



QATAR RESEARCH DEVELOPMENT AND INNOVATION COUNCIL

INTELLECTUAL PROPERTY POLICY

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1. POLICY OVERVIEW

QRDI is committed to providing an innovation ecosystem that creates economic and societal impact. This includes the promotion of research, development, and innovation activities among knowledge institutions and business entities of all sizes, as well as the development of research and innovation talent in Qatar. Central to this commitment is an Intellectual Property framework that seeks to maximise the value of intellectual assets generated by QRDI's funding programs for the benefit of the academic and business institutions involved in its creation as well as the Qatari society.

2. LIST OF ACRONYMS AND GLOSSARY OF TERMS

The following terms and abbreviations shall carry the meanings ascribed below in this Policy:

Abbreviations

IP: Intellectual Property

NoA: Notice of Award

QRDI: Qatar Research Development and Innovation

RDI: Research, Development, and Innovation

Definitions of Terms

Award: The provision of funds by QRDI, based on an approved application and budget to an institution to carry out a project or activity.

Awardee: The individual or Institution awarded a QRDI Grant. An Awardee may also be referred to as a "Recipient" or "Grantee".

Background IP: All IP created prior to or outside the scope of a QRDI funded project.

Consultant: An experienced individual that is trained to advise the research team in order to help make the best possible choices during execution of the research project. A consultant generally

offers only advice or proposes solutions to problems, but he/she does not act as key investigator such as designing, conducting, or reporting on research. A consultant cannot have any claim on intellectual property related to the project. A consultant requires little or no guidance in providing input.

Data: Recorded information related to a QRDI funded project, regardless of form or the media on which it may be recorded. The term Data includes technical Data and Data used by computer software. The term Data does not include information incidental to administration of a QRDI funded project, such as financial, administrative, cost or pricing, or management information.

Grant: Term used to describe the funding instrument used by QRDI for the execution of material support.

Innovation: The application of a new approach that brings added value, which can be new for an organization, market, or the world. This can include the creation or enhancement of a product (good or service; process; marketing method or organizational method).

Intellectual Property: A set of intangible assets including, without limitation, all inventions, literary and artistic works, designs, and symbols, names and images used in commerce. IP includes, but is not limited to, patents, copyrights, trademarks, whether registered or unregistered, and other forms of intellectual assets that may or may not be subject to such protection, including intellectual assets such as computer software, Data, database rights, know-how, social media handles, trade secrets and all other similar intangible proprietary rights anywhere in the world. From time to time, advances in science and the arts may result in new forms of IP protection. Those new forms of IP shall be considered to fall within this Policy.

Invention: Any discovery which is or may be patentable before a government patent office anywhere in the world, whether or not patent protection is sought.

Monitoring: The on-going process of evaluating and reviewing information related to the progress and financial performance of a QRDI grant, which may involve regular reporting, audits, site visits, and other sources of information.

Notice of Award: The official, legally binding document, signed by a QRDI official and the Awardee, either in hard copy or electronically. It serves to notify the Awardee of the award of the grant they have received and contains or refers to all the terms and conditions of the grant,

including QRDI funding limits and obligations. Additionally, it serves as the documentation required for recording the obligation of QRDI funds in the QRDI system.

IP Policy: This policy governing IP for projects funded by QRDI, and as may be amended from time to time.

Progress Report: A Periodic report typically submitted, annually, by the Awardee. It is used by QRDI to evaluate the progress and, with the exception of the final progress report, to determine whether to continue funding for the following budget period. The report is also known as a non-competing continuation progress report.

Project IP or QRDI Funded IP: Means IP arising from QRDI funded projects.

QRDI Grant System: QRDI centralized Grant submission and management system.

Research and Development: All research activities, both basic and applied, and all development activities that are performed by Recipient. The term research also includes activities involving the training of individuals in research techniques where such activities utilize the same facilities as other research and development activities and where such activities are not included in the instruction function. Research is defined as a systematic study directed toward fuller scientific knowledge or understanding of the subject studied. Development is the systematic use of knowledge and understanding gained from research directed toward the production of useful materials, devices, systems, or methods, including design and development of prototypes and processes.

Request for Application (RFA): A publicly available document issued by QRDI for each QRDI-funded program highlighting the guidelines, eligibility and policies for participating in the respective program.

Sub-award: An award that is provided by an Awardee to another organization to carry out a portion of a QRDI award received by the Awardee institution. This type of award does not include payments to a contractor.

