

Annex to HSE Directive No. 6.18.1-
01/2012-03 dated December 20, 2013

APPROVED

by HSE Academic Council

Minutes No. 50, dated December 6,
2013 (with amendments enacted by
Minutes No. 7 dated June 24, 2016)

**Regulations on Intellectual Property
at National Research University
Higher School of Economics**

Moscow
2013

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1. General Provisions

1.1 These Regulations set out the general policy of National Research University Higher School of Economics (hereinafter, “HSE”, or the “University”) on the legal protection and management of intellectual property, including key principles pertaining to the ownership of intellectual property generated at the University; the implementation, management and protection of the University's rights to such intellectual property; the use of intellectual property owned by HSE; and the framework of financial incentives for the University’s employees with respect to intellectual property.

These Regulations apply to the University’s staff and students.

1.2 The following definitions are used throughout these Regulations:

1) **Intellectual property** — intangible output classified as intellectual property under the Russian civil law, including: scientific, literary and artistic works, software, databases, performances, sound recordings, radio and television broadcasts, inventions, utility models, industrial designs, results of selective breeding, integrated circuit layouts, and trade secrets (know-how), as well as the designations of legal entities, goods, works and services deemed equivalent to intellectual property, including commercial designations, trademarks and service marks. The specific types of intellectual property generated at the University are listed in Appendix 1.

2) **Creator of intellectual property (creator)** — a person who has created a particular intellectual property. This does not include persons who made no creative input with respect to a given intellectual property, such as those who have only provided technical, advisory, organizational and material support or assistance to the creator, facilitated the registration of intellectual property rights or its use, or supervised any related work processes.

3) **Exclusive right** — a property right that enables its owner to use and manage a given intellectual property at their sole discretion in any way that is not illegal or contradictory to the substance of the exclusive right, as well as grant or deny others the right to use said intellectual property.

4) **Right to use intellectual property** — a right, granted by the exclusive right holder or otherwise arising, to use a given intellectual property within prescribed limits (e.g., license agreement, laws and regulations, etc.).

5) **Intellectual property created at HSE** - intellectual property falling into one of the following categories:

- intellectual property that may be classified as work made for hire, according to Articles 1295, 1320, 1370, 1430, 1461 and 1470 of the Civil Code of the Russian Federation;
- sound recordings, databases and common technologies, in regards to which the University is the producer or the entity that has organized the production of the

intellectual property, as per Articles 1322, 1333, 1542 and 1544 of the Civil Code of the Russian Federation;

- intellectual property generated by students under agreements with the University foreseeing the development of such property.

6) Reporting materials prepared under HSE's Basic Research Programme— intellectual property, the creation of which is expressly stipulated in documents governing corresponding activities (e.g., the University's bylaws, project specifications and agreements with project participants, etc.), which may involve interim and final research reports, abstracts and other presentation materials. Reporting materials do not include intellectual property, the creation of which is not expressly stipulated in the aforementioned documents, such as preprints, scientific articles and monographs that use project outcomes generated under the University's Basic Research Programme.

7) Administrative assignment — a work assignment issued by the University's administration, heads of subdivisions or project (works) supervisors to employees that falls within the scope of their job duties, as well as involves the creation of intellectual property.

2. Rights of HSE Employees and Students Who Have Created Intellectual Property

2.1. Personal non-property rights, as set forth in Articles 1265, 1266, 1268, 1269, 1356, 1418, 1419 and 1453 of the Russian Civil Code, belong to the creator of a given intellectual property generated at the University, irrespective of the dissemination of exclusive rights to this property.

2.2 If HSE holds exclusive rights to an intellectual property, the employee or student who created it shall be entitled to the following:

- 2.2.1. using the intellectual property to the extent and in the manner set forth in Sections 4 and 5;
- 2.2.2. exercising a pre-emptive right to purchase exclusive rights to the intellectual property created by such employee or student under an agreement with HSE;
- 2.2.3. receiving guidance from the University on matters with respect to the protection of the intellectual property;
- 2.2.4. participating in discussions on the appropriate areas, means and methods for using the intellectual property, including those pertaining to its commercialization;
- 2.2.5. establishing and/or contributing to the capital pool of legal entities jointly created with the University in order to use/integrate the intellectual property in practice;
- 2.2.6. receiving rewards for the creation of the intellectual property and/or transfer of the rights thereto, including rewards for property considered work made for hire;
- 2.2.7. exercising any other rights set out in Russian legislation, these Regulations, other HSE bylaws and agreements between the University and the creator of the intellectual property.

