

Flysheet for the Grace on IP Rights

The intellectual property regulations proposed by Council contain many useful elements, but the details remain seriously flawed.

First, the regulations discriminate against students. Many externally-funded research students end up with few rights. The amendments will give students parity with academic and research staff. They will also give equal rights to college-funded students and to college fellows.

Second, we need to own copyright. Only this guarantees our ability to publish. The Council's regulation 7 supports this in principle, but in practice the University will still acquire many copyrights from staff and students because of the default conditions of funding bodies. Although regulation 10 returns recording rights and database rights to their creators, this is not done for the two most important rights: literary copyright and software copyright. The amendments will ensure that all copyrights acquired by the University are treated equally and returned automatically to their creators.

Third, the proposed regulations will discriminate against academic staff in science and technology by removing the traditional right of inventors to patent their inventions. The increased involvement of Cambridge Enterprise in new business formation will also have a chilling effect on the Cambridge Phenomenon. The amendments will make this involvement strictly optional, restoring the previously successful regime that has generated substantial economic growth.

Fourth, the Council's regulations will cause problems for academic-related staff such as computer officers, technical officers and librarians because the right to place material in the public domain is restricted to 'research'. The amendment extends this right to all work undertaken by any member of staff. This will ensure that everyone can contribute to free software, technical standards bodies and open publication projects.

Finally, there is wide agreement that the 2001 policy was wrong to claim almost all IP from all externally-funded staff and students. The Council's proposed regulations fail to give back this unjustly claimed IP. The amendments will explicitly return it to its creators, and also extend the appeals process to disputes arising out of that policy.

We therefore urge you to vote in favour of the amended Grace.

Signature

Name and initials (block capitals)