PRINCIPLES FOR COMMERCIAL EXPLOITATION AT THE UNIVERSITY OF OULU

General principles of protection and exploitation of research results at the University of Oulu

1. AIMS

The University's goal is to commercially exploit such research results which produce financial profit to both the researcher and the University. The starting point is the primary goal of university research: the production of scientific publications and theses.

Commercial exploitation of research results supports university research, for example by additional research funding. Any actions needed for commercialization are timed so that they do not cause delay to scientific publishing. On the other hand, a publication should not endanger the protection of the results. The aim is to publish research results in high-level international forums, which will in turn support activities aiming at commercial exploitation.

2. ACTIONS

Commercial exploitation actions are clear and transparent. The University will pay attention to those contractual obligations which govern the exploitation of project results, and make research agreements which enable the results to be widely exploited in the society.

Exploitation tasks are organised in a way that encourages researchers and other inventors: costs, profits and risks are shared fairly. The University considers the successful exploitation of research results and know-how to be an important merit to its staff.

In exploiting research results, the University consults its networks of experts when needed, and aims to create long-term cooperation with both companies directly exploiting the results and intermediary organizations.

3. CONFLICTS OF INTEREST

The University helps its researchers to recognize potential conflicts of interest that may arise when exploiting research results, and provides guidelines and practices to ensure that appropriate actions are taken.

The University's goal is to avoid organization-level conflicts.
4. COMMERCIAL EXPLOITABLE RESEARCH RESULTS MADE AT THE UNIVERSITY

The nature and potential to commercial exploitation of results vary considerably by discipline. The obvious patentable results are inventions, computer software, materials and databases.

The Act on the Right to Inventions made at HEI’s (L369/2006) came into effect in 2007, and concerns the whole staff of the University. According to the law, a person who has made a potentially patentable invention must disclose the invention to the University.

The law makes it possible for the University to claim rights to its employees' inventions with certain conditions. In such cases, the inventor is entitled, according to the law, to a reasonable remuneration (Instructions on the payment of invention compensation).

In contract research these rights are claimed in cases where:

1. A commercial partner is willing to acquire the rights from the University,
2. The researchers want to start up an enterprise that exploits the results of the research project (in which case the University transfers the rights to the enterprise), or
3. It is well-founded from the point of view of further research or exploitation as a whole.

The researchers of the University also have the possibility offer the rights of so-called open research to the University. In such cases, the University carries the expenses arising from protection, finding suitable companies for exploitation, contract matters and overseeing the actions of the exploiting company, and invoicing.

5. EXPLOITATION OF RESULTS

The University's primary aim is to optimally exploit its research results by commissioned research, licensing, sales and/or start-up companies. The University also encourages its employees and students to take part in business activities and exploit their know-how outside the academic world.

- Commissioned/customer-financed research is justified when research results are applied to the customer's needs. In commissioned/customer-financed research, results belong to the commissioner/customer.
- Licensing is justified when it is sensible that the results are owned by the University for example for the purposes of further research.
- The sale of results is justified when the University/researcher no longer needs the results for further research.
- Starting up an enterprise is justified when the commercialization of results requires further development not suitable to be carried out as University research.

The University may participate as an owner in a new research-based enterprise when the business idea is closely linked with research performed at the University of Oulu, and the key researchers are committed to the commercial exploitation of results.

The University shall have a passive role in the enterprise’s functions and it shall not have any responsibility to invest further funding. The University shall always be a minority share holder. The share of ownership is affected by the amount of investment by the University, e.g. towards patenting or proof-of-concept costs.

Ownership is generated in two ways:

- University-owned IP (intellectual property, e.g. patent, copyright) is transferred to an enterprise against a share of the ownership of the enterprise, or

- University subscribes shares of the founded enterprise

6. TRAINING

The University of Oulu offers its staff, researchers and student advice, counselling and training on matters related to exploitation, intellectual property rights and start-ups.

7. ADMINISTRATIVE UNIT

Innovation Services of the University has the primary administrative responsibility of support services related to exploitation and IPR management, as well as of application, maintenance, and enforcement of IPR owned by the University.

This document has been approved by the University Board on October 19, 2010 and it replaces the document “Principles for Innovations made at the University of Oulu” (dated November 21, 2006).