

RESEARCH AND DEVELOPMENT			 مؤسسة قطر Qatar Foundation
INTELLECTUAL PROPERTY AND TECHNOLOGY TRANSFER			
INTELLECTUAL PROPERTY POLICY			
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INTELLECTUAL PROPERTY POLICY

	Position	Name	Signature	Date (DD/MM/YY)	BPI Confirmation
Prepared by	Executive Director of Intellectual Property and Technology Transfer	Dr. Erik Stenehjem		27/04/14	BPI 27-04-2014
Recommended by	President, Qatar Foundation Research and Development	Faisal M. Al Suwaidi		27/04/14	
Approved by	Qatar Foundation Board			27/04/14	

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2. Scope

2.1 ENTITIES AFFECTED BY THIS POLICY

All entities and centres under Qatar Foundation

All external entities receiving research grants or funding for collaboration with any entity under QF.

All external individuals, entities, consultants and contractors engaged by QF to provide services or deliverables.

The Policy will override, supersede, and prevail (to the extent of any inconsistency) over any existing policies on Intellectual Property adopted by QF excluding any agreements entered into by QF prior to the effective date of this Policy with university branch campuses or policies effectively adopted by QF through the operation of those agreements.

2.2 WHO SHOULD READ THIS POLICY

- QF employees, consultants and contractors
- QF community members
- QF research collaborators
- QF funding recipients
- Non-employees who participate or intend to participate in QF projects

2.3 RESPONSIBLE OFFICE

Office of IP & Technology Transfer, Qatar Foundation

2.4 CONTACTS

Direct any questions or issues related to this Policy to the Office of IP & Technology Transfer at IPTT@qf.org.qa

2.5 RESPONSIBILITIES

The Executive Director of IP and Technology Transfer shall be responsible for the administration of this Policy and shall represent QF in all matters of the Policy.

3. Objective

3.1 REASON FOR POLICY

The purpose of this document is to provide a set of general guidelines and principles for the protection, management and utilization of Intellectual Property generated by or through QF sponsorship in order to support the goals of the Qatar National Vision 2030.

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4. Policy

4.1 POLICY STATEMENT

Qatar Foundation for Education, Science, and Community Development is a private, non-profit organization that serves the people of Qatar by supporting and operating programs in three core mission areas: education, science and research, and community development. The Foundation strives to nurture the future leaders of Qatar. By example and by sharing its experience, the Foundation also contributes to human development nationally, regionally, and internationally. In all of its activities, the Foundation promotes a culture of excellence in Qatar and furthers its role in supporting an innovative and open society that aspires to develop sustainable human capacity, social, and economic prosperity for a knowledge-based economy.

The Foundation's Divisions of Education and Research and Development are devoted to making Qatar a leader in innovative education and research to support Qatar on its journey from a carbon-based economy to a knowledge-based economy.

The Qatar Foundation (QF) will develop relevant world-class local capabilities, successfully address national challenges and enhance economic prosperity by developing new solutions to global issues and by increasing the recognition of the country's science and technology capabilities, contributions and international collaborations. Capturing the advances, discoveries and inventions from these efforts and transforming them into innovations that benefit the Qatar and the global community is the responsibility of the Office of Intellectual Property (IP) & Technology Transfer ("IPTT").

4.2 OWNERSHIP OF IP

Ownership of IP is the key to achieving QF's objectives and QF will apply the following principles for IP ownership.

QF Sole IP Ownership: In the absence of any competing policy objectives, QF will retain ownership of IP developed in connection with any endeavour that is sponsored, supported or funded wholly by QF or any of the centers or institutions within the QF Community, including without limitation, sponsored research and collaborations with non-Qatari third parties. Except as otherwise provided in this Policy, all IP conceived, reduced to practice, authored, or created in whole or in part by a member of the QF Community shall be owned by QF.

Joint IP Ownership: In the absence of any competing policy objectives, QF will jointly own a) all IP produced by research collaborators, grant recipients and Awardees and for which QF provides 100% of the funding where the collaborating entity is a Qatar enterprise; and, b) QF will jointly own all IP produced by research collaborators, grant recipients or assigned to an Awardee by an Awardee's employees, contractors or consultants and for which QF provides part of the funding, or makes available QF Resources.

