

Mini IP Toolkit – Tool 1 Considerations Checklist

IP Australia

To be used for lower value (e.g. up to \$100,000) and less complex collaboration. A full Considerations Checklist is also available.

Guiding principles

- Issues are minimised if resolved upfront.
- Start with the end in mind: it is optimal to reflect the use of project output in collaboration project design.
- Ensure the major drivers/interests of all parties are understood and catered for in the contract (e.g. dates for overseas market entry or publication).
- Determine if the contract deals with contingencies (i.e. possible disruptive or opportunistic events) or if flexible agreements are preferred.
- Be aware of the key risks of, and to, the project and identify who is best placed to manage them.
- Identify which issues will require expert advice and when that should be sought.
- Input should be proportional to outputs (e.g. payments should reflect reasonable collaboration work and results at key times).

	Project purpose and scope
1.	What is the overall purpose of the project and output?
	(e.g. is the collaborative project mainly to solve an industry constraint/problem, commercialise or improve existing material, or develop knowledge?)
2.	Does the design of the project fit the overall purpose of the project and output?
	(e.g. what are the project aims, scope, budget, deliverables, key risks, timing?)
3.	How and when should project payments be made?
	(e.g. how should project milestones be demonstrated to be met and what is the proportional spread of payments linked to milestones?)
	Project inputs
4.	Who are key project personnel?
	(e.g. Principal Investigator, Project Manager, team members).
5.	Which party contributes what?
	(e.g. money, staff and staff funds, Background IP, confidential information, equipment, facilities).
	Project activity
6.	How is the project to be managed?
	(e.g. project plan and weekly project meetings, measures to ensure the identification and quality of project IP and other research results, conflict of interest, privacy, dispute mechanisms, student/volunteer participation).
7.	How are parties able to monitor the project and how often should this occur?
	(e.g. regular meetings, project plans and/or reports).
	Project outputs
8.	What does each party want to reasonably do with outputs in domestic and international markets?
	(e.g. franchise, use improvements globally, publish results).
9.	Who should own specific outputs (including IP and other research results) or is another option such as a
	licence suitable?
	(e.g. for commercialisation in a territory rather than IP ownership).
	Post project needs and obligations
10.	What will each party need after project completion?
	(e.g. confidentiality, mechanism for use in further research, feeding in improvements).