

TERMS FOR MITACS ACCELERATE and ELEVATE RESEARCH INTERNSHIPS AND FELLOWSHIPS

ATTENTION: UVic graduate students, post-doctoral fellows and faculty members interested in participating in the Mitacs-Accelerate Program or Mitacs-Elevate Programs

In order to process your Mitacs-Accelerate or Mitacs-Elevate application, ORS requires confirmation of acceptance of the terms from the student(s) or postdoctoral fellow(s) applying for the Mitacs funding, the faculty member involved, and the industry sponsor of the proposed project. Please read this carefully and follow the directions set out below.

According to UVic's "Policy on Intellectual Property #1180", all intellectual property ("IP") created and developed by members of the university in their university-related work and/or using university resources will be owned by the creator unless the regulations of the sponsor of a research grant or contract require different IP ownership, or the University and University member have entered into a written agreement to share ownership of the IP.

Companies sponsoring Mitacs programs have consistently expressed an expectation that they will own IP arising from such programs. To accommodate this expectation, sponsor-owned terms and conditions have been developed that provide the company sponsor with ownership of IP arising from the internship/fellowship, while granting the intern(s)/fellows, faculty advisor and UVic a perpetual, royalty-free license to use that IP for non-commercial academic interests. Copyright in any academic publication arising from the project is retained by the author of that publication, excluding any software code and related technical documentation created as part of the project (which belongs to the sponsoring company as part of arising IP). Provisions are also made to enable the company sponsor to protect their confidential information and, potentially, arising IP while still allowing for publication by UVic researchers. These terms are the default terms that will apply if the student/post-doctoral fellow, faculty supervisor, and company sponsor do not confirm that an alternative set of terms will apply.

As there is no industry sponsor in the first year of a Mitacs Elevate Strategic Fellowship Program (SFP), IP created in the first year of an Elevate SFP will not belong to the second year industry sponsor, unless such an arrangement is confirmed by written agreement between the creator(s), UVic and the sponsor. If you wish to pursue such an arrangement please contact contract@uvic.ca.

For some projects, sponsor-owned arising IP may not be an appropriate structure and everyone involved may agree that the creators of arising IP should retain ownership the IP they create (not just copyright in academic publications). To accommodate these projects, an alternative set of terms has been developed for a creator-owned IP structure. These terms will only apply if at application stage the student/post-doctoral fellow, faculty supervisor, and company sponsor identify that creator-owned terms shall apply.

If a sponsor has a program applicable to university student/postdoctoral research internships and fellowships it may be possible to have these program terms apply to a Mitacs research internships and fellowships. **However**, these terms will only apply if, at application stage, the student/post-doctoral fellow, faculty supervisor, and company sponsor identify that special terms shall apply and UVic has already pre-approved such special terms.

Whichever option you choose, these terms and conditions will impact your rights to IP arising from work done during the internship/fellowship and/or create a process which you must follow before publication. Accordingly when considering a Mitacs research internship or fellowship, it is important that you carefully read the terms that will apply to your project if your application is successful, and consider carefully whether you are willing to accept these terms.

The terms and conditions applicable to Mitacs projects are non-negotiable. If none of the options above are acceptable to you or to the company sponsor please consider other programs or relationships with the company, such as a co-op placement or directed research agreement.

If you wish to proceed with an application for Mitacs funding, submit the attached Acknowledgment signed by the intern(s)/post-doctoral fellow(s), faculty supervisor and company sponsor, along with a completed Research Application Summary Form and Mitacs Memorandum (part of the application form). The signed Acknowledgment must be provided to ORS before the Mitacs Memorandum (application) can be signed by ORS.

Once ORS has signed the Mitacs Memorandum and Research Application Summary Form, the intern will be sent a pdf copy of the signed Memorandum and advised that they may submit it directly to Mitacs.

RESEARCHER AND SPONSOR ACKNOWLEDGMENT AND AGREEMENT TO ACCEPT UVIC TERMS AND CONDITIONS FOR MITACS PROJECTS

In relation to an application for: [check one]

 Mitacs Accelerate Mitacs Elevate

Proposed Research Project ("Project")		
Project Title		
Requested Start Date (subject to Mitacs approval)		
Student or Post-doctoral fellow seeking to participate in Project ("Intern")		
Intern name and email address	Name	Email address
	<i>For single internship:</i>	
	•	
	<i>For cluster:</i>	
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	•	
	•	
	•	
<i>(attach additional sheet if necessary)</i>		
UVic Faculty Member Overseeing Project ("Faculty Supervisor")		
Faculty Supervisor Name		
Faculty Supervisor Department/Centre		
Industry or other Sponsor ("Sponsor")		
Sponsor Name		
Sponsor Address		
Sponsor Phone		
Sponsor Fax		
Sponsor Supervisor		
Sponsor Supervisor Email		
Terms that will Govern Project ("Terms")		
[check one]	<input type="checkbox"/> Sponsor-Owned Terms posted online at https://www.uvic.ca/research/assets/docs/contracts/mitacs_uvic_ip_2014.pdf OR <input type="checkbox"/> Creator-Owned Terms posted online at https://www.uvic.ca/research/assets/docs/contracts/mitacs_uvic_ip_2014.pdf , OR <input type="checkbox"/> Terms of a sponsor program having general application to university student/postdoctoral research internships and fellowships and that is pre-approved by UVic. Attach a copy of the program agreement between the Sponsor and UVic to this application. (Note: for SAP Fellowships or IBM CAS Fellowships include copies of all documents the student/faculty supervisor have signed or will be required to sign.) NOTE: If no box is checked above, Sponsor-Owned Terms shall govern the Project.	

In consideration of the University of Victoria's support of the Project and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged:

1. I acknowledge that by submitting the Mitacs application I have agreed to comply with and to be bound by the Terms selected on the preceding page of this form; and

2. I agree that, if Mitacs accepts the Project proposal, the Terms selected on the preceding page of this form shall govern the performance of the Project; and
3. I acknowledge and agree that I have had or have been provided with the opportunity to seek independent legal advice with respect to the Terms ; and
4. If I am an Intern I agree to maintain consistent recordkeeping for experiments and research conducted under this internship/fellowship, as well as obtaining the appropriate certification/approval regarding humans, animals or biohazards that may be used in research during the course of this internship/fellowship*; and
5. If I am the Faculty Supervisor I agree to submit a research progress report to Mitacs at the completion of the internship/fellowship*.

* These are requirements of the agreement made between Mitacs and Uvic governing the Accelerate/Elevate programs as a whole.

Intern: <hr/> Signature Print name: Date:	Faculty Supervisor: <hr/> Signature Print name: Date:	Sponsor: <i>I have authority to bind Sponsor.</i> <hr/> Signature Print name: Date: Title:
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If project is a Mitacs Accelerate cluster, signatures of all additional cluster Interns must also be obtained: (attach additional sheets if needed)

Intern #2: <hr/> Signature Print name: Date:	Intern #3: <hr/> Signature Print name: Date:	Intern #4: <hr/> Signature Print name: Date:
Intern #5: <hr/> Signature Print name: Date:	Intern #6: <hr/> Signature Print name: Date:	Intern #7: <hr/> Signature Print name: Date: