

Aalto IPR Cheatsheet v0.2

Unlike most rights, Intellectual Property Rights (IPR) do not give you the right to do things. They give you the right to prohibit others from doing things. **Don't end up in a situation where others can block your research or activities:** you must plan ahead. **It is always better to think and decide in advance:** there are many traps.

- Intellectual property rights allow you to build on your work.
- In research, traditionally you do not need IPR: ideas are free (and only implementation, e.g. a paper, is protected). But, to release your outputs (e.g. software, video, data), you **must** to consider IPR. Same for commercialization.
- **Openness** is making your IPR easily available to others to build on. What we know as “opening” is actually needed to meet usual academic expectations: your outputs can be examined, modified, and built upon.

Types of IPR

- Facts, ideas, concepts, math, algorithms: not subject to IPR.
 - Don't think you are protecting your ideas by protecting IPR of your concrete output. You are just making it harder for people to use your ideas (cite you).
- Copyright: Protects creative expression, e.g. writing, art, etc.
- Patents: Protects the use of inventions (novel, technological, non-obvious creation).
- Sui generis database rights: In the EU, the mere act of making a database creates IPR.
- Trademark: The right to not have a product impersonated.

At Aalto: Who owns what?

- Employees: National legislation (by default) gives rights to employees, except:
 - Externally funded projects' IPR is owned by the university.
 - Directed work (you are doing as instructed) is owned by university.
- Students and others like external collaborators: Always own their work, unless another contract in place (e.g. employment).
- External project agreements or contracts may affect rights in any way, consider first.

Day to day work

- Just providing X to someone to someone implicitly gives the right to view and use, but **not** share again, share modifications, or build upon. Only a proper license can open.
- By putting your data in a shared group directory, you implicitly give consent for others in the group to view, and the manager of the directory to manage access, organize, and delete, but NOT any particular IPR license.
- Using IPR without a license won't stop you from using ideas, but if you decide to directly build upon and share-again, you will be stuck.

- Any work created by more than one person must have licenses approved by *all* creators. This especially includes external collaborators.
- Version control systems are important because they allow you to track authorship.
- Place a LICENSE file in your repositories as soon as possible.

Strategies for rights management

- In general, IPR laws are excessively complicated and biased towards large corporations. For research and the public interest, open is better.
- For research projects, choose an open license at the start, depending on your needs (see below). Ensure that all contributors agree to the license. It's easy to do this at the start, but very difficult at end.
- For projects with a possible commercial potential, choose a share-alike (viral) license: your work will be open, but you retain your commercial advantage.
- The same applies to all work, not just research. Do you want to lose the ability to use your student project because you did not plan with your other group members?

Licensing strategies and levels of openness

- Fully open: (CC-BY, MIT license, Apache2). Anyone can use in open or closed derivatives.
- Share-alike (viral) open (GPL, CC-BY-SA). Anyone can build on, but their derivatives must be licensed the same way. Only you can make closed later. This is recommended if you might commercialize later.
- No derivatives (CC-BY-ND): This allows something to be shared, but not modified. This is not fully open, because it can not be built upon, but possibly useful for arts or writings.
- Non-open: consult Innovation Services for advice.

Commercialization

- Commercialization is the creation of a business model which can bring your work to more people.
- Commercialization generally requires some IPR management during the project phase, or at latest when commercialization starts.
- Openness is not opposed to commercialization. Ideas are free in general. Basic IP created during research can still be opened. When in doubt, release under a viral/sharealike license keeps your strategic benefit for your own commercialization.

Resources at Aalto

- Research and Innovation Services: Project Services (projects) or
- Help for commercialization: Innovation Services. <https://innovation.aalto.fi>
- Aalto Copyright advice: <https://copyright.aalto.fi>
- Aalto IP practical guide: find from aalto.fi