2.3. Employees who have generated an intellectual property and assigned its exclusive rights to the University shall be entitled to financial incentives as set forth in Section 10.

3. Responsibilities of Employees and Students in Regards to Intellectual Property

3.1. An employee or student who has created an intellectual property, the exclusive right to which and/or the right to apply for a patent can be acquired by the University in compliance with these Regulations, shall be required to do the following:

- 3.1.1. notify the Unit for Legal Support of Research and Intellectual Property under the HSE Legal Support Office (hereinafter, the “Unit”) in writing of the creation of the intellectual property, the exclusive right to which and/or the right to apply for a patent may be acquired by the University in compliance with these Regulations, as well as provide full details of the property produced along with samples;
- 3.1.2. participate in the development of documents in order to ensure the University’s right to said intellectual property, as well as ensure the fulfilment of its obligations to third parties. In particular, this may involve patent applications, documents needed to register the intellectual property for taxation and accounting purposes, etc.;
- 3.1.3. when required, carry out additional research, tests and experiments, as well as participate in feasibility studies in order to assess the commercialization potential of the new intellectual property, as set out in the University’s bylaws.

3.2. Employees and students are required to do the following:

- 3.2.1. respect the intellectual property rights of the University and third parties (i.e., avoid any unauthorized use of intellectual property, misappropriation, etc.);
- 3.2.2. keep information about intellectual property confidential as per Section 9;
- 3.2.3. acknowledge that a given intellectual property was created with the support of the University, when so stipulated in its bylaws and/or relevant agreements;
- 3.2.4. carry out other responsibilities stipulated by the Russian legislation, these Regulations, other University bylaws and relevant agreements.

In addition, employees shall:

- notify the University of any intellectual property rights that they have acquired prior to signing an employment agreement with HSE;
- notify the University of their involvement in projects organized and/or funded by any third party which entail the creation of intellectual property, if such an intellectual property is being developed within a particular research area pursued by the employee in the course of his/her employment at HSE.

4. Distribution of Intellectual Property Rights

4.1. As HSE’s primary goals are to produce highly qualified professionals and disseminate its accumulated research and training experience, the University strives to, wherever possible, assign exclusive intellectual property rights generated at HSE to its creator rather than the University (with the exception of particular situations specified in these Regulations).

4.2. Exclusive rights to an intellectual property that is not regarded as property created at the University, as set forth in Article 1.2, shall be owned by the employee or student who is its creator.

4.3. Exclusive rights to an intellectual property developed at the University, as well as the right to apply for a patent, are held by the employee or student who created the property, unless otherwise stipulated in Clauses 4.4 - 4.6.

4.4. Exclusive rights to an intellectual property produced at the University as work-for-hire shall be retained by HSE in the following cases:

4.4.1. the intellectual property is produced in the course of fulfilment of the University's obligations to third parties, and, as such, the third party shall be assigned the right of use or exclusive rights to the property pursuant to Russian legislation and/or a relevant agreement;

4.4.2. the intellectual property includes reporting materials are prepared in the course of monitoring under HSE's Basic Research Programme;

4.4.3. a trade secret (know-how) is created;

4.4.4. the intellectual property can be classified as complex (as per Article 1240 of the Civil Code of the Russian Federation) or composite (Paragraph 2, Article 1260 of the Civil Code of the Russian Federation), and its creation required substantial financial, material, organizational and other support on the part of University or involved a substantial number (over 10) of HSE employees, or if this property requires regular updates owing to its nature;
Such intellectual property includes MOOCs and their elements that are legally protectable as intellectual property;

4.4.5. HSE employees record public events held at the University, thus, creating audio-visual materials in the course of their job duties;

4.4.6. the intellectual property is produced in the course of the fulfilment of an administrative assignment unless otherwise stipulated in an employment agreement or other agreements between the University and the employee who has created the property;

4.4.7 the intellectual property shall be used as the University's brand identity;

4.4.8 the title and/or contents of a given intellectual property item include designations that are directly or indirectly associated with HSE (full or short name of the University, its brand identity, titles of projects, University subdivisions, regional campuses, educational programmes and courses) with the exception of cases stipulated in Clause 3.2.3 hereof.

