity. The commercialization of IP, and building constructive relationships, partnerships, and collaborations with industry and the community, are essential means of supporting research impact. The University is committed to the management and protection of IP in a manner that supports and enhances commercialization opportunities, and creates a net benefit to Ontario through economic, social, and cultural impact.

2. Roles and responsibilities

2.1. Vice-President, Research

The Vice-President, Research is responsible for providing or coordinating services and resources for researchers and the Brock community supporting commercialization

(including intellectual property evaluation and protection, assistance with IP development, and licensing), partnership development and facilitation, and entrepreneurship. The Office of the Vice-President, Research delivers these services through areas and units in its portfolio. Relevant roles and responsibilities are listed below

2.1.1. Office of Research Services

The Office of Research Services (ORS) supports Intellectual Property mobilization by:

- Managing intellectual property by sourcing, protecting, commercializing, and facilitating the transfer of Brock research outputs, creations, and IP to industry partners, collaborators, and other receptors. ORS staff evaluate the invention or idea for commercial potential, or other potential benefits, and then develop a commercialization strategy, which may include protecting the IP, licensing the IP, establishing a collaborative partnership for additional development, or creating a start-up company; and
- Facilitating research partnerships to establish and facilitate collaborative partnerships, targeted research opportunities, research contracts, and formal relationships between Brock and partners, including the establishment of legal agreements. ORS staff formalize collaborations and sponsored research agreements as well as support grant applications and post-award accounting processes.

2.1.2. Brock LINC

Brock LINC provides innovation and entrepreneurship expertise, facilities, services, connections, education, and programming to support Brock faculty, students, and staff as well as community and industry partners. When Small-Medium Enterprises (SMEs) or applied researchers based in the Brock LINC start-up incubator generate IP or require commercialization assistance, Brock LINC staff provide support, including by referring clients to internal units such as ORS, and to external partners in the Niagara, Ontario, or wider innovation ecosystems.

3. Intellectual Property Education and Awareness

Brock is committed to increasing capacity, awareness, and knowledge of IP among the faculty, staff, and students. The University strives to support innovators in expanding their understanding of the value of protecting IP. This is to be accomplished through a number of different approaches, which may include but is not limited to:

- Workshops and training sessions focused on developing IP awareness, IP protection, collaborations with industry and community partners, and commercialization skills;
- One-on-one consultation with researchers, staff, students, and faculty members providing them with advice, guidance, and encouragement in IP and commercialization matters; and
- Referring and connecting Brock community members to resources and educational opportunities available outside the University.

The University is committed to the ongoing development, evaluation, enhancement, and expanded access to IP educational resources, to respond to the needs of the University community.

4. IP Ownership, Disclosure, Development and Advancement

IP ownership rights for faculty members and professional librarians are described in the Brock University Faculty Association Collective Agreement; IP rights for students, research assistants, and post-doctoral fellows are outlined in the Faculty Handbook. With some exceptions, including research supported by sponsored research contracts, Brock waives ownership rights in IP that is patentable.

The University strongly encourages Brock faculty, staff, and students to submit an invention disclosure that describes inventions and creations with possible commercial applications. ORS evaluates the invention, creative work, or idea for potential commercial or other benefits, and provides development options, which may include protecting the IP, licensing the IP, establishing a collaborative partnership for additional development, or creating a start-up company. The University does not require that faculty disclose inventions to the University; however, disclosure of inventions (including from students, research associates, post-doctoral fellows) to ORS ensures that inventors or creators in the University receive advice and guidance regarding protection of their rights and the

maximization of research impact, irrespective of whether the IP is ultimately assigned to Brock.

5. Guidance on mobilization of IP to provide a net benefit to Ontario

Enhancing the impact of IP generated with Brock's resources provides a net benefit to the University's community, the Niagara Region, Ontario, Canada, and beyond. Brock supports faculty, students, and staff in maximizing the economic, social, and cultural net benefit to Ontario resulting from University-owned Intellectual Property through avenues such as commercialization, securing funding through grant and contract research to develop the IP, knowledge mobilization, supporting and incubating start-up businesses, and providing valuable training and experience for students. Maximizing net benefit to the region and Ontario may include:

- Supporting researcher and institutional engagement with Ontario and Canadian companies and community partners, including by working with Ontario- and Canadian-headquartered companies on a priority basis to adopt IP created at the University;
- Developing strong regional and provincial industrial and community partnerships that are receptive to research and scholarly creations;
- Enhancing the training of students and highly qualified personnel in the importance and potential impact of IP, entrepreneurship, and providing experiential opportunities that can create lasting knowledge mobilization and IP commercialization pipelines between the University and its talented graduates in their subsequent careers.

Where there are no preferable opportunities for commercialization or utilization of University-owned intellectual property within Ontario, Brock aims to educate and advise on reasonable steps to mobilize the intellectual property in such a way that nevertheless benefits Ontario, through such outcomes as the development of highly qualified personnel (HQP), training and improving the experiences of students, creating collaborations, or commercial licenses that generate revenue for the University through royalties.

6. Engagement with the Innovation Ecosystem

Institutional engagement with partners in the regional, provincial, national, and international innovation ecosystems

enables Brock to further its IP development and mobilization goals. To expand institutional capacity, Brock engages with its partners for collaborations, provision of funding support, advancement and development of IP, support of excellence in research and innovation, and provision of valuable first-hand experience and training for students. The University encourages engagement with Ontario- and Canadian-headquartered companies and organizations to enhance the local, regional, provincial, and national impact of University innovations.

The University, through various units like research centres and institutes, ORS, and Brock LINC, are active members of the innovation community, and will provide guidance for faculty, staff, and students with IP and other innovations, in engaging with partners in the innovation ecosystem. Member organizations of the ecosystem can include industry, community groups, funding agencies, public sector institutions, post-secondary institutions, not-for-profit organizations, investors, incubators, accelerators, and others in the Niagara, regional, provincial, national, and international communities.

7. IP of Indigenous Communities

Brock University recognizes that the IP of Indigenous communities can include cultural knowledge, expressions, traditions, historical sites, artefacts, designs, ceremonies, performing arts, artwork and literature that may not always be included or protected within general definitions of IP. The University's objectives and mandate regarding the mobilization and commercialization of IP are not consistent with extractive or exploitative engagement with the IP of Indigenous communities. The University undertakes to provide training and learning opportunities for researchers, students, and staff involved in IP mobilization, to promote respect for the cultural property of Indigenous people.

DEFINITIONS

COMPLIANCE AND REPORTING

This Policy is under the jurisdiction of the Vice-President, Research. The interpretation and application of this Policy is the responsibility of the Vice-President, Research and units reporting to the Vice-President, Research. Final decisions related to this Policy will be made by the Vice-President, Research, where required. The Vice-President, Research, or units designated by the Vice-President, Research shall be

responsible for producing an annual commercialization plan that sets out how the University will honour commitments laid out in this policy.

Policy Owner:	Vice-President, Research
Policy Lead:	Associate Director, Innovation, Commercialization & Partnerships
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