

Section 35: BIMM Institute Student Intellectual Property Policy

Introduction

This policy outlines the rights of students regarding Intellectual Property (IP) created during their course of study at BIMM Institute. As such, it seeks to clarify ownership of IP rights and licenced uses of IP by both the Student and BIMM Institute.

General Principle

As a general rule, BIMM Institute makes no claims over IP generated by students in the course of their study at BIMM Institute. Students are, therefore, free to exploit the IP they generate in the course of their study. This includes published songs, written articles or any other such work they create during their time at BIMM. There are, however, some exceptions to this rule.

Exceptions

Students on Placements

When students are on placement, the company providing that placement may make it a condition that any IP the students create in the course of their duties may belong to the company. If students sign an employment contract as part of their placement, or by some other means are deemed to be employees under law, all IP generated in the course of employment is owned by the Employer as a general matter of law unless agreed otherwise.

Collaborative Work with Members of BIMM Institute Staff

If a student generates IP jointly with college employees while they are acting in the course of their duties to BIMM Institute this will likely result in a shared IP, with rights split between BIMM Institute, the employees in question and the student. If the student wishes to commercialise any such IP, they will need to contact BIMM Institute and formalise the ownership and revenue share of the IP.

Work based on BIMM Institute owned IP

If a student generates IP which builds upon existing IP owned by BIMM Institute, the student must notify BIMM Institute before commercially exploiting or publicly publishing any such IP. BIMM Institute reserves all rights in regards to its intellectual property and studying at BIMM Institute does not give students any rights over any such IP.

Sponsorship of student activity

If an activity or project is sponsored by BIMM Institute or any third party, the sponsoring organisation may require that some or all IP rights generated in the course of the activity or project are assigned to them. For example: if students engage in an event, like a festival, it is common that, as part of the contract governing the performance, the event organiser will retain rights to record and reproduce copies of the performance.

Students employed by BIMM Institute

As a matter of law, all IP and associated rights created by an employee in the course of their employment or duties will generally automatically belong to the employer. If a student is employed by BIMM Institute or one of its associated companies, BIMM Institute will own any IP generated in the course of any such employment. For clarity, BIMM Institute makes no claims on intellectual property generated outside the course of employment unless it falls under any other exception.

Collaboration with other students

When working with a group of peers, IP rights are shared between group members in accordance with current applicable laws. BIMM Institute shall not arbitrate any disagreements between students as to the assignment of rights.

Licence Granted to BIMM Institute

On submission of work containing student generated IP, the student grants BIMM Institute a continuing, non-exclusive, worldwide royalty-free licence. The licence is granted so that BIMM Institute can use the IP in any format (whether existing or future) for administrative, quality assurance, educational and teaching purposes only. The licence may not be revoked until BIMM Institute has carried out all necessary operations for the awarding of the student's qualification. After such time, a student may revoke the license by writing to the College Principal of the BIMM Institute college at which they studied.