

APPENDIX 1

FRAMEWORK FOR IMPLEMENTATION OF THE POLICY

ORGANS AND INSTRUMENTS GUIDING THE IP POLICY

The management, protection and commercial development of Intellectual Properties in the University requires the necessary framework for the implementation of this policy and the provision of legal safeguards for the protection of IP rights of the University and other parties. To this end, the University shall have in place the following:


1. LABTOP/The Intellectual Property Board

1.1 Membership

The University shall have an LABTOP/Intellectual Property Board which may consist of the following members:



i.	DVC (RTI)	Chairman
ii.	Director, LABTOP	Member
iii.	Director of CREDIT	Member
iv.	Director of the University's Legal Unit	Member
v.	Intellectual Property Specialist	Member
vi.	An IP awardee	Member
vii.	A PG students' Representative	Member
viii.	A Deputy Registrar	Secretary



1.2 Duties of the Board

The responsibilities of the IP Board shall be to:

- consider and advise the Vice-Chancellor on all matters of policy relating to Intellectual Property Rights;
- interpret and administer the University's Intellectual Property Policy;

- iii. determine the general performance of LABTOP/IPMO and approve action plans for the office;
- iv. consider and approve half-year business, financial and any other reports of the LABTOP/IPMO; and
- v. perform other duties provided for by this policy or as may be necessary from time to time for the proper implementation of this policy.

1.3 LABTOP/IPMO

1.3.1 Responsibilities of the LABTOP/IPMO

An Office known as LABTOP/IPMO otherwise known as LABTOP shall be created to be responsible for the management of protection and commercialisation of Intellectual Property of the University. The office shall be responsible for the following:

- i. achieving the goals and objectives set out in Section 1.3 of this policy.
- ii. coordination of IP disclosures;
- iii. conducting IP audit in the University once every calendar year or once every academic session or as may be necessary from time to time;
- iv. undertaking of IP search;
- v. completion and pursuit of applications for patents, copyrights and other IPR(s);
- vi. processing and safeguarding of all IP agreements;
- vii. evaluation of the commercial potential of all IP(s);
- viii. obtaining appropriate protection for all IPs;
- ix. identification of and engagement with suitable commercial development partners;
- x. approving, advising on and coordinating IP exhibition by the University or any part thereof;
- xi. negotiation and management of licenses, contracts and agreements;
- xii. ensuring the handling of IP disclosures and processes with utmost confidentiality;
- xiii. ensuring that the distribution and disbursement of revenues accruing from the commercialisation of IP assets are made as provided for by this policy; and
- xiv. performing other functions demanded of it by this policy and the IP Board.

1.4 Units of the LABTOP/IPMO

The LABTOP/IPMO shall have four units each to be headed by a manager. Assistant managers and other supporting staff may be appointed for the units as may become necessary. These units are:

- i. Legal and Compliance Unit;
- ii. Operations Unit;
- iii. Business Development Unit; and
- iv. Finance Unit.

1.5 Officers of the LABTOP/IPMO

There shall be officers appointed by the Vice-Chancellor to manage LABTOP/IPMO. The officers shall serve for a tenure of three/two years. The officers shall be as follows:

1.6 Director:

There shall be a Director who shall be appointed by the Vice Chancellor for the LABTOP. The Director shall serve for three years and be responsible for:

- i. the day-to-day management of the LABTOP BOARD/IPMO;
- ii. the implementation of schedules of duty and realization of the objectives of the office as set out in paragraph 1.3;
- iii. implementation and enforcement of the IP Policy; and
- iv. any other duty as may be assigned by the Vice-Chancellor.

1.7 Deputy Director

The Deputy Director will also be appointed by the Vice Chancellor for a period not exceeding two years to assist the Director in the discharge of his responsibilities.

1.8 Legal and Compliance Manager

The Legal and Compliance Manager shall be responsible for:

- i. confirming through due diligence the capacity of prospective partners, investors and clients;
- ii. participating in negotiations, contract drafting, reviewing and issuing core IP contract documentations (e.g., non-disclosure agreements, etc);
- iii. ensuring all related correspondences and documentations are recorded securely and systematically;
- iv. ensuring compliance of parties to terms of IP related contracts, agreements and other IP related documents involving the University;
- v. reviewing all contracts and award letters associated with funding of IP projects and any third party contracts related to IP projects;
- vi. identifying potential legal or contractual constraints relating to transacting IP projects and working with the Director of LABTOP/IPMO and others involved to resolve any issues arising;
- vii. drafting due diligence reports ensuring that key information is provided accurately and comprehensively;
- viii. ensuring that patent examination, documentation and processes comply with legal and policy standards and requirements;
- ix. management of IP infringement cases together with external legal experts on behalf of the University;
- x. enforcement of compliance of the IP processes with relevant local and national laws, regulations and policies as well as with this policy and other policies and regulations in force; and
- xi. providing legal and compliance advisory for the promotion and regulation of start-ups meant to pursue commercialisation of IPs in accordance with this policy.

1.9 Operations Manager

The Operation Manager shall be responsible for:

- i. conducting preliminary IP searches for researcher(s)/creator(s), lecturers, students and other persons covered by the IP policy;
- ii. conducting state-of-the-art IP searches on disclosed and assessed IPs;
- iii. assisting creators in drafting their patent specifications and completing their patent application forms;

- iv. conducting critical evaluation of submitted creations to determine their novelty and/or possible areas of improving them;
- v. interaction with other LABTOP/IPMO colleagues and Patent Examiners to implement patent processes and respond to observation raised on patent applications;
- vi. ensuring that patents are renewed as at when due;
- vii. ensuring that the University's patent renewal records are accurate and free of errors;
- viii. liaising with the relevant stakeholders to ensure that royalties, obligations and payments are promptly recovered and royalties are allocated accordingly;
- ix. updating and maintaining records of all post-deal activities on IP management database including up-to-date contact details of licensees;
- x. supporting the Coordinator of LABTOP/IPMO in maintaining regular contacts with licensees to ensure good on-going relationships;
- xi. producing routine reports from the IP management database as may be required from time to time;
- xii. liaising with the Directorate of Research, Innovation and Development to identify sponsored research agreements and liaise with academic staff members and LABTOP/IPMO colleagues to determine whether IP arising from sponsored research has commercial potentials; and
- xiii. liaising with his colleagues in the LABTOP/IPMO, as appropriate, to assist with negotiating appropriate revenue streams from commercialisation of IPs.

