

Hunter Wildlife Rescue (NATF)

Intellectual Property Policy

1. Definition

- 1.1 *"Intellectual property or 'IP' is a legal term used to describe the property of your 'mind' resulting from intellectual and creative efforts. It gives legal ownership rights to creators of certain materials."* (Not-for-profit Law Guide *Guide to IP A Guide for community organisations in Australia on creating and protecting intellectual property*)
- 1.2 The term intellectual property relates to intangible property such as copyrights, trademarks, patents, design &, confidential information. The most common types of IP covered under this policy include:

IP protection category	What the IP protection covers
Copyright	Original ideas and information which are written down or 'fixed' in material form (ie. not simply ideas). This can include writing, drawings, diagrams, patterns etc.
Trade marks	Brands, service or product marks and logos.
Patents	Inventions and innovations.
Designs	Shapes, configurations, patterns and ornamentation of products.
Images	Photographic images of wildlife held under the Hunter Wildlife Rescue (NATF) license.

- 1.3. Hunter Wildlife Rescue (NATF) intellectual property includes the rights it may have in relation to its:
- name
 - logo
 - programs or services developed by Hunter Wildlife Rescue (NATF)
 - publications
 - training and support materials
 - photographic images of wildlife held under NATF license.
 - website design and content
 - domain name
 - computer applications, programs, or databases it has developed, and
 - any ideas, innovations and inventions.

2. Protection

- 2.1 The general rule is that an employer owns the intellectual property created by an employee in the course of employment. As volunteers, this rule does not apply as there is no employer. However, an organisation that has volunteers involved in generating materials for use by the Association, have an agreement in terms of who owns the intellectual property developed. This Policy sets out this agreement.
- 2.2 This policy is premised on Hunter Wildlife Rescue (NATF), as an Incorporated Association of volunteers, who freely give their services and skills for the benefit of the association to support injured, sick & orphaned wildlife. This also includes administrative, promotional and educational functions that support the Objectives of the Association to assist in maintaining or making improvements to the organisation and its response to injured, sick & orphaned wildlife.
- 2.3 This policy will cover
- i) Ownership
 - ii) Moral Rights
 - iii) Commercial & Private Use of Intellectual Property

3. Ownership

At times the Hunter Wildlife Rescue (NATF) may request its volunteers to be invited to provide input into generating content to better support the Objectives of the organisation. This may include generating training or support materials, community education and other publications, administrative proformas, strategic plans, creative designs for posters, banners, letterhead, reports on the organisation's activities, web design, and utilising photographic images or other artistic materials for use in the organisation's publications.

Under this policy,

- 3.1 As a volunteer of the Association who contributes to an innovation in the organisation or accepts an invitation to generate content, or create a design or publication, in consultation with the membership or an authorised member of the Committee, a Portfolio Officer or Working Party, the intellectual property is retained by the Hunter Wildlife Rescue (NATF) unless other arrangements have been agreed in writing, prior to the commencement of the project. All contributors will be acknowledged.
- 3.2 Refer to the HWR Social Media Policy re appropriate use of photographic images.
- 3.3 Personally developed materials created or developed by an individual independently, in which copyright may subsist (e.g. training materials, publications, flyers) the intellectual property is retained by the author(s).
- 3.4 The individual may waive the intellectual property rights in relation to material independently created or developed by an individual in 3.3, and assign intellectual property rights to the Hunter Wildlife Rescue (NATF). This agreement must be in writing.
- 3.5 Members wishing to use personally developed materials within the Hunter Wildlife Rescue (NATF) (ie training notes, educational materials), where ownership is retained, must have approval by the Committee prior to use or distribution.
- 3.6 All intellectual property assigned to the Hunter Wildlife Rescue (NATF) can be modified in the future without further consultation or acknowledgement to the original author(s) unless otherwise agreed in writing.

4. Moral rights

Hunter Wildlife Rescue (NATF) will make every effort to avoid infringing the moral rights of its members and others. Every effort will be made to acknowledge the authorship of materials developed and photographs used in training materials and other publications

- 4.1 Clear written consent will be sought for the use of independently created copyright material by its members. Where intellectual property rights have been assigned to the NATF, this consent will be in writing.
- 4.2 Hunter Wildlife Rescue (NATF) will maintain a register of authorised written consent for use of copyrighted materials.
- 4.3 Members using photographic images of wildlife held under its licence for personal copyright materials will acknowledge the Hunter Wildlife Rescue (NATF).
- 4.4 Intellectual property rights will be applicable to social media as well as in other publications.

5. Commercial & Private Use of Intellectual Property

- 5.1 Photographic images of wildlife held under its licence cannot be used for financial gain without the written consent of the Management Committee or other authorised Officer.

Reference Not-for-profit Law Guide [Guide to IP](#) *A Guide for community organisations in Australia on creating and protecting intellectual property* July 2014