



**BUV SENATE**  
**INTELLECTUAL PROPERTY  
REVIEW POLICY**

Doc. Ref. :  
Approved by :  
Approved Date:  
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Version No : 1.0

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## 1.0 Purpose

The purpose of this document is to provide clarity with regards to British University of Vietnam policy and procedures pertaining to the review and selection of inventions and designs for registration as IP (intellectual property).

## 2.0 Scope

Aspects related to the review and selection of inventions and industrial designs produced by staffs and students within British University of Vietnam for registration with the relevant IP office.

## 3.0 Definitions

**Copyright** refers to the rights granted to authors of eligible works as stipulated in the Malaysian Copyright Act 1987.

**Industrial Design** or **ID** refers to the ornamental or aesthetic aspect of an article.

**Invention** is defined in the Malaysian Patent Acts 1983 to “mean an idea of an inventor which permits in practice the solution to a specific problem in the field of technology and an invention may be or may relate to a product or process.” It also stipulates that “an invention is patentable if it is new, involves an inventive step and is industrially applicable.”

**Intellectual Property** or **IP** refers to a product of the intellect that has commercial value. This includes copyrights, patents, industrial design rights, trade secrets and trademark.

**Inventor** refers to the person or group of persons who invents.

**IP repository database/system** refers to an automated database system that keeps a record of all intellectual property disclosed and the status of all disclosures.

**IP Review Committee** refers to the group of people officially delegated to review intellectual properties disclosed and submitted to British University of Vietnam, and to recommend the proper course of action for each IP disclosed.


**Patent** refers to the property right granted to an inventor or its assignee to exclude others from making, using, offering for sale, selling or importing the invention into the country where the patent is granted for a limited time in exchange for public disclosure of the invention.

**Service Mark** refers to the distinctive word, symbol, sign, design or a combination of these, that identifies a service.

**Trademark** refers to the distinctive word, symbol, sign, design or a combination of these, that identifies an organisation or product.

**Trade Secret** refers to information that an organisation keeps secret to give them an advantage over their competitors.

**Important : All staff must always refer to the controlled copy of this document maintained up-to-date in the Staff Portal. Printed or saved uncontrolled copy should NOT be used in daily operation.**

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#### 4.0 Policy Statement

- 4.1 As intellectual activities are part and parcel of the core activities within any university, it is inevitable that these activities will produce intellectual properties that have commercial value. These IPs can be in the form of an invention, an industrial design and copyrightable work. The treatment of these IPs at British University of Vietnam are captured in the following paragraphs.
- 4.2 The setting up of this intellectual property review policy and procedure is to encourage employees of British University of Vietnam and her students to file inventions that will benefit the individuals and the University as well as to provide a systematic way to filter valuable inventions from those that are not.
- 4.3 Unless negotiated otherwise, all patents filed by British University of Vietnam shall be own and assigned to British University of Vietnam.
- 4.4 Subject to approval by the IP Review Committee, inventors, whose invention has been rejected by the IP Review Committee, should be allowed to pursue other avenue to have **the very same rejected invention** patented via other means.
- 4.5 Other than being filed as a patent, an invention that cannot be easily reversed engineered may be classified as a trade secret.
- 4.6 Industrial design shall be treated and reviewed in a similar manner as invention.
- 4.7 As registration is not required to receive copyright protection for eligible work under the Copyright Act 1987 in Malaysia and 163 other countries under the Berne Convention, copyrightable work need not be reviewed by the IP Review Committee if copyright protection for those countries outside the Berne Convention is not required. Considering that the cost to register a copyright work is not as prohibitive as that for patent, authors of copyrightable work wishing to register their work in countries outside the Berne Convention is encouraged to seek support from their own school or division.



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#### 7.0 Document Responsibilities

Policy Owner : Pro Vice Chancellor, Postgraduate, Research  
& Innovation and Enterprise Data  
Management

Policy Delegate :

#### 8.0 Approval Details

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Management

Approval Date :