

Title: Intellectual Property Policy

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Category: Programs

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Intellectual Property (IP) Policy

1. POLICY STATEMENT

Genome Canada is committed to fostering scientific advancement and innovation through broad access to samples, data, and research tools. We recognize the importance of intellectual property (IP) in translating new technologies from discovery to application. Therefore, we establish the following principles to govern the ownership, exploitation, and protection of IP created or acquired in Genome Canada-funded projects:

Ownership of Intellectual Property:

- IP generated by project participants, including government departments, for-profit enterprises, universities, colleges, research hospitals, and non-profit organizations, shall be owned by the respective participants in accordance with their internal IP policies and applicable legislation.

Exploitation of Intellectual Property:

- Participants and Genome Canada shall strive to exploit IP in ways that maximize benefits for Canada, including through licensing and other mechanisms that promote product development without compromising the availability of new research tools.

Protection of Intellectual Property:

- Participants must implement proper mechanisms for IP protection, including nondisclosure and confidentiality agreements, in accordance with provincial and federal legislation.
- Except for industrial applications, project results should be made readily available to the public to further scientific knowledge. Rapid publication and disclosure of results are encouraged, respecting internal IP policies and legislation.
- For industrial applications and projects involving only private for-profit enterprises or a partnership between a public researcher and a private for-profit enterprise, the IP agreement should clearly state the conditions upon which data, results, or other outputs will be publicly disclosed. All efforts should be made to respect the timelines required for prosecuting IP protections while ensuring that results are disseminated in a timely manner.
- Genome Canada strongly discourages the use of our support to develop patents that impede access to genomic or genotype-phenotype data. We advocate for policies that balance product development with the continuous availability of research tools to the scientific community and industry.

2. PURPOSE

To set forth the general principles governing ownership of IP created or acquired as part of projects in which Genome Canada is a funder.

3. SCOPE

The policy applies to all Genome Canada-funded researchers, receptors, and their host organizations.

4. DEFINITIONS

Intellectual property. Creations of the mind, such as inventions, literary and artistic works, designs, symbols, names, and images used in commerce. It encompasses various legal rights that protect these creations, ensuring that inventors and creators can control and benefit from their work.

5. IMPLEMENTATION

- Applicants to Genome Canada funding opportunities where IP may arise are required to complete an IP term sheet as part of their application.
- Genome Canada will use established adjudication processes to review the applicant's completed IP term sheet to verify that it conforms to Genome Canada's Guidelines for Funding.
- Funded projects are required to complete a legally binding IP agreement between the researchers and/or receptors and/or their institutions.
- Funds will not flow until an acceptable agreement has been approved and incorporated into the terms of award.

6. ROLES AND RESPONSIBILITIES

Genome Canada

- Execute appropriate adjudication processes of submitted IP term sheets to verify they are complete and conform to the Intellectual Property Policy.
- Confirm a legally binding IP agreement has been fully executed prior to the release of funds to a project.

Genome Centres

- Support applicants in developing the IP term sheet submitted with applications and securing an IP agreement for Genome Canada funded projects.

Project leaders and their institutions

- Secure a legally binding IP agreement that includes all partners and satisfies the policy needs of each partner institution.
- Work with the Genome Centres to ensure that the project's IP agreement can be approved by Genome Canada.

7. POLICY HISTORY

Action	Date
Policy issued	September 22, 2000
Policy updated	June 19, 2025