



CIFOR Policy on the Management of Intellectual Assets

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CIFOR Policy on the Management of Intellectual Assets

1. Mission and Purpose

- 1.1. The Center for International Forestry Research (“CIFOR”) is a nonprofit, global organization dedicated to advancing human wellbeing, environmental conservation and equity. CIFOR conducts research that enables informed decision making about the use and management of forests in less-developed countries. CIFOR helps policy makers and practitioners shape effective policy, improve the management of tropical forests and address the needs and aspirations of people who depend on forests for their livelihoods.
- 1.2. CIFOR is a member of the CGIAR, and therefore regards the results of its research and development activities as international public goods. CIFOR is committed to their widespread diffusion and use to achieve the maximum possible access, scale, scope of impact and sharing of benefits to advantage the poor, especially smallholders and those who depend upon forests in developing countries.

2. Commitment to and Compliance with the CGIAR IA Principles

- 2.1. As a member of the CGIAR, CIFOR endorses and complies with the CGIAR *Principles on the Management of Intellectual Assets* (“*CGIAR IA Principles*”)¹, and all other supporting policies developed under the *CGIAR IA Principles*². CIFOR will give effect to the commitments under the CGIAR IA Principles and be guided by the *CGIAR IA Implementation Guidelines*.
- 2.2. This Policy is intended to facilitate and assist in the implementation of best practice in CIFOR’s management of the intellectual assets (“IAs”) it generates, consistent with the CGIAR IA Principles.
- 2.3. CIFOR is committed to the sound management of IAs, including Intellectual Property Rights (“*IP Rights*”), to further the CGIAR vision, in accordance with all applicable laws and best practices, and to manage these Assets and Rights with integrity, fairness, equity, responsibility and accountability, wherever it operates.
- 2.4. CIFOR is committed to respecting the rights of the owners and custodians of traditional knowledge, and will adhere to applicable laws and best practices when documenting and sharing such knowledge and IAs.
- 2.5. Within these contexts, CIFOR is also committed to maximizing the global accessibility and impact of the IAs it generates, and to develop and maintain the capacity to implement the CGIAR IA Principles and this Policy.

1 CGIAR *Principles on the Management of Intellectual Assets*. library.cgiar.org

2 For example, the *CGIAR Open Access Policy*: www.cgiar.org/resources/open/

- 2.6. In the context of this Policy³,
- 2.6.1. IAs mean “any results or products of research and development activities of any nature whatsoever (including, but not limited to, knowledge, publications and other information products, databases, improved germplasm, technologies, inventions, know-how, processes, software, and distinctive signs), whether or not they are protected by formal intellectual property rights³”; and
 - 2.6.2. IP Rights mean “ownership rights (or applications for protection) of IAs, whether registered or not, granted in any jurisdiction, including but not limited to, copyright and related rights, database rights, patents, industrial design rights, plant variety rights, trademarks and service marks, geographical indications, and trade secrets”.
- 2.7. This Policy is the authoritative policy on all IAs generated or acquired by CIFOR, and is to be implemented consistently with all other CIFOR policies.
- 2.8. This Policy is applicable to all CIFOR employees, consultants, associates, interns, and volunteers. CIFOR will apply the Policy in its partnerships, as outlined in ¶ 4 below.

3. Ownership and Accessibility of Intellectual Assets

- 3.1. IAs created by CIFOR employees, consultants, associates, interns and volunteers are owned by CIFOR. CIFOR will ensure that contracts signed by employees, consultants, associates, interns and volunteers assign rights of ownership of IAs to CIFOR, so that CIFOR can manage those IAs consistent with the *CGIAR IA Principles*. CIFOR will also ensure that, where exceptions are made in specific cases, they are approved by the Director General or their delegated authority.
- 3.2. Notwithstanding paragraph 3.1, CIFOR will ensure that the interests of employees, consultants, associates, interns and volunteers in generating IAs are recognized in the implementation of this Policy as follows:
- 3.2.1. CIFOR respects the moral rights of all authors and will ensure that the contributions and authorship of its employees, consultants, associates, interns and volunteers are appropriately recognised in publications and all other forms of copyrighted materials.
 - 3.2.2. CIFOR will enter into agreements with student interns enrolled in university degrees to ensure that they have the necessary rights to the IAs created in the course of their research at CIFOR, for the purpose of obtaining their degree. In such situations, the student shall provide CIFOR with an irrevocable, royalty-free, non-exclusive, worldwide licence to use the results of their research for the public good after the degree has been awarded.
- 3.3. CIFOR is committed to making available its IAs in a timely and accessible manner, consistent with the *CGIAR IA Principles* and the *CGIAR Open Access Policy*. IAs owned by CIFOR will be shared and disseminated with as few restrictions as possible for others to re-use or adapt to specific circumstances, and for further dissemination. Where necessary, CIFOR will conclude appropriate licensing or other contractual arrangements to enable and support this.

³ These definitions are adopted from the *CGIAR IA Principles*

- 3.4. CIFOR is also committed to safeguarding the privacy and confidentiality of information about individual respondents when managing and sharing IAs such as research data.
- 3.5. CIFOR will consider on a case-by-case basis whether or not to seek the protection afforded by intellectual property laws when such protection may impact on accessibility, use and dissemination of its IAs. CIFOR will be guided in this by its purpose and the CGIAR *IA Principles*.

4. Partnerships in managing and sharing IAs

- 4.1. CIFOR conducts much of its research through partnerships. Where possible, CIFOR will leverage partner IAs, skills and resources to minimise duplication and maximise accessibility and use. When partner IAs are used to create new IAs, CIFOR will negotiate with its partners for the widest possible access to the IAs they contribute, through contractual or other legal arrangements. CIFOR will at all times provide appropriate attribution and acknowledgment to its partners for their contribution, uphold any confidentiality obligations agreed, respect third party IP Rights, and adhere to relevant international and national laws.
- 4.2. CIFOR may co-own IAs jointly with its partners, or negotiate for sole ownership of IAs created. The ownership of IAs between CIFOR and its partners will be specified in agreements concluded with each partner. When using partner IAs, it may also rely on fair dealing, research or other equivalent exceptions under intellectual property laws. CIFOR will also take into account any provisions in donor agreements relating to IA management.

5. Approval, Revision and Responsibility

- 5.1. This Policy was approved by the Director General in December 2013. CIFOR will update this Policy from time-to-time, to reflect changes in relevant policies, laws and best practices, and in the CGIAR IA Principles. Such revisions will be subject to the approval of the Director General.
- 5.2. The Director General will designate a CIFOR IA Focal Point, with responsibilities consistent with those specified in the CGIAR IA Principles.