Authorized Transactions: The Executive Director of IP & Technology Transfer is responsible for protecting, managing and commercializing Intellectual Property owned by QF or in which QF has a beneficial interest, and insuring that technology transfer practices further QF's mission and vision. Due to changing laws, markets, and the nature of new technology itself, the Executive Director of IP & Technology Transfer is authorized to exercise discretion and flexibility to implement such

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practices and negotiate such agreements as may be required to achieve the purposes of this Policy. For example, the Executive Director of IP & Technology Transfer may grant to third parties various rights to research results, and Intellectual Property for appropriate compensation and under other terms as may be prudent to further QF's mission, including assignment of QF's Intellectual Property rights in whole or in part to third parties. In the exercise of this authority, the Executive Director of IP & Technology Transfer will keep informed the senior leadership of QF, including the General Counsel and the presidents of HBKU and QF Research and Development or their delegates.

4.3 EXEMPTIONS

QF will not claim ownership of Intellectual Property in the following circumstances:

- Intellectual Property produced by students enrolled in secondary education or undergraduate programs.
- Intellectual Property that falls under the definition of Traditional Academic Works.
- Each QF Community member grants QF a perpetual, non-exclusive, irrevocable, royalty free, worldwide licence to use the Intellectual Property in his or her Traditional Academic Works for administrative, promotional, educational and research purposes in any format (whether now existing or developed in the future).
- Intellectual Property made by members of the QF Community during their personal time and using personal resources, so long as such Intellectual Property is clearly outside the scope of their employment, appointment or engagement with, or duties owed to, QF and outside their respective areas of research interest.
- Intellectual Property developed or in development that is subject to an existing third party agreement executed prior to the promulgation of this Policy.
- Where expressly stated in this Policy.

4.4 THIRD PARTIES AND INTELLECTUAL PROPERTY

IPTT may, after consulting with the QF Legal Department, acquire on behalf of QF rights to Intellectual Property from third parties, including any exempt Intellectual Property, when to do so would substantially further QF's research and economic development interests. All such arrangements shall be arranged by IPTT and governed by their own contractual terms, rather than by this Policy.

Members of the QF Community should not enter into any agreements (verbally or in writing) with third parties which seek to grant ownership of Intellectual Property, or assign, licence or otherwise deal in any rights without consulting with IPTT.

Members of the QF Community should not enter into any agreements (verbally or in writing) with academics, researchers or consultants of a University, research institute or similar organisation without that person's employer or principal being made a party to the agreement.

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4.5 SUBMITTING THE INVENTION DISCLOSURE FORM

All Inventions by QF Community members must be disclosed first to IPTT using the Invention Disclosure Form. Such disclosure should include documentation to fully describe the invention, ownership and third party rights, its prior art and potential utilization.

Such forms shall accurately convey all relevant information in a detailed and timely manner and shall be signed by all inventors and submitted directly to IPTT.

These disclosure requirements also cover third party Intellectual Property in which QF may have rights, including rights for non-commercial purposes. Such documents will also be used to distinguish what is not owned by QF and therefore owned by others.

QF Community members shall ensure that all Inventions disclosed or presented by them as original, shall in fact be their original works and not wholly or substantially copied from the work of others.

4.6 ASSIGNMENT OF IP

Members of the QF Community who generate Intellectual Property may be asked to execute formal written assignments to QF such as the IP Assignment Form and, from time to time, may be asked to sign any other documents, such as powers of attorney, that may be required by QF to protect its legal and beneficial ownership of rights to Intellectual Property.

An Inventor or Author may at any time, request a re-assignment of the IP to them. This request should be made in writing to IPTT which will issue a decision following an evaluation of the relevant IP and consultation with the senior manager(s) responsible for the inventors' work.

IPTT may, acting on behalf of QF, assign any Intellectual Property owned by QF to third parties, upon the recommendation of the Executive Director of IP & Technology Transfer who may seek consultation with the senior manager(s) responsible for the inventors' work if there is question whether such assignment is in line with the research and economic development interests of QF.

4.7 PUBLICATIONS AND DISCLOSURE TO THIRD PARTIES

QF encourages the dissemination of knowledge for wider public benefit and use. QF Community members are encouraged to publish research results provided such disclosures do not compromise the protection of QF's Intellectual Property rights.

As public disclosure of information may jeopardize the patentability of QF rights, members of the QF Community, if they believe that a planned publication, oral presentation or other promotional material may contain unprotected IP, are requested to consult with the IPTT prior to release of that information. If unprotected IP is confirmed, IPTT will work with the author or presenter in a timely manner to protect the information so the rights of the author and the Foundation are not jeopardized.