4.5. If HSE is the producer of a sound recording or database, or is an entity responsible for the organization of common technology production, as per Articles 1322, 1333, 1542 and 1544 of the Civil Code of the Russian Federation, it shall thus hold the exclusive right to such intellectual property. Exclusive rights to such intellectual property may be assigned to those employees and students who created it under a relevant agreement, as set forth in Section 8.

4.6. Rights to intellectual property produced by students at HSE are assigned in compliance with an agreement between the student and the University, thereby

stipulating or implying the creation of said intellectual property. These agreements shall also provide for the acquisition of exclusive rights to such intellectual property, as well as the right to apply for a patent on the part of the University in the following cases:

- 4.6.1. intellectual property is produced while fulfilling the University's obligations to third parties, and, as such, the third party shall be assigned the exclusive right to the property and/or the right to apply for a patent pursuant to Russian legislation or a relevant agreement;
- 4.6.2. the intellectual property is created in the course of monitoring under HSE's Basic Research Programme;
- 4.6.3. the intellectual property is created in the research and technology domain and must be treated as confidential;
- 4.6.4. the created intellectual property shall be used as a part of the University's brand identity;
- 4.6.5. the title and/or contents of a given intellectual property item include designations that are directly or indirectly associated with HSE (full or short name of the University, its brand identity, titles of projects, University subdivisions, regional campuses, educational programmes and courses) with the exception of cases stipulated in Clause 3.2.3 hereof;
- 4.6.6. the intellectual property may be classified as complex (as per Article 1240 of the Civil Code of the Russian Federation) or composite (Paragraph 2, Article 1260 of the Civil Code of the Russian Federation), or its creation required substantial financial, material, organizational and other types of support from the University or involved a substantial number (over 10) of its employees, or this property requires regular updates owing to its nature.

The supervisor of related works must ensure that agreements between the University and students include provisions for the distribution of intellectual property rights.

Furthermore, students hold exclusive rights to any term papers, theses and dissertations they prepare.

4.7. The University may sign relevant agreements in order to secure its exclusive rights to intellectual property in cases other than those specified in Articles 4.4 - 4.6 when it is necessary to:

- 4.7.1. secure a stable competitive advantage for the University on the market of education, research, consultancy and expert services (especially if the title and/or contents of a given intellectual property item include designations that are directly or indirectly associated with HSE);
- 4.7.2. ensure the commercialization of intellectual property produced at HSE;
- 4.7.3. observe Russian legislation and fulfil the University's obligations to third parties;
- 4.7.4. mitigate the risk of infringement of intellectual property rights held by the University, its employees and students, as well as third parties.

4.8. If an employee holds exclusive rights to an intellectual property regarded as work made for hire, as per these Regulations, and holds the right to apply for a patent, the University is thus entitled to use this intellectual property to the extent defined in Clause 4.9 or in a relevant agreement between HSE and the employee. The University does not

have to provide any reports related to the use of such intellectual property and may transfer its right of use to a third party.

Moreover, in this case, the University retains its right to request that the employee holding the exclusive right to the intellectual property and any third party that uses said property acknowledge it was created at HSE.

If the employee enters into an agreement with a third party to transfer their exclusive right to the intellectual property or their right to apply for a patent, they must notify the third party of the University's rights to this property as set forth herein.

4.9. Unless otherwise stipulated in a relevant agreement between the University and an employee, HSE shall hold a non-exclusive license to use given intellectual property created as work-for-hire, the exclusive right to which is held by the employee. The following uses are permitted:

- for teaching and learning resources, reporting materials developed in the framework of the University's Basic Research Programme, materials created for publication on HSE's corporate portal (website) - as set forth in Article 1270 of the Civil Code of the Russian Federation, in particular, through reproduction (with no limitations as to the number of copies and their respective format) and distribution through the sale or other transfer of the original or its copies, as well as their public display, import of the original or copies for dissemination, lease of the original or its copies, their public performance, (recurrent) broadcasting or cable transmission, translation or other revisions, practical implementation of architectural, design, urban design or gardening projects, as well as making them publicly available so that any individual can access them from any location at any time and at their own discretion (hereinafter, "making them publicly available"). The aforementioned rights of use may be sublicensed by the University to third parties;
- for materials developed in the framework of the HSE Academic Fund programme - as set forth in a relevant agreement between the University and an employee. This agreement may secure the University's right to use the materials as reporting, presentation and other materials for the HSE Academic Fund; to disseminate them in any form necessary for evaluation procedures under the HSE Academic Fund, including independent expert review; to publish them on HSE's corporate portal (website) in an amount up to 50% of their contents within one year after the submission deadline for final reports for the HSE Academic Fund;
- for all other cases - as set forth and/or implied in a respective job assignment, in Articles 1370, 1430 and 1461 of the Civil Code of the Russian Federation, as well as by making such intellectual property publicly available. These rights may be sublicensed by the University to third parties.