Sub-Awardee: A research institution inside or outside the State of Qatar that is collaborating with the Awardee under its responsibility to conduct the research project as identified in the original research proposal.

Terms and Conditions of Award: All requirements imposed on a QRDI Grant, whether based on regulation, policy, or other document referenced in the Policy Statement, or specified by the NoA

document itself. The NoA may include both standard and special conditions that are considered necessary to attain the Grant's objectives, facilitate post-award administration of the Grant, conserve Grant funds, or otherwise protect QRDI's interests.

3. PURPOSE

It is the intent of this Policy to provide a set of general guidelines and principles which govern the ownership, protection, management, disposition, and utilization of IP generated by or through QRDI grants in order to support the goals of the QRDI 2030 Strategy and to ensure all Recipients understand their obligations and responsibilities with respect to QRDI Funded IP.

4. GUIDING PRINCIPLES

IP produced by Recipients of QRDI grants should be used in ways meaningful to the public interest through delivering economic benefits or societal impact. This may be accomplished through the development of the IP into useful products and services suitable for commercialization, public dissemination, or the use of the IP for research purposes.

It is appropriate and desirable for IP creators to own the IP so that its impact can be maximized through commercialization, granting the inventing institutions a competitive advantage over other market players, among other benefits.

Recipients may benefit from collaborative research and development activities and, as such, this Policy seeks to ensure that such collaborations are promoted and managed appropriately through liberal application of IP management structures between the collaborators themselves.

QRDI believes that, in order to ensure that a wider cross-section of the Qatari population benefits from the IP generated through public funding, QRDI-funded IP needs to be identified, documented, and managed effectively and furthermore, made available to state institutions to further research activities in the country.

QRDI encourages the protection of IP through various forms in order to ensure that owners of IP reap the full benefits of their intellectual assets.

5. SCOPE AND APPLICABILITY

This Policy applies to all projects funded by QRDI and are incorporated into the terms and conditions of the NoA with all Awardees.

Entities covered by this Policy include:

- All Awardees of QRDI Grants;
- All sub-awardees of QRDI Grants; and
- All external individuals, entities, Consultants, and contractors engaged by Awardees or sub-awardees to provide services.

6. AUTHORITY

The Secretary General of QRDI, in implementing the objectives of the Policy, holds his authority from the *QRDI Council*.

The responsible office shall be the QRDI Office of Policy Planning and Evaluation.

7. INTELLECTUAL PROPERTY PROVISIONS

7.1 ALLOCATION OF IP RIGHTS

Unless otherwise agreed, the Awardee shall own all IP it generates under a QRDI-funded project.

The ownership and use rights of IP arising from collaborative efforts between or among Awardees will be agreed, in writing, by the collaborating institutions.

In the case of joint ownership of IP by the Recipient and collaborating partners or sub awardees, the Awardee is advised to sign with all parties an IP agreement which governs the ownership, access, management, and commercial exploitation of such jointly owned IP.

7.2 QRDI RIGHTS TO IP

To enable academic and research institutions, as well as government entities in Qatar to have access to QRDI-funded IP, QRDI requires Awardees to grant QRDI a non-exclusive, irrevocable, sub-licensable, fully paid-up license to QRDI-funded IP for research and education purposes only. Such a grant shall not be used for commercial purposes and may not compromise the protection and commercial exploitation of the subject IP by the IP owner. Unless otherwise agreed, confidential IP suitable for trade secret protection shall not be subject to the QRDI license.

7.3 IP DISCLOSURE OBLIGATION

At least biannually during a QRDI-funded project, the Awardee shall have the responsibility to disclose all Project IP to QRDI using the QRDI Grant System. The disclosure shall be in the form of a written report and shall identify the Grant under which the Project IP was made as well as the individual inventor(s).

The disclosure shall be sufficiently complete in technical detail to convey a clear understanding of the nature, purpose, operation, and the characteristics of the disclosed IP.

The Awardee shall provide information about patent disclosures and awards arising from QRDI-funded projects to QRDI to enable QRDI to track the IP developed from funded projects.

Where no IP was created under a project, the Recipient shall state that no IP was created.

7.4 IP PROTECTION

Awardees are encouraged to ensure that all IP arising from QRDI funding is effectively protected. For Inventions on which patent protection is sought, QRDI encourages the Awardee to file its initial patent application on an Invention in the State of Qatar if possible.

For Inventions on which patent protection is not sought or other forms of IP, the Awardees are encouraged to seek the best form of IP protection, whether through copyright, trade secret, or other

forms of IP protection. Awardees are encouraged to use various forms of IP protection strategies that are suitable for their Inventions, missions, and business activities.