4.8 EVALUATING AND PROTECTING IP

IPTT will evaluate all disclosed Intellectual Property for its utilization potential and determine the appropriate means for protecting and promoting the development of the Intellectual Property. IPTT will seek input from the applicable Q-Committee in deciding whether to patent. Inventors and Authors will cooperate with the IPTT, and the applicable Q-Committee, in evaluating and protecting QF’s Intellectual Property.

When the filing of a patent application has been authorized by IPTT, after consultation with the committee on a disclosed Invention, IPTT will work with the Inventors to prepare a patent application. Inventors are required to provide a reasonable level of assistance throughout this process and reference any supporting research assets.

4.9 LICENSING OF IP

IPTT will negotiate licenses of QF’s Intellectual Property, with due consideration of the wishes of the inventor’s Center and the Foundation’s interests through the Q-Committee, to increase the likelihood that the Intellectual Property will provide public benefit and value to Qatar in line with the *Qatar National Vision 2030*. In support of Qatar’s development missions, IPTT’s approach to licensing will principally focus on licensing regional companies and encouraging local spinouts.

The license will generally cover responsibility for nonrefundable license fees, IP registration (such as patent applications) expense reimbursement, royalty and minimum royalty payments and a requirement of due diligence and march-in rights where the licensee does not perform adequately. In some instances, equity options may be included.

4.10 DISTRIBUTING IP REVENUES

In the commercialization of QF’s Intellectual Property, IPTT will receive all IP revenue payable and, in recognition of the efforts and contributions of the Inventor(s), distribute total Net IP Revenue received by QF as follows:

QF Sole Funding	<ul style="list-style-type: none"> • IP revenues to be distributed equally to QF and participating institutions whose employees are named as inventors on applications for patents • QF internal distribution: <ul style="list-style-type: none"> First QR 500,000 80% to Inventors jointly 20% to Institution Next QR 5,000,000 50% to Inventors jointly 50% to Institution
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	Next QR 5,000,000 20% to Inventors jointly 80% to Institution Above QR 10,500,000 5% to Inventors jointly 95% to Institution
QF Joint Funding	<ul style="list-style-type: none"> • Equal shares of costs and revenues to be distributed to each joint owner. • QF internal distribution will be distributed in a manner similar to that described in as “QF Sole Funding.”

In the case of a dispute over the allocation of Net IP Revenue which cannot be resolved between the parties, such revenue will be distributed as determined by the Executive Director of IP & Technology Transfer, whose decision will be final.

IPTT will consult with the QF Legal Department in determining whether to distribute the proceeds of any sale of QF IP or QF's share in any IP, and the allocation of any such proceeds.

4.11 EQUITY

IPTT will, in consultation with the QF Legal Department, advise on and negotiate equity agreements where equity is offered in exchange for IP in any resulting start-ups or technology ventures on behalf of QF that have provided equity shares to QF in exchange for rights to QF intellectual property. Equity options will be monetized at the first opportunity for public sales.

4.12 DISTRIBUTING EQUITY REVENUES

Proceeds from the liquidation of equity received will be distributed as IP revenue in a manner similar to that described in “Distributing IP Revenues,” above, taking into consideration direct expenses and revenue sharing obligations.

4.13 REQUIREMENTS FOR THE PROTECTION OF INTELLECTUAL PROPERTY RIGHTS

Patents

PTT has the discretion to make decisions related to patenting of QF Inventions and will give due consideration to the recommendations of the relevant Q-Committee established for the purpose of determining that they meet the requirements of patentability, demonstrate commercial viability and are in alignment with QF's development interests. Patent applications are filed in the name of QF and will

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acknowledge all Inventors. In jurisdictions where patent applications must be filed in the name of the Inventor(s), the Inventor(s) will execute all necessary assignments and other agreements requested by QF or its nominee to ensure QF's legal and beneficial ownership of the Invention and related patent applications and registrations.

Copyright Notices

QF Community members should ensure that all copyright works to be disclosed, published or presented outside the QF Community bear a copyright notice in accordance with Qatari law and relevant international copyright treaties. All QF owned or developed materials should bear the notice: Copyright © [year of publication] Qatar Foundation. All Rights Reserved; or such other notice as may be directed by the QF Legal Department. QF Community members should consult with their Communication Departments before using the name of any other academic institution, research centre or the specific name of a QF centre in the copyright notice.