HSE employee who holds the rights to intellectual property created as a work-for-hire, which the University may subsequently use, shall be entitled to remuneration as a reward for assigning respective rights to HSE. The type and amount of remuneration, as well as all respective procedures are set forth in HSE's relevant bylaws, including bylaws on competitions held in the framework of the HSE Academic Fund, HSE Fund for Support of Innovative Entrepreneurship, Educational Innovation Fund and other regulations related to the organization and implementation of basic and applied research projects, as

well as bylaws on financial support for academic events, remuneration, bonuses and merit pay.

4.10. Appendix 1 provides a detailed framework for the application of the provisions of this Section with respect to particular types of intellectual property generated at HSE.

5. Use of HSE's Intellectual Property by its Employees and Students

5.1. HSE may exercise its rights to intellectual property at its sole discretion, including the use of such property in any way that is not contradictory to Russian legislation. The use of the University's intellectual property shall be aimed at free exchange of knowledge and ideas; ensuring the maximum degree of openness in science, and the availability of research outcomes and academic freedom; fostering a proper environment and incentives for research, knowledge acquisition and the improvement of education quality.

The use of HSE's intellectual property in ways that would restrict the access of employees and students to such property (e.g., keeping information about intellectual property confidential, etc.) is admissible if it is necessary to secure a competitive advantage for the University on the intellectual property market, ensure the fulfilment of HSE's obligations to third parties, and promote the commercialization of the University's intellectual property.

5.2. HSE considers the free exchange of knowledge and advancement of research as one of its top priorities. Hence, the University aims to ensure the maximum availability of information about the intellectual property under its ownership.

Employees and students are granted access to intellectual property owned by the University unless any of the following applies:

- if Russian legislation, HSE bylaws, agreements between the University and third parties or funding provisions for intellectual property production state otherwise;
- if information on intellectual property is protected as a trade secret (i.e., know-how) or suitably recognized as confidential, or intellectual property is patentable and duly authorized officials have decided that a corresponding patent application must be drawn up;
- information about intellectual property must remain undisclosed in order to keep it available for commercial use.

Employees and students must respect the University's rights to the intellectual property to which they can gain access.

5.3. Intellectual property, for which the exclusive right or right of use is owned by the University, may be used by employees so that they can perform their job duties properly, and by students in the course of their instruction, to the extent permitted by Russian legislation, these Regulations, other HSE bylaws, licenses and other agreements that involve the University, as well as decisions made by duly authorized officials in regards to the ways whereby such intellectual property is to be used.

Employees and students must respect the University's rights to intellectual property and ensure the fulfilment of HSE's obligations to third parties, as well as facilitate

commercialization of such property and maintain the confidentiality of any information related thereto.

5.4. Any intellectual property which is owned by the University and has been created upon the request of its administration, or rights to which were acquired as per the initiative of its administration, shall be used at the discretion of the administration.

5.5. Intellectual property owned exclusively by the University which has been created on the initiative of a subdivision, by its own efforts and financed by a respective subdivision, or which has been acquired by HSE on the initiative and for the needs of the subdivision, as well as financed by this subdivision, shall be used by the latter at its own discretion to the extent permitted by the acquired rights (unless this contradicts the University's obligations to any third parties).

Decisions as to the ways whereby intellectual property can be used, including by other subdivisions, shall be made either by the head of the subdivision mentioned in the first paragraph of this Clause, or by an official authorized to decide on matters of intellectual property.

Intellectual property, the rights to which are acquired by the University on the initiative of a subdivision and financed by a respective subdivision in order to fulfil obligations to third parties, shall be used as required by these obligations.

