Rationale

Our ability to use others’ intellectual property (IP) has increased with developments in technology, as has other people’s ability to use the Department’s IP. It is increasingly important that we understand how to use others’ IP.  One reason is to help us manage our copyright costs effectively and another is to avoid copyright infringement. At the same time, we need to ensure that we protect the DET’s IP.

* The Intellectual Property (IP) Register is a central repository of information relating to IP that is or has been within the DET's control. This includes information about:
* IP created and owned by the Department
* IP owned by third parties and ‘licensed in’ by the DET
* The IP Register will assist DET staff to:
* minimise the risk of infringing third party intellectual property rights
* minimise licensing costs
* reduce the amount of copyright royalties paid by the DET
* enable the DET to meet statutory reporting requirements relating to intangible assets

Purpose

* To ensure Charles La Trobe College complies with DET policy and guidelines and the legislative requirements of the *Copyright Act 1968*.
* To ensure the school is aware of those aspects of school management that the DET specifically draws to the attention of schools.

Definition

Copyright refers to the legal rights that result when ideas are captured in material form – such as in a book, a report or a software program. These rights give the creator - or copyright owner - the ability to control some ways in which the material is used. For example, the copyright owner can control by whom and in what way the original material is reproduced and communicated (other than to the extent that the *Copyright Act 1968* (Cth) allows reproduction and communication without the permission of the copyright owner).

Copyright is one kind of intellectual property, and the kind that we encounter most frequently. Other kinds of intellectual property are trademarks, patents, designs, circuit layout rights, plant breeder's rights and trade secrets.

Copyright is the legal means by which authors and other creators are able to earn a profit from their work.

Implementation

* The school will refer to the DET’s Intellectual Property and Copyright website for general information about the DET’s policy and guidelines see: [Intellectual Property and Copyright](http://www.education.vic.gov.au/school/principals/management/Pages/copyright.aspx).
* The school will refer to the DET’s Smartcopying website for comprehensive information about educators’ rights to use copyright see: Smartcopying.
* This information includes:
* Information about educators’ rights to use copyright including:
* National Copyright Guidelines incorporating information about the major education licences and an explanation of fair dealing and educational exceptions under the *Copyright Act 1968*
* FAQs
* information sheets on topical issues
* resources including Creative Commons and Open Education.
* For further information or advice the school may also contact the Legal Services Unit on

(03) 9637-3146.

* Please refer also to the school’s *Archives and Records Management Policy* and the *Governance & Management Policy.*

Evaluation

This policy will be reviewed as part of the school’s three-year review cycle or if guidelines change (latest update early September 2014).

Ratification

This policy was ratified by the College Council on 15th February, 2018.

Reference

[www.education.vic.gov.au/education/principals/spag/management/Pages/copyright.aspx](http://www.education.vic.gov.au/education/principals/spag/management/Pages/copyright.aspx)