

## CASP013- INTELLECTUAL PROPERTY POLICY

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STATUS	<input checked="" type="checkbox"/> New Policy
	<input type="checkbox"/> Continuation of Existing Policy
	<input type="checkbox"/> Revised Policy
SCOPE	<input checked="" type="checkbox"/> All CAS
	<input type="checkbox"/> Some CAS (.....)
	<input type="checkbox"/> One CAS (.....)
TARGET AUDIENCE	<input checked="" type="checkbox"/> Staff: <input type="checkbox"/> All <input type="checkbox"/> Academic staff <input type="checkbox"/> Non-academic staff
	<input checked="" type="checkbox"/> Students: <input type="checkbox"/> All levels <input type="checkbox"/> UG <input type="checkbox"/> PG
	<input type="checkbox"/> All specialisations <input type="checkbox"/> Some (.....)

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### 1. Rationale and Purpose

CAS is committed to the encouragement of scholarly research that creates knowledge and helps the advancement of Oman in particular. This is done by motivating the development and dissemination of intellectual property through facilitating appropriate resources, administrative assistance and financial rewards to creators, and ensuring that financial return from the development of intellectual property does not distort decisions and operations of CAS.

Therefore the purpose of this policy is to set the principles and guidelines governing CAS dealing with intellectual property creation and the protection of the rights of authors and CAS.

### 2. Definitions

For purpose of this policy, unless otherwise stated, the following definitions shall apply:

**Agreement:** A signed written contract between CAS or a sponsor and an individual(s) for the purpose of creating an intellectual property

**Intellectual Property:** Any patentable invention, any copyrightable subject matter, or trade secret. It also includes works of art, and inventions or creations that might normally be developed on a proprietary basis.

**Faculty:** Any full-or- part-time employee who teaches or conducts research at CAS

Student: Any full-time or part-time graduate or undergraduate student who is enrolled at one of CAS during the creation of the intellectual property

Staff: Any employee of CAS other than students and faculty as defined above.

Creator: Any person or group of people who author, invent or create an item of intellectual property.

Institutional work: Any work made of hire during the course of employment by CAS in which the person(s) involved used the college resources, unless the resources were available for public use without charges or the user had paid a fee to use them.

Net proceeds to CAS: All proceeds received by CAS on intellectual property that it assigns, sells or licenses, minus any application, litigation, interference, or marketing costs directly attributable to the intellectual property being licensed.

Net proceeds to the creator: All proceeds received by the creator from intellectual property owned by him that he sells, assigns or licenses, less the costs of application, legal protection, or litigation, interference, travel and other marketing costs directly attributable to the intellectual property being exploited.

Substantial use of college facilities: Extensive free use of major CAS laboratories, studios or computational facilities, or human resources which is important to the creation of the intellectual property. Incidental use of a facility does not constitute substantial use, nor does the extensive use of a facility commonly available to all faculty or staff.

### **3. Policy content and Principles**

The policy is directed to the faculty, staff and students of CAS, and shall be informed by the following principles:

- 3.1 CAS encourages its faculty, students and staff to pursue scholarly research and the creation of intellectual property and is committed to providing the necessary assistance.
- 3.2 Intellectual property is created by individuals, or by groups of individuals, who are entitled to choose the course of disclosure.
- 3.3 CAS respects the right of authors to retain ownership of intellectual property rights from textbooks and works of art and any other work of a copyright nature
- 3.4 CAS is the support of the whole campus community, and is thereby entitled to share in any proceeds resulting from the intellectual property.

- 3.5 There should be incentives for all parties to pursue financial rewards together, consistent with the expressed goals of the policy. The distribution of these rewards should reflect, insofar as possible, the creative contributions of the creator, and the resources contributed by and risks assumed by both the creator and CAS in developing intellectual property.
- 3.6 Since it is frequently difficult to meaningfully assess risks, resources and potential rewards, negotiated agreements are to be encouraged whenever possible.
- 3.7 CAS has the right to any institutional work created by faculty, staff or a student unless an agreement has specified otherwise.
- 3.8 Any research sponsored by a public national body or a corporation through CAS is treated as an institutional work as to patency and copyright without infringing upon the rights of the creators as specified in the work agreement.
- 3.9 The Centre of Scientific research is the body responsible for administering all works related to this policy
- 3.10 Any disputes arising between CAS and the creator(s) of intellectual property as to the provisions of work agreement should be subject to the adjudication of the Ministry legal department
- 3.11 Any question of interpretation or claim arising out of or relating to this policy, or dispute as to ownership rights of intellectual property should be resolved as specified in the procedures of this policy.
- 3.12 Consultancy to public or private corporations shall be governed as specified in the procedures to this policy and in accordance with the CAS Consultancy Bylaws.

#### **4. Legislative Compliance**

- Oman Copyright Law
- CAS Royal Decree 2007
- Workload policy
- Consultancy Bylaws

#### **5. Supporting Materials**

N.A.

#### **6. Appendices**

Policy procedures

7. **Approval Agency:** Board of Trustees

8. **Approval Dates**

This policy was originally approved on: [ ]

This version was approved on: [ ]

This version takes effect from: [ ]

This policy will be reviewed by: [ ]

9. **Policy Sponsor:** Director General of CAS

10. **Contact:** Directorate General of CAS