1.10 Business Development Manager

The Business Development Manager shall be responsible for:

- i. identification and exploration of commercialisation opportunities for IPs;
- ii. facilitating partnerships between the University and other stakeholders and investors towards the creation and commercialisation of IPs;
- iii. facilitation of customer and vendor qualification requirements and communication;
- iv. participation in negotiations;
- v. carrying out business or market feasibility studies for technology products;

- vi. providing business and entrepreneurial advice to staff and students;
- vii. promotion of subsidiary companies;
- viii. drafting of business plans, market feasibility reports, commercialisation plans and timelines and other business documents for the LABTOP/IPMO; and
- ix. projecting IP-related products of the University to the market.

1.11 Finance Manager

The Finance Manager shall be responsible for:

- i. keeping financial records and managing the LABTOP/IPMO's day to day accounts;
- ii. preparation of periodic account books, statements and documents as will be required from time to time;
- iii. advising on financing, taxation and/or other related issues on Intellectual Property as will become necessary from time to time; and
- iv. performing other functions that will support proper finance and accounting of all the operations of the LABTOP/IPMO and/or as directed by the Director of LABTOP /IPMO.

1.12 Secretary of the LABTOP/IPMO/LABTOP

The University Registrar shall deploy a staff to serve as Secretary of the LABTOP/IPMO. The Secretary shall:

- i. be a senior staff of the University with sound and demonstrable administrative, communication and writing skills;
- ii. record and manage LABTOP/IPMO's activities and correspondences;
- iii. take minutes in meetings of the LABTOP/IPMO and in all other meetings that the Coordinator of LABTOP/IPMO directs him to take minutes; and
- iv. generally and reasonably support the Coordinator and other Officers of the LABTOP/IPMO in realizing the responsibilities and goals of the Office.

1.13 Administrative Officers

The Registrar shall deploy to the LABTOP/IPMO/LABTOP secretarial staff, office assistants and other administrative staff as may be requested by the Director of LABTOP/IPMO/LABTOP.

1.14 Commercialisation Officers of Schools and Centres

In liaison with the Provosts/Deans/Directors of Colleges/Faculties/Centres, the Director of LABTOP/IPMO shall recommend to the Vice-Chancellor, academic staff of Schools and Centres to be appointed as IP Commercialisation Officers of Colleges/Faculties and Centres. There shall be one such officer for each Faculty and each Centre whose tenure shall be two years and renewable for another two years. No School/Centre's Commercialisation Officer shall serve for more than four years.

1.15 Dispute Resolution

1.16 Disputes may arise at the various stages of protecting and commercialising an IP and it is the responsibility of the University to ensure that such disputes are resolved amicably for the good of the University, the public and the parties concerned. Where an amicable resolution of a dispute is not achieved, the matter shall be referred to the IP Dispute Resolution Panel.

1.17 The IP Dispute Resolution Panel shall have the following members:

- i. A Deputy Vice-Chancellor, RTI appointed as the Chairman of the Panel by the Vice-Chancellor;
- ii. The Director of the Directorate of Research, Innovation and Development/LABTOP;
- iii. The Coordinator of LABTOP BOARD/IPMO/LABTOP;
- iv. The Dean/Director of the School/Centre/Unit of the Creator of the IP that is the subject of dispute;
- v. If the creator is a member of an academic department, the Head of his department;
- vi. A representative of the Staff Union of the creator of the IP that is the subject of the dispute;
- vii. If the dispute involves a student, a representative of the Student Union;
- viii. If the dispute involves a postgraduate student, both the Dean of the student's School and the Dean of postgraduate School; and
- ix. A representative of the Legal Unit of the University.

1.18 A party that is not satisfied with the decision of the panel may appeal to the IP Board of the University and, if still not satisfied, has a further right of appeal to University Council. The decision of the Council shall be final and binding upon all the parties.

1.19 Amendments

The University's Intellectual Property Board shall have the powers to amend any error or inconsistency observed in this document insofar as such amendments do not amount to policy changes. Policy changes shall be addressed by reviews (See section 8.5).

1.20 Review

1.20.1 This Policy may be reviewed at intervals not exceeding five years in order to take account of new legal, policy and institutional developments.

1.20.2 The Vice-Chancellor shall set up a committee to review the policy. The committee shall be headed by a Professor and membership of the committee shall include Director of CREDIT, the Coordinator of LABTOP/IPMO/LABTOP, one (1) representative of the Legal Unit, at least two (2) members of the Senate, and any other representation as deemed fit by the Vice-Chancellor.

1.21 Breach of the Rules of this Policy

1.21.1 Breach of the provisions of this policy shall amount to misconduct and shall be dealt with under the normal disciplinary procedures of the University for both staff and students.

1.22 Entry into Force of this Policy

1.22.1 This policy shall come into effect on approval by the University.

1.22.2 All IP related agreements, projects and programmes started or concluded by the University and creators of IPs at an earlier time than the approval of this policy shall be made to conform as much as possible with the provisions of this policy, based on the MOU that created them.