

REVENUE-SHARING AND COMMERCIALIZATION

Section: Academic/Student (AC)

Subject: Programs and Curriculum

Legislation:

Effective: January 30, 2007

Revision: November 22, 2012; September 1, 2016 (reformatted)

APPROVED:_____
President and CEO**POLICY**

The policy of the Board of Governors is to protect the intellectual property resulting from works or inventions developed using SAIT's facilities, funds or resources and to encourage creative and innovative endeavours of SAIT employees.

PROCEDURE**GOVERNING PRINCIPLES**

1. SAIT values the contributions of its employees and contractors in the generation of works, inventions and related intellectual property rights, and encourages this activity through revenue-sharing incentives in certain circumstances.
2. Any net revenues received from an original work or invention, where that work or invention has resulted from an applied research project, or received as a result of the commercialization of the related intellectual property rights in that work or invention, will be divided between the creator and SAIT as set forth in this procedure, pursuant to SAIT and the creator executing SAIT's Revenue Sharing Agreement form. This form is available from the Applied Research and Innovation Services department (ARIS).
3. Students' intellectual property rights are governed by SAIT procedure [AC.3.10.1 Ownership of Student-Produced Work](#). Students are encouraged to contact ARIS, as ARIS will facilitate and provide resources to support students in their entrepreneurial undertakings.

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4. Creators are encouraged to contact ARIS for support pertaining to intellectual property, commercialization and related issues.

PROCEDURE

A. Revenue-Sharing

1. If the creator has ownership of the work or invention as a result of SAIT's relinquishment or waiver of its ownership rights (as per procedure [AC.2.11.1 Intellectual Property](#)), the director of ARIS and the creator shall negotiate the proportionate share of net revenues that SAIT and the creator shall each receive. SAIT shall obtain a minimum negotiated share of not less than 10 percent of net revenues, taking into account the investment made and risks assumed by the creator and the extent to which SAIT resources were used in the creation and development of the work or invention.
2. If SAIT has ownership of the work or invention, the director of ARIS and the creator shall negotiate the proportionate share of net revenues that SAIT and the creator shall each receive, taking into account their proportionate interests in and contributions to the work or invention.
3. In some situations, other compensation alternatives, such as royalty rights or equity interests, may be considered in lieu of net revenues.
4. If SAIT has ownership of the work or invention and the creator is a SAIT employee, then in recognition of the involvement and input from the creator's school or department, SAIT will normally distribute its portion of the net revenues it receives as follows, subject to approval by the Board of Governors:
 - a) 60% to be placed in a SAIT internally-restricted fund, under ARIS's budget, for use by all SAIT divisions for innovation project funding; and
 - b) 40% to be placed in a SAIT internally-restricted fund for use by the creator's school/department for innovation project funding.
5. If a SAIT employee or contractor is the creator and also has ownership of the work or invention (for example, the work was not produced during the regular course of employment, was not assigned to SAIT and was not produced using SAIT's facilities, funds or resources either on-campus or off-campus), the revenue-sharing arrangements listed above do not apply.

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B. Commercialization

1. If SAIT has ownership of the work or invention, SAIT may choose to commercialize the related intellectual property rights through SAIT or through a third party without the creator's involvement, subject to procedure [AC.2.11.1 Intellectual Property](#) and the revenue-sharing provisions in this procedure. However, SAIT will make reasonable efforts to include the creator in the decision-making process.
2. If a SAIT employee or contractor is the creator and also has ownership of the work or invention, that individual may commercialize the related intellectual property interests without SAIT's involvement, subject to procedure [AC.2.11.1 Intellectual Property](#). During the marketing of and communication about the work or invention, however, the creator must recognize SAIT's contribution to the work or invention.
3. Any external organization, individual or vendor wishing to use SAIT's name, logo, trademarks and/or wordmarks must obtain permission from the Communications and Marketing department to do so. SAIT's logos, trademarks and/or wordmarks may not be used without SAIT's permission in conjunction with any private or commercial enterprise, in tandem with the advertisement of any product, or by any individual or group promoting itself.

POLICY/PROCEDURE REFERENCE

AC.2.11	Intellectual Property policy
AC.2.11.1	Intellectual Property procedure

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