1.0 Introduction

Commercialisation of Intellectual Property (for a discussion on what constitutes Intellectual Property and Macquarie University’s policy on the Intellectual Property of its staff and students go to [www.research.mq.edu.au/policy/policies/ip](http://www.research.mq.edu.au/policy/policies/ip)) refers to the process of taking an idea or innovation from conception to market. The routes taken may vary, but the following aims to set out the procedures followed by The Office of Commercialisation when commercialising the Intellectual Property of Macquarie University staff or students.

We endeavour to work with our inventors/researchers all the way through the process and at all times provide a professional, comprehensive and accessible service.

Some of the following steps may not apply to your particular situation. If you wish to contact us about patent and or trademark applications, copyright or any other relevant matters, please contact, Mr Warren Bailey, Commercialisation Manager on (02) 9805 3166 or send an e-mail to wbailey@commercialisation.mq.edu.au.

2.0 Confidentiality and Security

Prior to commencement of or even during your research activities it is never too early to consider aspects of confidentiality of research and results. We realise that this is not always possible because of requirements from external funding bodies. If you are considering commercialisation as a possible outcome of your research results, in order to meet the "novelty" requirement for patents in most jurisdictions, it is important that details of your research are kept confidential and secure.

We do not suggest that you need to take elaborate measures, but simple precautions such as storing your material and notes in a secure area and refraining from publishing or communicating details of your work and results or presenting conference papers until steps have been taken to apply for patent protection, are easy to implement.

Another important step that should be taken is the use of Laboratory notebooks to record details of your research, progress and ideas relating to the project. They should be available from each University department or from The Office of Commercialisation. They have proved to be valuable sources of evidence, accepted in jurisdictions, including the United States of America, when proving dates of innovations.
3.0 Innovation Disclosures

If you think that you have developed a new innovation, service, process, software or product, we encourage you to inform us by means of an Innovation Disclosure Form. Once completed, the form can be sent to: Please forward this form when completed to the Secretary of the IPCMC at tiziana.basilicata@vc.mq.edu.au. A signed copy must be sent to Tiziana Basilicata at the Research Office (DVCRO), E11A – Room 211, Macquarie University, NSW 2109.

The Innovation Disclosure Form enables us to assess your research together with other information you can provide us on funding, market applications, possible commercialisation vehicle etc. It is extremely important that all who have made an inventive contribution are listed.

Alternatively, if you are unsure about whether submitting an Innovation Disclosure Form is the most appropriate path for you, you are welcome to call and talk to a member of the Commercialisation Office. The Office of Commercialisation can be contacted on: 9805 3169.

4.0 Assessment

Once you have submitted your Innovation Disclosure Form, a member from The Office of Commercialisation will contact you within 14 days. Your innovation disclosure will then be discussed and assessed at one of the monthly Macquarie University Intellectual Property and Commercialisation Management Committee (IPCMC) meetings. You may thereafter be asked for further information (perhaps via a presentation) or the IPCMC may recommend that a preliminary market and/or further technical analysis be undertaken under the auspices of Access MQ. The IPCMC will endeavour to make a go/no-go recommendation for 80% of cases within 6 months.

5.0 Commercialisation

If the University decides that the disclosure has commercial potential, it will recommend that The Office of Commercialisation lodge provisional patent, design or trademark applications or take other steps to explore paths for commercialisation such as making contact with potential partners or venture capitalists.

If a no-go recommendation has been adopted the innovation maybe returned to the Inventors in accordance with University policy.

The Office of Commercialisation uses a number of reputable patent attorney firms and will chose an appropriate attorney based on research area. You will be heavily involved in the process of drafting patent applications and deciding on further research and development, presentations to potential venture capitalists and other aspects of the commercialisation process.

6.0 Assignment

Once a decision is taken to lodge an application for registration and protection of the intellectual property, you maybe asked to formally assign your innovation to Macquarie University.
There are several reasons for this: apart from asserting ownership of intellectual property in various patent offices, the University will also be expending a substantial amount on filing fees, finding partners or venture capitalists, market research, business development and legal costs on commercialising your research. In addition, University's rarely have the funds to commercialise without external funding and most investors seek assurance of ownership of the intellectual property in which they are investing.

At any time during the process, The Office of Commercialisation in consultation with the IPCMC, may decide that the return to the University and inventors from commercialising the research does not justify the cost or limited market for the product. In such a situation, the intellectual property maybe assigned back to the inventors.

### 7.0 Remuneration

Any licence fees, sales or royalties arising from the licence of the innovation, technology or sale of products will be divided in accordance with Macquarie University policy. Currently, income from licence fees, sales and royalties after payment of costs are split between the University and inventors on a 50:50 basis. The inventors divide their portion in proportion to inventive contribution.

If you would like any further information on the above points or the matters considered by the Office of Commercialisation when assessing your innovation disclosure, please refer to: The Office of Commercialisation Guidelines and MQ IP Policy.