5.6. HSE employees may use materials owned exclusively by the University for delivering classes on its premises unless the information contained in these materials is duly deemed confidential.

This right does not apply to processing such materials for the purposes of producing derivative work and/or reproducing them for dissemination amongst the general public, particularly through the sale, lease, public broadcasting or cable transmission, as well as making them publicly available so that anyone can access them from any location and at any time at their own discretion.

If not agreed otherwise, this Clause also applies to software and databases.

5.7. Employees and students who have created intellectual property, to which the exclusive right is owned by the University, may use this property to deliver classes and conduct research at HSE, as well as prepare research and teaching publications, except when any of the following applies:

- the given intellectual property is used in projects that are funded under terms enabling third parties to acquire rights for using said property, including commercial applications;
- the information about the intellectual property is duly deemed confidential;
- such use contradicts the University's obligations to third parties;
- the intellectual property is patentable, and duly authorized officials have decided that a corresponding patent application must be drawn up;
- other cases set forth in the HSE bylaws or agreements with the employee or student who has generated the given intellectual property.

The provisions set out herein do not cover cases where an intellectual property is reproduced for dissemination amongst the general public, particularly through sale, lease, public broadcasting or cable transmission, as well as making it publicly available.

If intellectual property is used to prepare publications, as per the terms set out herein, the author must acknowledge its use as the University's property.

5.8. Students enrolled in distance learning programmes delivered by the University may use intellectual property included in an individual programme's curriculum for study and preparing for interim assessments and final state certification (hereinafter, "FSC"). Students participating in a given programme may not to disseminate intellectual property and or use it in income-generating activities.

5.9. Decisions on how to use intellectual property produced for the needs of the University Library, or the rights to which were acquired by HSE to expand its library resources, shall be made by the library's duly authorized representatives. Decisions on how to use intellectual property (e.g., regarding access for different user categories and rights to photocopy it, etc.) produced or acquired for other purposes and included amongst the library's resources shall be made in accordance with these Regulations and other HSE bylaws.

5.10. In other cases, except for those set out in Clauses 5.4 - 5.9, employees and students may use intellectual property, to which the rights are owned by the University, for the purposes listed in Clause 5.3, subject to the approval by an official authorized to decide on intellectual property matters.

5.11. Any intellectual property containing information that is appropriately recognized as confidential, including trade secrets (know-how), shall be used as specified in Section 9 herein and other HSE bylaws.

5.12. Intellectual property, to which the exclusive rights belong to the University, may be used by employees for purposes beyond their job duties, as well as by students beyond their study activities, including research, education and other projects organized or funded by other parties outside of HSE, provided that they first conclude a corresponding agreement with the University.

5.13. If the exclusive rights in a given intellectual property belong to the University in conjunction with other parties, pursuant to Russian legislation, such property shall be used as established in agreements between HSE and these parties. Furthermore, decisions on how this intellectual property can be used by University employees and students shall be made in accordance with Clause 5.10 hereof.

6. Use of HSE's Name, Trademarks, Brand Names and Service Marks

6.1. As the use of the HSE's name, as well as that of its subdivisions, trademarks, brand and service marks (hereinafter, "HSE's brand identity"), directly affects the University's standing as a leading research and education centre, along with its competitive advantage on the market for intellectual property and services, subdivisions, employees and students using it brand identity or granting rights for its use, as prescribed in this section, shall:

- 6.1.1. use HSE's brand identity in strict compliance with the provisions of this Section, other bylaws, decisions of duly authorized officials, and agreements on granting rights for use of such designations;
- 6.1.2. use HSE's brand identity in line with its main objectives and areas of activity;
- 6.1.3. use HSE's brand identity in a sensible and responsible way in order to develop a realistic perception of the University's connection to relevant events, projects, publications, products, works and services;
- 6.1.4. ensure that such events, projects, publications, products, works and services marked with HSE's brand identity comply with the quality standards, which ensure the University's competitive advantage on the market for intellectual property and services;
- 6.1.5. avoid any use of brand identity that could be potentially harmful to the University's good standing and reputation.

6.2. Employees and students may use HSE's brand identity to acknowledge its connection to an event, project, publication, product, works or services, provided that prior authorization in writing has been obtained from an official authorized to decide on matters relating to intellectual property. To obtain such an authorization, a request should be submitted to the Unit.

