1/3 policy

The three Technical Universities in the Netherlands have agreed to reward inventors or designers of Intellectual Property as soon as benefits of commercialization of the invention/design exceed the costs of patenting and business development. Inventors and designers receive 1/3 of this profit.

Objectives
1. The 1/3 policy has been designed in order to create awareness among university staff and students of the value third parties attach to utilization of Intellectual Property.
2. By effectuating the 1/3 policy the university retains more Intellectual Property for contracts with third parties that play a crucial role in further development and utilization of academic knowledge.
3. The 1/3 policy places remarkable commercial results of Faculties and inventors in the spotlight.

What is it applied to?
The 1/3 policy applies to
1. all Intellectual Property fully or partially owned by the university
2. the university's share in Intellectual Property-profits shared with third parties, provided that this Intellectual Property is be registered as the university's. (Thus, Intellectual Property invented/ designed by university staff and/or students, but applied for by third parties is excluded from the 1/3 policy.)

To whom does it apply?
All formally registered inventors/designers who were, at the moment of creating the Intellectual Property, attached to the university by
• an employment contract
• an agreement as unsalaried researcher
• being a student at the university
and as long as these inventors/designers do not have an other agreement concerning this particular Intellectual Property with the university. (Thus, agreements for start-ups, spin-offs or other newco's under the TU Delft Holding or else in which an inventor has a stake replace the 1/3 policy.)

How does it work?
After deducting 'out of pocket costs' (which vary immensely) for investments, maintaining the Intellectual Property and office costs of the university the profits of a patent will be divided among
1. inventors/designers attached to the university
2. their Faculty
3. the Technology Transfer Office
Each of these three groups receives a third.

More inventors/designers
In case of more than one inventor/designer their third has to be divided among them. When at the application of the patent no differences in the contribution to the invention/design have been indicated, the inventors/designers will receive an equal share.

Payment
If Intellectual Property is sold, the profit will be paid once-only.
In case of royalty or other recurrent income payment will be made every first quarter of the year following receipt of the income.

Payments will be made by HRM after indication by the TTO.
The income will be paid as a bonus from which the usual taxes will be deducted.