



**UNIVERSITY OF CALGARY**  
Institutes for Transdisciplinary Scholarship

# Intellectual Property and (Social) Innovation

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TD Week

May 1, 2025

**The University of Calgary, located in the heart of Southern Alberta, both acknowledges and pays tribute to the traditional territories of the peoples of Treaty 7, which include the Blackfoot Confederacy (comprised of the Siksika, the Piikani, and the Kainai First Nations), the Tsuut'ina First Nation, and the Stoney Nakoda (including Chiniki, Bearspaw, and Goodstoney First Nations). The City of Calgary is also home to the Métis Nation of Alberta (Districts 5 and 6).**



# Speakers

- Robert Hamilton, Associate General Council (Research)
- Guy Levesque, Executive Director, Hunter Hub for Entrepreneurial Thinking
- Dr. Karen Benzies, PhD, Director, Social Innovation
- Maris Aspe, Director, Life Sciences, Technology Transfer at Innovate Calgary

# Intellectual Property

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Robert Hamilton, Associate General Council (Research

# What is (and isn't) IP?

- IP rights protect creators when they create something new. It gives them *control* over how their creation is used, depicted, altered, transmitted.
- IP does not protect ideas, facts, or concepts.
  - Facts simply exist. They are discovered, not created.
  - Preventing the open dissemination of ideas would dramatically hinder society.
  - IP is meant to balance the need to reward creation with society's ability to use and enjoy those creations.
- IP protects the *expression* of ideas – the way in which an idea is depicted or created.



# IP Types

## Copyright

Protects the *expression* of ideas.

Granted automatically to an author of eligible works (papers, art, etc).

Sole right to reproduce or distribute.

Life of author + 70 years.

## Patents

Protects *inventions*.

Requires application/registration.

Creator discloses a novel, useful and non-obvious invention.

20 year protection.

## Industrial Designs

Protects the *visual appearance of something*. Requires registration.

## Trademark

Protects branding of goods/services.

Requires registration. Need to demonstrate continued use.

Not *trade names* – business marks

## Trade Secrets

Protects confidential information.

Not registered. Need to take steps to protect the secret.

Weaker recourse if leaked.

# IP Types (Examples)

## Copyright

**Examples:** teaching materials, courseware, presentations, videos, software, databases, artistic works, surveys, questionnaires, books, reports, notes.

## Patents

**Examples:** new substances (pharma, biomaterials), devices, processes or methods (manufacture, synthesis)

## Industrial Designs

**Examples:** unique appearance of a tangible product (size, shape, patterns, colours).

## Trademark

**Examples:** words, designs, tastes, textures, colours used in association to distinguish goods/services.

## Trade Secrets

**Examples:** secret formulae, source code, lists of relationships (e.g. customers), private financial info (e.g. costing), internal marketing data, algorithms

# Moral Rights

- Controls *how* a work can be used or depicted by an otherwise authorized user.
- A work's integrity is "*distorted, mutilated or otherwise modified ... to the prejudice of the honour or reputation of the author*".
- Typically requires *objective evidence* of prejudice or harm to establish (not just personally felt harm).
- Not explicitly addressed by UCalgary IP Policy. General presumption that moral rights remain with the creator.



# Ownership vs License

- **Ownership:** ultimate holder of IP rights
- **Licensing:** a right to use the IP (subject to a defined scope)
- **Sub-License:** a licensor 'sub-licenses' to another party
- Licenses
  - Highly tailored – can be limited by domain, jurisdiction, field of use, period of time
  - Other terms: transferability/assignability, sub-license rights, revocability, exclusivity, royalty costs, etc.

# Who owns the IP?

- UCalgary IP Policy – *Creator-owned* IP model
  - Any IP created in the course of University-related scholarly and creative activities will be owned by its respective creators.
  - However, before independently using that IP, you will need to follow the Tech Transfer Office (Innovate Calgary) disclosure process.
    - University supported your creations and is entitled to a commercialization stake
- Exceptions to IP Ownership:
  - MaPS and AUPE staff – if contributions are made as part of their employment duties
  - Sponsored & Industry Research – sponsor owns resulting IP (contracted)
  - Other – You have voluntarily agreed to waive/assign your rights to the IP

# Co-Creators

- Co-Creators
  - Many works are co-authored or co-invented by multiple participants and researchers.
  - IP Policy gives creator rights to PIs, students, post-docs, other faculty, etc. to the extent of their contribution.
- Helpful to set upfront expectations among Co-creators
  - If you eventually decide to commercialize any IP which originated at UCalgary or through its resources – you will need to come to an agreement between all Co-creators
  - Long-term projects: people leave UCalgary, hard to track down
- Faculty have a special responsibility towards their students and supervisees

# Joint Ownership

- Joint Ownership
  - If contributions cannot be delineated into separate chunks of IP, then this could result in *joint ownership* – highly contextual
  - Joint ownership can be challenging to work with, without clear written expression of your respective rights
    - Who can commercialize/derive value from that IP?
    - Who can transfer, assign, or license that IP?
    - Unanimous decisions required on everything?

