

Intellectual property statement

Kirkhouse Trust wishes to encourage and support the free flow of advanced scientific knowledge and research materials, primarily in the form of public goods. The grantee agrees to facilitate the sharing and transfer of technology and research products for both research and commercial use to support the development of improved crops to address food and nutrition security for smallholder farmers.

With some exceptions, KT does not hold or claim ownership rights over IP or IPR resulting from research it funds. KT instead requires the grantee's institution, the PI and project staff to protect their KT-funded IP only if protection is needed to ensure that this IP will be available for their own future research and for public-sector benefit. All IP arising from KT-funded projects should be clearly identified and inventoried to assure that ownership is clearly documented. KT requires that valid and enforceable mechanisms be in place to ensure that inventions, improved germplasm, know-how, and materials developed with funding from KT be protected from any limitations on their use to advance the causes of food security and the improvement of the lives of smallholder farmers around the world. In some cases, the interest of food security and the improvement of the lives of smallholder farmers can best be advanced by placing the results of work supported by KT rapidly in the public domain, such as through scientific publication. In such cases, appropriate publication effectively prevents others from patenting the same or similar inventions.

All patents or other forms of claiming formal ownership of the results of KT-funded research shall be managed by the owner in a manner that ensures a reasonable time of royalty-free access for public (non-commercial) entities in, but not limited to Africa and India, and/or shall give KT royalty-free license with the ability to sub-license for humanitarian purposes. KT also requires that institutions be willing to license or assign rights to an appropriate international public agricultural research system ITP portfolio, should one be developed, to facilitate use of research results to help food insecure smallholder farmers.

If KT decides to retain ownership to IP, this will be stated in the contract associated with the particular project. A clause which has been used in these circumstances is as follows: any materials or data generated by the project will remain in the ownership of KT. KT hereby provides the grantee's institution with a royalty-free license which allows it and others, who comply with KT's IP policies, to use the material and data.

Within the context of existing institutional IP policies, grantees and project partners shall take all reasonable steps to:

- provide reasonable and ready access by public-sector beneficiaries to property, materials and processes;
- avoid unreasonable commercial exploitation of such material and processes for purposes that diminish growth of public-sector agriculture; and
- avoid encumbering materials and processes in statutory protection such that they cannot be used for public benefit.

The above is an abbreviated version of the full KT IP Statement, which is included in all Research Grant agreements between KT and institutions managing KT's funded research. If you would like to see the full statement, please [contact us](#) to obtain an electronic copy.