Trade marks

The QF Legal Department has taken steps to centrally register and manage trademarks that are developed specifically to enhance QF's organisational identity and the value of QF's Intellectual Property. QF shall have sole ownership and right to register and display trademarks and domain names using the name and logo of QF. QF Community members should not alter the QF name, trade mark or logo to designate or endorse any third party goods or services without the prior approval of the QF Legal Department. Similarly, QF Community members should not allow third parties to use the QF name, trade mark or logo (either by themselves or together with third party trade marks) without the prior approval of the QF Legal Department and the Communication Directorate.

Confidential Information

QF Intellectual Property may contain valuable and proprietary information such as research results, know-how and certain proprietary business information ("Confidential Information") which may be protected by law. Research in progress, unpublished research results and proprietary information received from third parties shall be treated with care and with due regard for potential patentability. Written records must be kept of the date and extent of disclosure of QF Confidential Information to any third party and whether or not such

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third party executed a Non-Disclosure Agreement. QF Community members will ensure that Non-Disclosure Agreements are signed prior to any third parties receiving Confidential Information and notify IPTT in advance of any disclosures.

4.14 REQUESTING WAIVER OF PROVISIONS

Requests for a waiver of any provisions of this Policy should be made in writing to IPTT. IPTT will seek a determination from a committee comprised of the QF General Counsel, the President of HBKU and the President of QFRD (or their representatives). The determination of the committee shall be final and binding on such request.

The request must identify which provisions of the Policy are requested to be waived, the reasons why, and how the waiver would be consistent with the interest of QF.

4.15 POLICY REVISIONS

These Policies or any part of them may be amended by the Qatar Foundation in its absolute discretion from time to time and the Policies as amended shall apply to all Intellectual Property disclosed by the QF Community after the effective date of such amendment. All Intellectual Property disclosed prior to the amendment shall be governed by the Policies prior to such amendment.

5. Terms and abbreviations

5.1 DEFINITIONS

Office of IP & Technology Transfer (IPTT)

The Office of IP and Technology Transfer manages invention disclosures, intellectual property and is responsible for developing and implementing strategies to support the commercialization or utilization of QF's Intellectual Property. IPTT provides contractual support to include non-disclosure agreements, sub-contract agreements, material transfer agreements, and license and investment agreements. IPTT facilitates and promotes technology-based innovation and entrepreneurship in line with the goals of QF to support the *Qatar National Vision 2030*.

Awardee

The recipient of a grant or funding from QF originating with or intended for use by any of the entities of QF for a specific purpose with which to conduct research, development or deployment activities under a grant or contract issued and signed by QF.

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Collaborative Research

Research conducted by any entity under QF in collaboration with any local or international institutions or organizations where QF Community are actively involved in the research process.

Commercialization

As used in this document, the act of transforming inventions (ideas made manifest) to innovations (inventions made commercially available).

Intellectual Property (IP)

All tangible and intangible rights including, without limitation, all copyright, all design rights and the right to apply for a registered design or similar protection (including protection as an industrial model), all rights in trade-marks, trade names, business names and domain names, all patent rights and rights to inventions, R&D assets, all rights in confidential information, know-how, expertise, recipes, formulas and formulations, all database rights and all rights of whatsoever nature in computer software and data and all other similar proprietary rights, whether registered or unregistered, including any and all associated goodwill, in all parts of the world for the full term of such rights, including all renewals and extensions.

IP Assignment Form

Written declaration of assignment of Intellectual Property rights from one party ("**Assignor**") to another ("**Assignee**") in line with this Policy to allow the Assignee to act in its full capacity as the owner of such rights.

Invention

A novel creation, device, method, composition or process. Certain inventions can be protected by patent, copyright or other related rights under the statutory

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requirements of any jurisdiction

Inventors and Authors

Anyone who makes significant intellectual contribution to the conception or reduction to practice of a novel idea, authors or creates Intellectual Property and who satisfies any applicable statutory requirements of inventorship or authorship.

Invention Disclosure Form (IDF)

Written description of an invention and related assets submitted to IPTT that enables IPTT to understand the invention, supports the technical and commercial evaluation of the invention, and in securing IP protection.

Net License Revenue

Gross revenue or proceeds received in consideration of a transfer, sale or the grant of Intellectual Property rights under a license, less direct expenses and, when applicable, agreed revenue-sharing obligations to sponsors and joint owners of the licensed Intellectual Property rights.

Qatar Enterprise

A Qatari national; an entity established in Qatar under a Qatari law or decree; or a commercial entity incorporated or registered in Qatar in which at least 51% of the issued share capital is owned by Qatari nationals.