- 6.3. Employees and students do not need any special permission to use HSE's brand identity in the following cases:
- 6.3.1. official HSE letterheads used in line with the established procedures as set out in the University's bylaws;
 - 6.3.2. use in HSE's official publications and periodicals, as well as on its corporate portal (website in its integrity) and other HSE websites;
 - 6.3.3. marking events, publications, products, works and services implemented/held/ provided in the framework of HSE projects and in line with the University's contractual obligations;
 - 6.3.4. marking events, publications, works and services implemented/held/ provided by the University on a regular basis (at least twice during three calendar years);
 - 6.3.5. use of the University's name as set out in Clauses 6.5 and 6.7.

6.4. Decisions pertaining to the use of HSE's brand identity in mass media or audiovisual materials (e.g., upon request from mass media outlets or manufacturers of audiovisual materials) shall be made by authorized representatives of the Public Relations Office.

6.5. When the University's Publishing House, Online Media Unit, employees and students prepare and publish materials owned by HSE, they must acknowledge copyright as follows: [© National Research University Higher School of Economics, year of publication]. This acknowledgement should be placed:

- 6.5.1. on the cover page or second page of the publication;
- 6.5.2. on the cover and physical medium on which software or databases are stored, as well as on the launch/start-up screen/page of the software/database/website being used;
- 6.5.3. on the cover of the physical medium where the sound recording is stored;

6.5.4. on the cover of the physical medium where the audiovisual material is stored, as well as in any relevant credits.

6.6. Employees and students may use the name of a HSE subdivision to acknowledge this subdivision's connection to an event, project, publication, product, works and services, provided that prior authorization is obtained in writing from the head or another authorized representative of the subdivision.

In addition, authorization should be obtained in writing from an official authorized to decide on matters of intellectual property, when the subdivision's name is used as follows:

- in fee-based relations with third parties;
- to the benefit of third parties, including advertising of their events, projects, products, works or services.

No special permission is required for the following uses of a subdivision's name:

- the subdivision's official letterheads, if the regulations on this subdivision authorize it to have its own letterheads, as per HSE's bylaws;
- use in the University's official publications and periodicals, as well as on its corporate portal (website in its integrity) and other HSE websites;
- in other cases as approved by the head of the given subdivision.

6.7. Employees may use HSE's name or those of its subdivisions as follows:

- to indicate their job title. Depending on the circumstances, the use of HSE's name or its subdivision must not be misconstrued as its direct involvement in any events, projects, products, works or services delivered by an employee;
- to make a reference to a research project supported by the University in a publication. The content of such references is determined by HSE's bylaws or project agreements between the University and an author.

6.8. Officials authorized to make decisions pertaining to the use of HSE's name or that of its subdivisions by employees and students, as per this Section, can assign permission for such use to specific categories (e.g., publications, editions, projects etc.).

7. Key Principles for Legal Protection of Intellectual Property

7.1. Legal protection of intellectual property produced at the University shall be safeguarded by the party holding the exclusive right to this property, pursuant to Russian legislation, these Regulations, other HSE bylaws and agreements.

7.2. When exclusive rights to intellectual property are assigned to HSE, the University shall apply sensible measures in order to ensure the legal protection of this property at its sole discretion.

7.3. For intellectual property, a patent and/or exclusive rights to which are held or can be obtained by the University in compliance with these Regulations, or in cases when such rights may be acquired under respective agreements, the creator of this property or the head of a respective subdivision that initiated the creation of such intellectual property or created it in the course of its operations must notify HSE that such intellectual property

was created/respective rights were acquired by submitting a written notice to the Unit. Procedures for submitting such notifications and ensuring legal protection of intellectual property shall be set out in the University's bylaws.

7.4. HSE employees and students must not register in their name an intellectual property item, the patent and/or exclusive rights to which are held or can be obtained by the University in compliance with these Regulations, in particular, for the purposes of submitting personal applications for certificates, patents or other titles regarding the protection of such intellectual property.

8. Key Principles for the Disposal of HSE's Intellectual Property Rights

8.1. The University may dispose of its intellectual property rights at its sole discretion in any way that is not illegal or contradictory to the substance of exclusive rights, particularly by means of transferring ownership, assigning the right to use the intellectual property to the extent set out in appropriate agreements, using the rights as collateral or a making a contribution to the charter/pool capital of legal entities.

