

Commercialisation of Research Guidelines

Purpose

This document provides an outline of the processes required to attain University approval for the commercialisation of research outputs. The commercialisation of La Trobe research will be treated with the same approach to management of risk and financial liability as other commercialisation activities at the University and must be undertaken in collaboration or consultation with the Office of the Pro Vice-Chancellor (Industry Engagement).

The process and associated decision points are detailed here to assist La Trobe University staff to determine when Council approval will be required for activities relating to the commercialisation of research.

A number of statutes, policies and guidelines are relevant to commercialisation activities, including:

1. [Intellectual Property Statute 2009](#);
2. [Intellectual Property Policy](#); and
3. [La Trobe University Commercial Activities Guidelines](#).

The final document listed, the *La Trobe University Commercial Activities Guidelines*, excludes from the definition of commercial activities and therefore from needing Council approval, activities ‘*which will commit the University to expenditure of less than an amount deemed to be significant having regard to the relevant accounting standards during the life of the activity, and will not expose the University to liability of more than that amount.*’ [Definition of Commercial Activities, item (k).]

This document provides the process and associated decision points to clarify what is deemed a ‘significant’ amount, when determining whether a commercialisation activity requires Council approval.

Council approval is required for commercialisation activities that:

- 1) expose the University to a financial liability or expenditure greater than the delegation limit of the Vice-Chancellor (\$5M in May 2017);
- 2) have the potential to return to the University financial returns in excess of the delegation limit of the Vice-Chancellor (\$5M in May 2017);
- 3) expose the university to a high level of risk as determined by the [La Trobe Risk Calculator](#); and
- 4) seek to raise external investment for the establish of a spin-out company or venture.

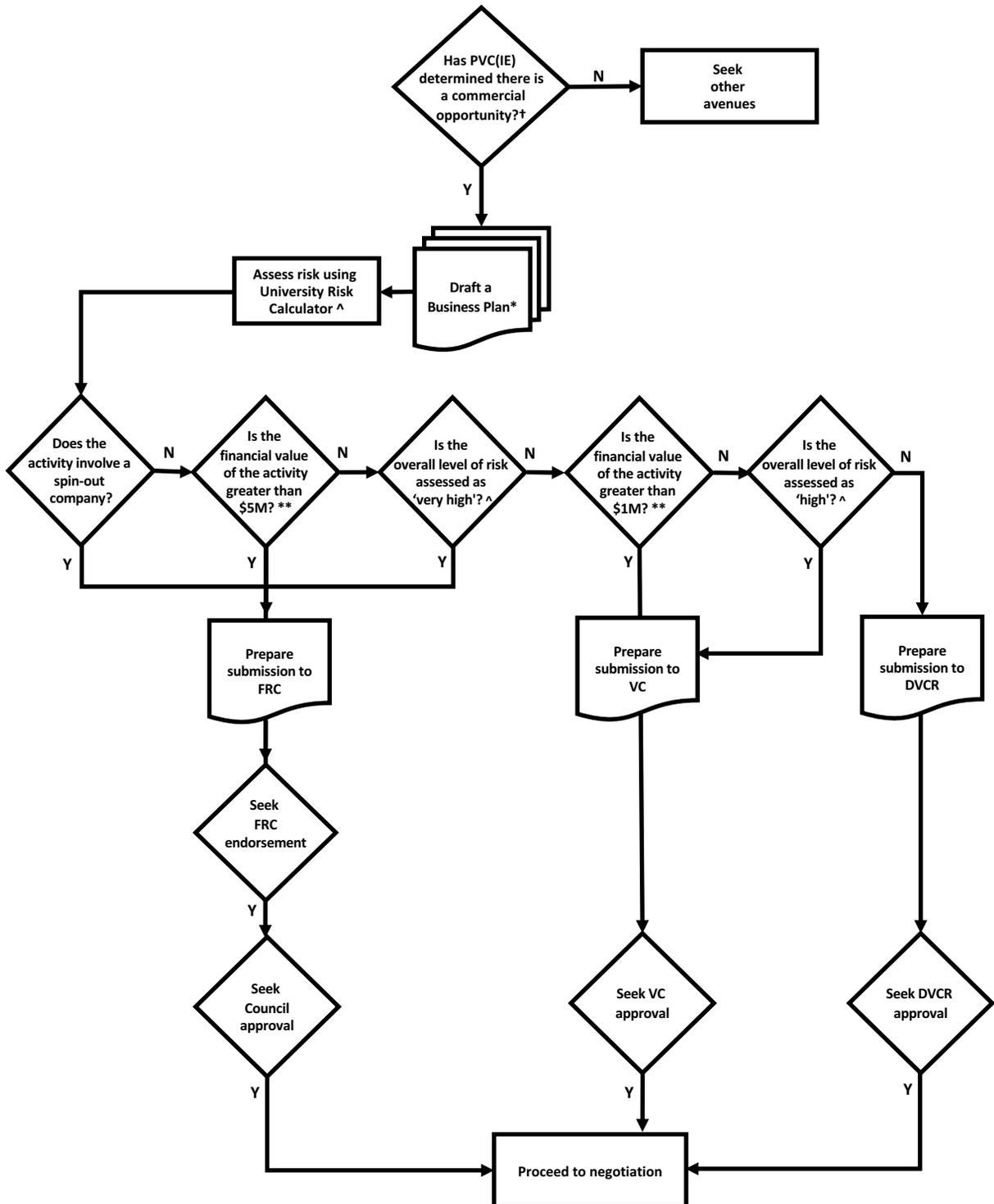
Conditions for which Council approval is required

The ‘[University delegations](#)’ internal webpage provides documents that outline the delegation framework. In addition to considering financial delegation, level of risk can also signal the need for Council approval. A Risk Assessment Tool (Risk Calculator) is available for determining the risk associated with an activity.

The process outlined overleaf provides a decision tree for determining when the level of risk and financial exposure of an activity is such that Council approval is required. If the activity is below the threshold requiring Council approval, all existing La Trobe administrative and management processes, financial approvals and risk mitigation strategies will be followed.

Decision tree for Research Commercialisation Activities

The process outlined below must be followed, in collaboration with the Office of the PVC(IE) when commercialising La Trobe research. University statutes, policies and guidelines, including the Intellectual Property Statute 2009, the Intellectual Property Policy; and the La Trobe University Commercial Activities Guidelines, must be followed at all times.



† Commercialisation of University research must be undertaken in consultation with the Office of the PVC(IE).

* Business plans must conform to “Guideline 1 – Prior to entering a commercial activity” in the [“Guidelines concerning commercial activities in accordance with Part 6 Division 6 of the La Trobe University Act 2009”](#). Council may require evidence of the competitive nature of the proposal.

** “Value” here means the total of La Trobe’s financial liability, expenditure, or potential revenue, over the life of the project or contract.

^ Based on the University Risk Calculator available from the [‘University Delegations’](#) internal webpage.