Q-Committees

Separately constituted committees will be assembled to consider the merits of new invention disclosures from each Department, Center or Institute. The committee will evaluate patentability, marketability and strategic value of the disclosures. Members will include the appropriate IPTT Commercialization Manager, the market analyst, and the patentability analyst and a representative of the Department, Institute or Center assigned by that unit's management.

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QF Community

All QF Employees and students at QF and its network of centres, institutions and partnerships who participate in research and development work and who receive funding directly or through research collaborations funded by QF.

QF Employee

Individuals who are working on a temporary or permanent basis for QF (including its network of centres, institutions and partnerships) and are bound by a QF Employment Agreement or are actively receiving remuneration from QF.

QF Resources

QF funding, facilities, equipment, personnel, tangible research materials, or information that is not available in the public domain.

Traditional Academic Works

All scholarly or academic works, regardless of the medium, created by QF Community authors independently and at the author's initiative to support teaching and other academic purposes. Such works comprise educational, scholarly, artistic or literary works such as personal lecture notes; books, articles, academic publications; seminar papers; theses, essays, academic journal articles; course materials produced for issue to internal students, notes created for the author's own personal use, and works of fine art. This definition does not include works specifically commissioned by QF.

6. References (N/A)

7. Appendix

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APPENDIX A

Responsibility Assignment Summary*

IPTT

- **IPTT is responsible and accountable for:**
 - Administering the IP policy
 - Capturing and transforming advances, discoveries and invention to innovations
 - Evaluating, managing and commercializing QF IP and QF's Interests in IP
 - Determining the appropriate means for protecting, registering and maintaining IP
 - Promoting the development of Intellectual Property
 - Managing, drafting, negotiating, granting, assigning, acquiring and administering IP rights in IP agreements and IP terms in Agreements across the QF Community
 - Administering, receiving, allocating and directing distribution of Royalties from IP
 - Advising and negotiating equity agreements where equity is offered in exchange for IP

QF LEGAL

- **QF Legal is responsible and accountable for:**
 - Registering, Managing and Approving QF's Centrally Managed Trademarks (as specified in the Policy)
- **QF Legal is Consulted:**
 - On IP acquisitions, distribution of proceeds of sale of IP and IP equity transactions when required under the IP Policy

QF Communications Directorate

- **QF Communications Directorate is responsible and accountable for:**
 - Approving the use of Trademarks

QF Community **

- **QF Community is responsible and accountable for:**
 - Avoiding entering into any agreements (verbally or in writing) that grant ownership of Intellectual Property, or assign, license or otherwise deal in any IP rights without IPTT's approval
 - Disclosing all Intellectual Property first to IPTT using the Invention Disclosure Form prior to any disclosure to a third party that might jeopardize QF's patent position
 - Executing agreements and forms as required and when requested by QF to protect QF IP

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- Ensuring that all copyright works are appropriately marked and trademarks are not misused (QF Legal and the Communications Directorate must be consulted before using a QF centre name in the copyright notice)
- Protecting research in progress, unpublished research results and proprietary information received from third parties from disclosures that might harm QF or negatively impact QF's IP position and QF's obligations to third parties
- Notifying IPTT prior to and keeping written records of disclosures of QF Confidential Information to any non-QF party

Inventors and Authors

- **QF Inventors and Authors are responsible and accountable for:**
 - Cooperating with the IPTT and the applicable Q-Committee, in evaluating and protecting QF's Intellectual Property
 - Providing a reasonable level of assistance throughout the process of protecting IP and referencing any supporting research assets
 - Executing all necessary assignments and other agreements requested by QF or its nominee to ensure QF's legal and beneficial ownership of the Invention and related patent applications and registrations

Q-Committees

- **Q-Committees are responsible and accountable for:**
 - Assessing the patentability, marketability and strategic value of the disclosures.
 - Providing input in deciding whether to patent
 - Providing input on licenses of QF's Intellectual Property, with due consideration of the wishes of the inventor's Center and the Foundation's interests

Others

- A committee comprised of QF General Counsel, the President of HBKU and the President of QFRD (or their representatives) must approve any requests for written waivers to the IP Policy.
- Senior leadership is consulted during the negotiation of agreements when deviations in section 4.2 of this Policy are required.

** This responsibility assignment summary was not included in the version of the IP Policy approved by the QF Board. It is based on the roles specifically described in the policy and is for informational purposes only. The precise nature and scope of responsibility, accountability, consulting, and informing is specifically provided in the IP policy above.*

***Note that IPTT, QF Legal, Inventors and Authors, Q-Committees and Others are all QF Community Members as well.*