



Contracting Policy Notice 2015-1 – Policy on Title to Intellectual Property Arising Under Crown Procurement Contracts

© Her Majesty the Queen in Right of Canada,
represented by the President of the Treasury Board 2015,

Published by Treasury Board of Canada, Secretariat
90 Elgin, Ottawa, Ontario, K1A 0R5, Canada

Catalogue Number: BT12-10E-PDF
ISSN: 1491-591X

This document is available on the Government of Canada website, Canada.ca

This document is available in alternative formats upon request.

Aussi offert en français sous le titre : Avis sur la Politique des marchés 2015-1 – Politique sur les droits de propriété intellectuelle issus de marchés conclus avec l'état

Contracting Policy Notice 2015-1: Policy on Title to Intellectual Property Arising Under Crown Procurement Contracts

Date: February 9, 2015

To: Functional Heads, Finance and Administration of all Departments and Agencies

Subject: *Policy on Title to Intellectual Property Arising Under Crown Procurement Contracts*

Summary

The Treasury Board recently approved changes to the *Policy on Title to Intellectual Property Arising under Crown Procurement Contracts*, administered by Industry Canada. The updated policy takes effect on April 1, 2015.

The overarching policy objective—to increase the potential for commercial exploitation of intellectual property developed by a contractor in the course of a Crown procurement contract by having the contractor retain the rights to such intellectual property (subject to certain Crown exceptions, such as national security)—remains unchanged.

The policy has been updated to clarify policy requirements, to support departments in strengthening compliance, and to facilitate future reviews of the policy's effectiveness. In particular, the updated policy:

- Includes a new requirement for federal officials to identify and report on whether intellectual property generated under contract has the potential for

commercial exploitation (coordinating systems changes are being made with your respective financial management system cluster groups); and

- Better defines the roles and responsibilities of deputy heads, managers, Industry Canada, Treasury Board Secretariat and Public Works and Government Services Canada.

In addition, departments will no longer have the option of indicating that an organization is not subject to the policy in the existing 'Intellectual Property Indicator' field. In the past, this field has been misinterpreted.

The policy is available on [Industry Canada's website](#). The policy's Implementation Guide is being revised to reflect the updates to the policy. Once revised, it will likewise be accessible on Industry Canada's website.

Enquiries

Questions on this policy notice should be directed to [TBS \(Treasury Board Secretariat\) Public Enquiries](#).

Questions on this policy should be directed to the Director of the Federal Science and Technology Policy Division, Industry Canada through the [Industry Canada Contact Us site](#).

Elisa Mayhew

Assistant Comptroller General, Acquired Services and Assets Sector

Treasury Board of Canada Secretariat

Distribution: TB06, TB07, TB21, TB22, TB23, TB24, T161

Date modified:

2015-02-09