

Intellectual Property Rights Policy and Guidelines (UAL validated programmes)

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1. Introduction

- 1.1. This policy and guidelines are approved by the Higher Education Committee (HEC) and University of the Arts London (UAL) and set out intellectual property rights for work produced and exhibited by students on UAL validated programmes. The policy and guidelines are closely modelled on those published by UAL, with a view to ensuring and assuring that students receive a comparable experience in relation to intellectual property rights to students studying at UAL.

2. Exhibition of work

- 2.1 Students' works (i.e. works of art, artefacts and designs) created in fulfilment of assessment or other requirements of a UAL validated course may be exhibited publicly within the College, in galleries, trade fairs, commercial and professional premises and in many other venues. This arises on the initiative of either the College or the students.
- 2.2 The College supports the personal involvement of students with their creative works, and seeks to collaborate with them in securing opportunities for the works to be seen by the outside professional and public world. The College believes public and private exhibitions to be valuable instruments for developing students' professional engagement.

3. Principles

- 3.1 The principles are as follows:

Principle 1. Up to the time of the student's final academic assessment, the College shall have the final right to decide whether or not works should be exhibited. During this time, and as a requirement of every course, the works may be held in the possession of a student but shall be made available to the College when requested with reasonable notice.

Principle 2. Throughout their course, students have the right to exhibit their work outside the College, subject to the College's priority requirements (see Principle 1 above) and provided they give their Programme Leader reasonable notice of their intention together with the details of the proposed exhibition.

Principle 3. A student exhibiting on their initiative outside the College (see Principle 2) will normally be encouraged to do so. The College shall be entitled to require a student not to exhibit in the following circumstances:

- a) Where the reputation of the College may be adversely affected, decided at the discretion of the Dean of Higher Education and the Principal;
- b) If a contractual relationship, e.g. with a gallery requiring sole rights to exhibit or an industry sponsor requesting the work to remain confidential for a period of time, obliges the exhibitor;

- c) If the work concerned is required by the College for assessment or exhibition purposes.

Principle 4. Whenever a piece of work is exhibited by the College, its author(s) will be credited by name.

Principle 5. Students are entitled to sell works created within and in association with the College, provided that their Programme Leader agrees that those works are no longer required for assessment, exhibition or retention, or is satisfied that the work is still available until the final academic assessment.

Principle 6. Following graduation, student works are normally regarded as the property of the graduate, to be disposed of as they think fit, except that the College shall have the right to retain any piece of work for up to one year from the date of graduation, and shall have the first option to purchase a piece of work if the student is willing to sell it.

Principle 7. Some College live course projects could be specifically sponsored by industry. Principles 1, 2, 4, 5 and 6 above will not apply to these projects. Instead, the students taking part will be asked to give their written agreement to the terms and conditions under which the industry sponsor may wish to buy pieces of works (and/or intellectual property rights) arising out of the live project. If the sponsor requests that the work be withdrawn from the public eye (for legitimate commercial reasons) for a certain period of time, the student(s) will be notified of this requirement.

4. Application of the principles and detailed conditions

- 4.1 Enhancing students' employment prospects through the students' portfolio of work is an underpinning purpose of UAL validated programmes. The right to exhibit or retain work by the College will be set aside where the Programme Leader is satisfied that the work is needed by the student as evidence of their ability to a prospective employer or customer.
- 4.2 Unless expressly agreed with the College (for example in the course of the College commissioning work from a student, the intellectual property rights in works that are the sole creation of the student(s), belong to those student(s). This remains the case, even where the College exercises its option to exhibit or retain a piece of work.
- 4.3 The Principles apply to any original work of art, artefact, or design. In many cases, a second copy or a facsimile in an appropriate medium may, by agreement, enable both the student and the College to hold a version of the work. This will normally be the case where the work is in written form, or is a print, photograph, film, video, or uses any other medium from which accurate copies can be made. The Programme Leader will agree with the students whether the original or a facsimile will be exhibited in each case.

- 4.4 The College's decision to retain a piece of work (see Principle 6) will, other than in exceptional circumstances, be communicated in writing to the student prior to graduation.
- 4.5 Programme Partnership Managers or the Dean of Higher Education make the decision on behalf of the College to retain works or to agree their exhibition or sale elsewhere.
- 4.6 On graduation, except where the College has notified a student in accordance with these regulations (see Principle 6 and Note 5), the right for the College to retain work will normally terminate.
- 4.7 In exceptional cases, where a material of high intrinsic or recycling value (notably precious metal and stones) has been supplied by the College, the College shall retain title to such material, and if it requests a student to return to the College the work using such material for re-use or recycling, it will pay the student the actual value of that material in consideration for the loss or destruction of the work.