To promote social development, charity and public health, strengthen its competitive status, as well as contribute to other socially useful causes, the University may donate its exclusive rights or grant open licences to its intellectual property. HSE may also make public announcements with respect to granting free access to research works, works of art and literature or related rights owned by the University to any and all persons.

8.2. Transactions for the disposal of intellectual property rights belonging to the University are finalized by its Rector or other officials authorized by a relevant power of attorney.

Decision-making processes pertaining to the disposal of the University's intellectual property rights are stipulated in its bylaws.

8.3. Employees and students must not enter into any transactions on their behalf pertaining to intellectual property rights which are held or can be acquired by the University.

8.4. Upon a written request from an employee who has created an intellectual property, the University may transfer its exclusive right to this property to its creator under an appropriate agreement, which must set out the specific conditions for transfer. The creator may submit a written request to the Unit at any time.

9. Confidentiality of Information in Regards to Intellectual Property

9.1. Access to intellectual property generated and/or used at HSE may be restricted for employees and students as described in Clause 5.2.

9.2. Employees and students whose involvement at the University requires access to information about activities that result or may result in the development of software, databases, inventions, utility models, industrial designs or trade secrets (know-how) must maintain the confidentiality of such information from the moment they are granted access

until the moment when HSE decides to make it public or waive confidentiality restrictions.

This information may be published as per the procedures set out in Section 5, provided that prior authorization is obtained from an HSE official authorized to decide on intellectual property issues.

Such individuals are liable for any unauthorized disclosure of confidential information pursuant to Russian legislation, HSE's bylaws and agreements with such individuals.

9.3. Procedures for establishing and enforcing confidentiality of information on intellectual property (included intellectual property generated in the research and technology domain) are set out in the University's bylaws.

10. Financial Incentives Related to Intellectual Property

10.1. In order to promote research and education, as well as the practical implementation of intellectual property generated at the University, particularly through commercialization, HSE has established a financial incentive system for employees involved in the creation and practical application of intellectual property.

10.2. Financial incentives pertaining to intellectual property involve the following:

10.2.1. rewards for the creation of intellectual property for which the University holds exclusive rights, or when it receives income from the disposal of rights to such property, including financial incentives for work-for-hire;

10.2.2. creators of intellectual property may, jointly with the University, establish legal entities for the purpose of the practical application of intellectual property and receive income from such activities.

10.3. The grounds, requirements and procedures for applying financial incentives set out in Clause 10.2 are governed by HSE's bylaws on financial incentives related to intellectual property, and agreements with employees, including those for innovation-focused projects, agreements for the distribution of income from the disposal of intellectual property rights, and other similar agreements.

11. Observance of Exclusive Rights of HSE and Third Parties. Liabilities for Infringement of Exclusive Rights

11.1. Employees and students involved in the creation of intellectual property, as per their work duties or an agreement with HSE, must ensure that the property they generate is free of the rights of any third parties. Furthermore, if they need to use intellectual property owned by third parties, they must notify the head of the relevant subdivision or any other party responsible for the generation of such intellectual property.

11.2. Employees and students opting to use intellectual property, particularly for studies, research, preparation of publications and software installation, must make sure that this use does not lead to the infringement of intellectual property rights of either the University or any third parties, and refrain from such use if it does.

11.3. HSE may initiate steps to check for possible infringement of third parties' exclusive rights committed by its employees and students. This process may involve the use of the Antiplagiat system on intellectual property items, infringement studies, information searches and expert reviews.

11.4. The University's employees and students who have infringed on the intellectual property laws of the Russian Federation and intellectual property rights of third parties shall be liable pursuant to Russian law.

11.5. If a person believes that University employees or students have infringed upon their intellectual property rights, he/she can file a complaint to HSE with documented evidence attached.

When the Unit receives information that an HSE employee or student has infringed the intellectual property rights of the University or third parties, it shall notify the official authorized to decide on matters of intellectual property, the persons suspected of infringement, and the heads of subdivisions, the activities of which have resulted in the complaint.

Such persons shall take immediate measures to halt activities that are believed to infringe upon intellectual property rights of third parties.

The official authorized to decide on matters of intellectual property shall resolve whether an ad-hoc committee needs to be established, or an existing committee shall be assigned to investigate the case within its scope of competence as established in the University's bylaws.

