

Australian Plant Biosecurity Science Foundation Intellectual Property (IP) Policy

Introduction

The Australia Plant Biosecurity Science Foundation (APBSF), was established to follow the Plant Biosecurity Cooperative Research Centre (PBCRC) which finished operations in June 2018. The purpose of the Foundation is to support plant biosecurity research, development, extension and capacity building, particularly focused where there is a need for investment in cross-sectoral, strategic, capacity building, international linkages, non-levy payer research and environmental plant biosecurity.

In general, the Foundation will encourage and facilitate the free publication and dissemination of reports and other written materials which are the outputs of investment activities undertaken by the Foundation, in support of the Foundation's purpose.

Purpose

The purpose of this Policy is to set out the principles which will govern the creation, management and utilisation of IP by the Foundation. This Policy was endorsed by the ABSF Board in 2018.

Objectives

The Foundation's objectives regarding IP are to:

- maximise the impact on biosecurity of its investments;
- respect the IP rights of others;
- ensure IP issues are addressed appropriately in its contracts and arrangements;
- protect the Foundation's IP; and
- utilise IP owned by the Foundation in support of the Foundation's purpose.

IP ownership

The Foundation recognises that the development and utilisation of IP is critical to the success of the Foundation in achieving its purpose. The Foundation will not generally seek to own IP produced during the Foundation's investment activities, recognising that this may constrain the utilisation of the IP. Instead, the Foundation will generally seek to obtain licences to enable the IP to be utilised for research, education and training purposes.

In instances in which the Foundation considers that owning the IP from research activities best supports the achievement of its purpose (for example, because it will facilitate the maximum utilisation of the IP), then it will grant the parties involved in the research activities appropriate licences.

IP produced by the Foundation's employees or visitors will be owned by the Foundation.

IP management

The Foundation will manage its IP responsibly. The Foundation will take steps to protect its IP, including through registration or enforcement action, where it is economic to do so.

IP licensing, publication and dissemination

The Foundation may license out its IP for use by others where this serves the Foundation's purpose and subject to appropriate arrangements which manage the risk to the Foundation, including legal and reputational risk.

In general, the Foundation will encourage and facilitate the free publication and dissemination of reports and other written materials which are the outputs of research activities undertaken by the Foundation, in support of the Foundation's purpose. Such materials may be licensed by the Foundation under the terms of a Creative Commons CC-BY licence (described at www.creativecommons.org) using the copyright notice and disclaimer set out in Attachment A to this Policy.

IP commercialisation

The Foundation intends to commercialise certain IP which the Foundation owns and which was developed in the course of the PBCRC. The Foundation will explore further options for the commercialisation of IP it owns or has rights to commercialise, in support of the achievement of its purpose. The Foundation will consider risk, including legal and reputational risk, prior to commercialising IP and will ensure that its commercialisation arrangements:

- appropriately address and manage risk; and
- are likely to provide a return or other benefit to the Foundation which is commensurate with the level of risk and which supports the Foundation's purpose.

In undertaking IP commercialisation activities, the Foundation will behave responsibly, ethically and lawfully and expect its partners to do so.

The Foundation will manage and invest revenue from commercialisation in plant biosecurity science.

Review

This Policy may be reviewed periodically and is subject to change at any time and without notice.

Further information

Further information regarding this Policy can be obtained by contacting the Foundation on info@apbsf.org.au

Attachment A

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