

CAP Policies and Procedures for Intellectual Property.

Introduction:

The Cardiac Atlas Project (CAP) is a world-wide collaborative project to establish a standardized database of cardiac imaging examinations together with derived analyses, for the purposes of statistical characterization of global and regional heart function abnormalities. Intellectual property (IP) can arise during the course of the project from the CAP investigators, for example pertaining to the software tools or methods developed, or from the CAP Users who perform research based on the data available in CAP. Additionally IP can arise from Contributing Studies who have contributed data to CAP. This document sets out the policies and procedures pertaining to IP derived from these sources. It aims to ensure that existing IP remains the property of the owner, and that IP arising from CAP research is attributed fairly to the inventors.

IP Arising from CAP Software:

All software produced by the Cardiac Atlas Project (CAP) is freely available, via the CAP website, to biomedical researchers and educators in the non-profit sector, such as institutions of education, research institutes, and government laboratories.

Tools developed by the CAP, including database tools, and heart modelling tools using CMGUI (the open source finite element modeling package developed by the University of Auckland Bioengineering Institute), are being made available using the Mozilla Public License (MPL). This software comprises tools for the database management and access, uploading and downloading, web browser interface, conversion of data formats, cardiac image data visualization, and parametric modelling of shape and motion.

Commercialization of enhanced or customized versions of the software, or incorporation of the software or pieces of it into other software packages, is permitted subject to the terms of the licence. Researchers are permitted to modify the source code and are strongly encouraged to share modifications with other colleagues as well as with the CAP.

The CAP will take responsibility for creating the original and subsequent "official" versions of the software, and will provide a mechanism to manage the dissemination or adoption of improvements or customizations of that software by others. Other users' contributions such as extensions, compatible modules, or plug-ins will be made available through the site. CAP software will be in a completely documented form such that if the development team does not maintain the software subsequent to the lifetime of the CAP, another individual or team can make use of our previous work to continue development and maintenance of our computational tools. Source code for this project will be made available through the CAP website. Support for installation on users' computers will be provided by the CAP.

IP Arising from CAP Development:

Existing intellectual property of the collaborating groups remains the property of the owner. Licenses to use this existing intellectual property can be sought on a case by case basis. Intellectual property developed during the course of this project by CAP researchers is owned by the researchers' institution(s). For example, intellectual property developed during

the course of this project at the University of Auckland is owned by Auckland UniServices Limited. Auckland UniServices is a wholly owned company of the University of Auckland in which, by its agreement, the University vests all of its intellectual property. UniServices recognizes the wish of the NIH to allow free and open access to software developed during the course of this project. UniServices therefore supports and abides by the provisions for software dissemination plans put forth in the CAP. Similarly, intellectual property developed during the course of this project at the University of California Los Angeles will be owned by the University of California Los Angeles, which supports and will abide by the provisions for software dissemination plans put forth in the CAP. Inventions or information arising from multiple institutions are treated on a case by case basis.

IP Arising from CAP Users:

Users can apply to use the CAP data by submitting a Research Proposal to the CAP Steering Committee. If the Proposal meets the scientific goals of the CAP, the CAP will forward the application to each of the relevant Contributing Study Steering Committees for approval. Each Proposal must identify the sources (i.e. Contributing Studies) of all the data required for the proposal, and will provide details of the rationale, aims and outcomes expected from the use of the data. Each Contributing Study Committee will require the applicants to sign a Data Distribution Agreement (DDA), which may be different for each Contributing Study. The DDAs may detail Intellectual Property terms and conditions pertaining to the specific use of the Contributing Study data. Intellectual Property pertaining to the endpoints or specific aims of a Contributing Study, for example pertaining to the investigation of a therapeutic drug or device which formed the rationale of the Contributing Study, should in general be the property of the Contributing Study. Rights to any inventions or new information arising from the particular characteristics or design of a Contributing Study should be freely available to the Contributing Study investigators. Researchers using CAP data to develop new methods for the analysis and characterization of heart wall motion, new mathematical models, or new tools for computational atlases, are encouraged to share these developments with other colleagues as well as with the Project. Intellectual property developed by third party researchers using CAP data, not relating to the specific character of the Contributing Studies, should remain the property of the developers.

IP Arising from CAP Contributors:

The CAP recognises the substantial effort and expense as well as careful attention to protocol and design required to acquire data. In many cases, substantial intellectual property exists in the Contributing Study design or protocol. This existing intellectual property will remain the property of the owner. Any data dissemination will require approval from the Contributing Study Steering Committee. As part of this process, CAP Users will be required to sign a Data Distribution Agreement, written and approved by the Contributing Study, which details Intellectual Property terms and conditions pertaining to the specific use of the data. The Data Distribution Agreement will typically state that Intellectual Property pertaining to the endpoints or specific aims of a Contributing Study, for example pertaining to the investigation of a therapeutic drug or device which formed the rationale of the Contributing Study, will be the property of the Contributing Study. Rights to any inventions or new information arising from the particular characteristics or design of a Contributing Study will typically be freely available to the Contributing Study investigators. Intellectual property

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