# Policy Review

### Our organisation, Community Assist, is a not-for-profit community support body working to support community members in achieving a full and productive life. This policy provides compliance with Copyright Act 1968 (Cth), The Privacy Act 1988 (Privacy Act) and our code of ethics.

Review the organisational intellectual property, ethics and privacy policy and procedure below and identify how would you support and maintain it using 50-100 words.

# Policy

**Definitions:**

For the purposes of this Policy:

***commercial exploitation*** means either:

1. protection and/or development of intellectual property with the aim of obtaining a commercial benefit, or
2. dealing with intellectual property, through manufacture, sale, hire or other exploitation of products or processes or the provision of services, directly or through a third party, for commercial benefit.

***commercial exploitation*** *costs* means costs directly related to the commercial exploitation of intellectual property and determined by the Intellectual Property Officer as offsetting commercial exploitation revenues in the calculation of net revenues, including (but not limited to) costs in relation to: registration of intellectual property (e**.**g. patent protection), licensing-in of third**-**party intellectual property, legal counsel, specialised technical services, consultancies, travel and accommodation, production of prototypes, and taxes and other fees, duties and charges.

***commercial exploitation revenues*** means income, other than research funding, directly related to the commercial exploitation of intellectual property including (but not limited to): signing fees, royalties, lump sum licence fees, milestone payments, minimum annual payments, reimbursements of patent expenses, dividends and proceeds from the sale of shares.

***confidential information*** includes:

1. information about an any activity of the organisation that relates to client privacy or economic advantage to others if made available;
2. unpatentable inventions, discoveries, knowledge, methods, processes, techniques, chemical compositions, biological materials and other information with the potential for commercial exploitation, and
3. trade secrets.

***intellectual property*** means:

1. any proprietary right which arises under, or is capable of being obtained
2. the right to the protection under law of confidential information.

***Intellectual Property Officer*** means:

1. in respect of intellectual property created for the purpose of research and
2. in respect of intellectual property created for the purpose of teaching or administration, in which the intellectual property is created.

***moral rights*** mean the following personal rights, as dealt with in the Copyright Act:

1. right of attribution of authorship – an author’s right to be identified as the author of a work,
2. right not to have authorship falsely attributed – an author’s right to act against false attribution, and
3. right of integrity of authorship of a work – an author’s right to object to derogatory treatment of his or her work that prejudicially affects his or her honour or reputation.

***net revenues*** means the difference between the total of commercial exploitation revenues and the total of commercial exploitation costs.

***originator*** means the author, creator or inventor of a work or subject matter in which intellectual property may or does subsist.

***service materials*** means source or core materialsused in providing services to our clientele, such as texts, checklists, papers, service arrangements, PowerPoint presentations and the like**.**

***training materials*** means source or core teaching materials, such as texts, lecture notes, papers, overheads, PowerPoint presentations and the like.

**Ownership of Intellectual Property – Staff**

Our organisation asserts ownership of all intellectual property created by a staff member for the purposes of research, teaching and administration during the staff member’s employment at the organisation.

The Community Assist body does not assert ownership of copyright in any literary work written by a staff member for the purpose of scholarly research, such as: a journal article, conference proceeding, monograph or book.

The Community Assist body does not assert ownership of copyright in any artistic, musical, dramatic or other creative work created or composed by a staff member, except where such a work has been commissioned by the organisation.

Community Assist does not assert ownership of copyright in materials written by a staff member outside of the terms of their contract. However, by entering employment with the Community Assist, staff members grant to the organisation a perpetual, royalty-free, non-exclusive licence to use and adapt their materials. This licence includes the right to sub-license and to commercially exploit. The organisation reserves the right to reach an agreement with a staff member in relation to copyright in any materials which varies the terms of this sub-section.

Community Assist must respect the moral rights of authors of any materials unless it obtains their consent otherwise.

Community Assist grants to the originator(s) of research intellectual property a royalty-free, non-exclusive licence to use the intellectual property for the purposes of further research. Such a licence may only be revoked or limited where this is required for the commercial exploitation of the intellectual property.

**Administration**

NOTE: Printed copies of this policy are uncontrolled, and currency can only be assured at the time of printing.

### Resources required to complete the assessment task:

* Computer
* Internet
* MS PowerPoint or similar presentation application
* Printer or e-printer