# Co-Creator Disputes

- University cannot pick sides between its Co-Creators
- University acts as a *mediator*, not a judge
  1. Co-Creators try to resolve the situation
  2. Escalate to Dean
  3. Escalate to VPRO, who will appoint a mediator
  4. If mediation fails, University will assist individuals involved in arbitration
  5. University likely won't participate in court proceedings

# Broadening the Concept of IP

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Guy Levesque, Executive Director, Hunter Hub for Entrepreneurial Thinking



# Social Innovation

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Dr. Karen Benzies, PhD, Director, Social Innovation



# Innovate Calgary

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Maris Aspe, Director, Life Sciences, Technology Transfer at Innovate Calgary

# Innovate Calgary

Bridging the gap from discovery to impact





# About Innovate Calgary

Innovate Calgary is the tech transfer office, industry liaison office and business incubator for the University of Calgary.

Innovate Calgary provides knowledge translation services and startup programming for UCalgary's community.





# Innovate Calgary



**Life Sciences Innovation Hub**



**Social Innovation Hub**



**Energy Transition Center**



**Aerospace Innovation Hub**

- **Space** (labs, coworking, dedicated)
- **Equipment** (molecular biology, rapid prototyping, digital content creation)
- **Funding** (dilutive - UCeed, and non-dilutive, ElevateIP)
- **Programming** (LSF, ICG, e2i, R2SI)
- **Advice / consulting / regulatory affairs** (Expert Advisor - EA, IMPACT)
- **Community** (Founders Lunch, Tech Tuesday, Social Innovator Breakfast Club)



# Technology Transfer Support

Grant support

Technology/research assessments

Commercialization of research

IP protection

Agreements



# From Research to Commercialization



## Startup

- The right talent and willingness
- Large and growing market
- Disruptive platform technology
- Scalable technology and business model
- Competitive advantage
- Long development timeline

## Licensing

- High value materials, catalysts and reagents
- Process improvements
- Key device components
- Software and data
- Strong and enforceable IP
- The right industry partner

# Best Practices

Preserving opportunities to commercialize



## Materials

Ensure the scope of permitted use matches intent: keep records.



## Data

Research use/commercial use (special subset for patient data).



## Inventions

Document contributions (figure out 'inventors' later); limit/plan disclosure; use NDAs/CDAs (keep records).



## Software

Understand obligations, rights, constraints on software. (flavours of OpenSource licenses: <https://opensource/guide/legal>).



## Sponsored Research

Think carefully about IP rights and revenue sharing; keep track of reporting obligations.





# Life Sciences Innovation Hub

## Access available via membership or lease

- \$5+ million in equipment
- Level II molecular biology labs
- Prototyping labs
- Hazardous waste removal, autoclaving, glassware washing, etc.
- Meeting rooms
- Touchdown desks
- Internet
- Secured and unsecured storage
- Discounts through partners
- Total internal space: ~112,000 sq. ft.
  - 27,000 sq. ft. of lab space:
    - 7,400 sq. ft. of shared labs
    - 20,000 sq. ft. leasable to tenants
  - 23,000 sq. ft. of office space





# Thank You!



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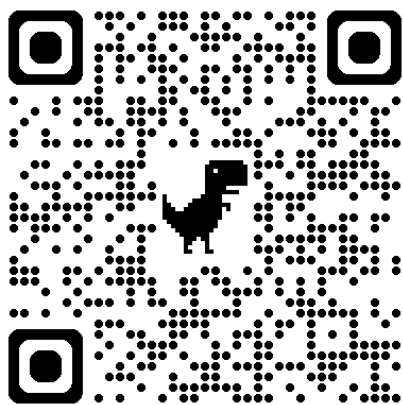


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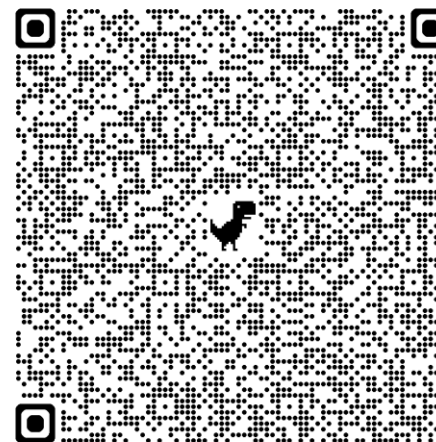
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