To the extent that the Awardee develops IP as part of a project that it determines may be patent eligible or may have value via copyright or trade secret protection and has no interest in proceeding with such protection or in the ownership of such Project IP, Awardee shall notify QRDI prior to any public disclosure thereof and QRDI shall have the right to seek such protection and work with the Awardee to assign such ownership interest to QRDI.

7.5 REPORTING ON UTILIZATION OF QRDI-FUNDED IP

The Awardee shall submit, on request, Progress Reports no more frequently than annually on the utilization of QRDI-funded IP or on efforts at obtaining such utilization that are being made by the Awardee or its licensees or assignees (an “IP Utilization Report”). Such reports shall be submitted from the date the IP was first disclosed to QRDI using the QRDI System. The IP Utilization Report shall include information regarding the status of development, date of first commercial sale or use, gross royalties received by the Awardee and such other data and information related to any QRDI-funded IP as QRDI may reasonably specify. Unless otherwise instructed by QRDI, IP Utilization Reports shall be provided for the duration of five (5) years from the disclosure date or the expiration of any patented Project IP.

7.6 IP MANAGEMENT BY AWARDEES

All Awardees must ensure that they implement measures to enable the effective management of IP arising from QRDI funding. Such measures may include:

- Requiring all its employees or independent contractors to promptly disclose in writing each IP asset emanating from QRDI-funding in order that the Awardee can comply with the disclosure provisions and to execute all documentation necessary to assign IP rights to the

Awardee and enable the Awardee to file patent applications on Inventions which the Awardee decides to patent.

- Establishing internal institutional policies and procedures to enable fulfilling its obligations under this Policy including keeping proprietary information confidential.
- Assigning a dedicated IP focal point to coordinate the institution's IP function with QRDI.

For patentable Inventions on which the Awardee elects to file patent applications, the Awardee shall include, within the specification of any patent application covering an Invention, the following statement: "This invention was made with support under (identify the Grant) awarded by Qatar Research Development and Innovation Council". Awardee shall similarly include this or similar attribution language in any journal articles, software notes, or other public facing publications related to the Project IP.

7.7 COLLABORATIONS UNDER SUBAWARD AGREEMENTS

The Awardee shall ensure that all subaward agreements contain terms and conditions consistent with and no less favorable to QRDI than those specified herein, and any special terms and conditions that may be specified in Grant-specific appendices in the NoA. The Awardee shall be responsible for managing the financial and technical implementation of a project with its sub awardee(s).

7.8 IP EXPLOITATION

Awardees shall endeavor to utilize effective mechanisms to exploit QRDI-funded research to maximize the benefit to Qatar. IP exploitation shall include IP commercialization for economic impact and IP use for societal impact.

8. DATA AND RESEARCH RESULTS

Unless otherwise agreed, rights in Data and research results, and research tools, which include databases produced by Awardees, shall be owned by the Awardees.

In accordance with recognized scientific research procedures, Awardees are required to record all research Data and information accurately and clearly and to keep all such Data in a permanent and retrievable form. With regard to patented inventions, original laboratory data must be kept for the life of the patent. Data, databases and research results which have commercial potential should be reported and disclosed in the same manner as other IP.

9. DISSEMINATION AND SHARING OF RESEARCH RESULTS

QRDI encourages the dissemination of knowledge for wider public benefit and use. Awardees that wish to publish outcomes of their research activities are encouraged to publish research results, provided such disclosures do not compromise the protection of their IP rights, as premature public disclosure of information may jeopardize not only the patentability and confidentiality of IP rights, but also the ability to successfully commercialize such rights.

10. POLICY VARIATIONS

QRDI will provide Grant-specific IP terms and conditions for each of its funded programs. These terms and conditions will be specified in Grant-specific appendices of the relevant Request for Application. The Secretary General of QRDI shall have discretion over the specific terms and conditions of any particular Grant and over this Policy. For the avoidance of doubt, to the extent there is a conflict between this Policy and Grant-specific terms and conditions for a particular Grant, the specific terms and conditions for that Grant shall govern.

11. POLICY REVISIONS

From time to time, this Policy shall be reviewed and updated by QRDI. All Awardees will be notified of any changes to the Policy.

Links

Add links to

- Policy Statement

Inquiries

For any inquiry on this policy, please submit a ticket through the QRDI Help Centre at

<https://qrdi.atlassian.net/servicedesk>.