



Republic of the Philippines
Department of Science and Technology
PHILIPPINE SCIENCE HIGH SCHOOL SYSTEM
OFFICE OF THE EXECUTIVE DIRECTOR

PSHS System Board of Trustees

Series of 2020
October 30, 2020


BOT Resolution No. 2020-10-96

The PSHS System Board of Trustees (BOT) through its meeting via Zoom Video Conferencing on October 30, 2020, **RESOLVED TO APPROVE** the PSHS System Intellectual Property (IP) Policy.

The enclosed policy forms part of this resolution.

Attested by:


LILIA T. HABACON
Executive Director, PSHS System

VERSION NO. 1	MANUAL TITLE	DOCUMENT NO.
	DOCUMENT NAME	REVISION NO. 0
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1. OBJECTIVES


- 1.1 To ensure that the Intellectual Properties (IPs) of the PSHS System such as trademarks, utility models, industrial designs, copyrights and patents are accorded proper protection of law;
- 1.2 To establish clear guidelines for determining the rights and obligations of the PSHS System and the creators of intellectual properties and their sponsors, with respect to works created, or invented, or discovered at PSHS;
- 1.3 To promote and support the PSHS System's role and performance as a Government Funding Agency (GFA) and a Research and Development Institute (RDI) pursuant to Chapter II (Sections 1-2) of DOST Administrative Order No. 016 series of 2019 or "*DOST Intellectual Property Policy*" and DOST Administrative Order No. 018 series of 2019 or "*The Intellectual Property Management Protocol of the Department of Science and Technology-Government Funding Agencies, as Amended*,"
- 1.4 To establish guidelines for resolving conflicting interests among members of the PSHS Research Community, students, and personnel with respect to Intellectual Property Rights (IPRs).

2. SCOPE

- 2.1 **Personnel** – This IP Policy shall cover all works or creations made by PSHS System students, faculty or teachers, employees, third party service providers, visiting professors, and officials undertaking academic work, research and/or creative activities pursuant to any PSHS regular or special program, project, grant or contract under the auspices or assistance of PSHS regardless of funding source and venue of facilities used.
- 2.2 **Matters** – This IP Policy shall cover all research, innovation and/or creative activities, curricular and/or co-curricular activities, tangible research properties, with or without IP Protection, whether for commercial or non-commercial purpose, supported or undertaken through assistance from PSHS personnel, with the support and aide of PSHS facilities or PSHS funds, including all technology transfer agreements, as well as those produced by or a result of the performance of PSHS personnel functions.
- 2.3 **Rights** – This IP Policy shall cover all types of Intellectual Property Rights (IPRs) recognized under Philippine laws, such as, but not limited to the Intellectual Property Code of the Philippines (R.A. 8293), the Philippine Plant Variety Protection Act of 2002 (R.A. 9168) and the TRIPS Agreement (Trade Related Aspects of Intellectual Property Rights) under the World Trade Organization, to include invention patents, utility models, trademarks and service marks, industrial design registrations, layout design (topography) of integrated circuit, computer programs, copyrights and related rights, trade secret or undisclosed information, geographical indications, and new plant varieties.
- 2.4 **Off-Site Consulting and Sabbatical Arrangements** – All works created by members of the PSHS student community and/or personnel while on Leave of Absence, or visiting other institutions, or consulting with industries.

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2.5 **Exceptions.** The following sets of proprietary information are not covered by this policy:

- a. **Freedom of Information** – Those pertaining to proprietary information covered by Executive Order No. 2 series of 2016 (Freedom of Information), or information mandated either by the constitution or related government issuances for public disclosure.
- b. **Publication in Public Domain** – Creators of IPs are encouraged to publish their scholarly works in public domains that advance the PSHS System Mission and Vision, and promote exchange of knowledge and information, provided that such publication does not violate the PSHS System's contractual obligations to third parties or existing statutes or laws nor does it constitute prejudicial disclosure.
- c. **Non-Trade Secrets** – Research information and processes used for academic purposes that are not considered "trade secrets" or similar information that have been "declassified" by the BOT.

3. DEFINITION OF TERMS

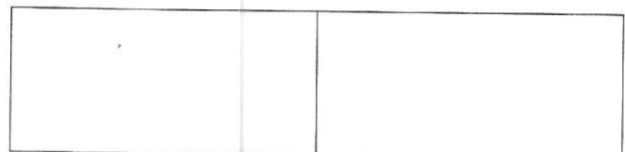
For consistency purposes, unless otherwise specified or defined in this document, the Definition of Terms used in DOST Administrative Order No. 016 series of 2019 or "DOST Intellectual Property Policy" and DOST Administrative Order No. 018 series of 2019 or "The Intellectual Property Management Protocol of the Department of Science and Technology-Government Funding Agencies, as Amended," attached as Annexes A and B, shall be adopted.

3.1 **Commissioned Works** – Refers to the following works:

- a. Works that are supported by a specific allocation of PSHS funds or resources;
- b. Works made for hire;
- c. Works produced at the direction and control of the PSHS in pursuit of a specific project or purpose regardless of the source of funding;
- d. Works produced as a result of a function/position under PSHS which may not necessarily be under the direction of the PSHS; and
- e. Those that may be stipulated by contract as Commissioned Works.

The PSHS System shall own the IPs/ IPRs of all Commissioned Works.

3.2 **Creator** – Refers to the natural person(s) who has created the work. In the context of this document, they refer to students, employees, third party service providers, visiting professors, training participants, and officials who are undertaking research, scholarly or academic work, or creative activities pursuant to any program, curriculum, project, grant or contract under the auspices or assistance of PSHS.



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