The committee shall investigate all facts and circumstances involving persons who have allegedly violated intellectual property rights.

Following the investigation, the committee shall draw up a report to present its conclusions based on the examined circumstances, recommendations on how to eliminate the violations and minimize the University's liability for actions of its employees and students, measures to prevent such violations in the future, and any recommended disciplinary actions against those who have violated intellectual property rights.

Based on the committee's report, the official authorized to decide on matters relating to intellectual property shall issue a final resolution on the given case. In turn, this shall be communicated to the person who has filed the complaint, the person cited as the party responsible for the infringement of intellectual property rights, and the head of the subdivision, the activities of which have led to the complaint.

12. Distribution of Responsibilities in Regards to Intellectual Property

12.1. HSE's Rector is entitled to:

- make any decisions on the University's intellectual property, including those under the authority of other officials as established in these Regulations and other bylaws;
- carry out transactions with respect to the disposal of the University's property rights and brand identity rights on behalf of HSE.

12.2. The HSE official authorized to decide on matters of intellectual property:

- 12.2.1. ensures the identification, legal protection and commercialization of intellectual property at the University;
- 12.2.2. may make any decisions pertaining to HSE's intellectual property that fall under the authority of other University officials (except for the Rector), as per these Regulations and other bylaws;
- 12.2.3. resolves any disputes regarding HSE's intellectual property;
- 12.2.4. provides a formal interpretation of these Regulations and other bylaws on intellectual property;
- 12.2.5. makes decisions on particular items or categories of intellectual property that constitute exceptions from the general provisions set out in these Regulations and other bylaws on intellectual property;
- 12.2.6. performs other duties with respect to intellectual property pursuant to relevant bylaws and directives from HSE's administration.

12.3. The Unit:

- 12.3.1. makes decisions concerning particular persons or certain items of intellectual property required for the execution of these Regulations and other bylaws on intellectual property, with the exception of decisions falling under the authority of other officials, as per Russian legislation, these Regulations and other bylaws;
- 12.3.2. develops draft bylaws, guidelines and other documents governing the legal protection and disposal of HSE's intellectual property;
- 12.3.3. ensures methodological support for activities related to the University's intellectual property;
- 12.3.4. performs other duties associated with the University's intellectual property issues as set out in the Regulations on the Unit, various other bylaws and decisions of the HSE administration.

12.4. A Standing Committee on Intellectual Property Rights may be established by the HSE official authorized to decide on matters of intellectual property in order to execute these Regulations.

The Standing Committee may engage in the following activities:

- developing recommendations with respect to issues falling under the authority of the HSE official authorized to decide on intellectual property issues;
- consolidating practical experience in the implementation of HSE's bylaws on intellectual property, and reviewing the Code of Practice for the University's intellectual property;
- providing recommendations on the disposal of the University's intellectual property rights;
- developing recommendations for the resolution of disputes arising from the University's intellectual property, particularly in regards to disciplinary actions to be taken against those who have violated intellectual property rights;
- carrying out other duties related to HSE's intellectual property.

12.5. The respective heads of the University's subdivisions:

- 12.5.1. ensure that employees and students of their subdivision observe the requirements set out in Russian legislation on intellectual property, these

- Regulations and other bylaws on intellectual property, as well as the University's agreements to be implemented by their respective subdivision;
- 12.5.2. ensure that employees and students of their subdivision take necessary steps to identify protectable intellectual property, assign rights to it to the University, guarantee legal protection and use on the part of the subdivision in line with its functions as stipulated in these Regulations and other bylaws;
- 12.5.3. take part in the resolution of disputes regarding intellectual property rights that involve employees or students of their subdivision;
- 12.5.4. perform other duties associated with HSE's intellectual property issues as set out in its relevant bylaws and decisions of the University's administration.

12.6. Project (works) supervisors:

- 12.6.1. ensure that project (works) participants observe the requirements set out in Russian laws on intellectual property, these Regulations, and other bylaws on intellectual property, as well as HSE's agreements governing project activities;
- 12.6.2. ensure that project (works) participants take necessary steps to identify a protectable intellectual property, assign its rights to HSE, and maintain their legal protection pursuant to these Regulations and other bylaws on intellectual property, as well as HSE's agreements governing project activities;
- 12.6.3. when a research project is commissioned by third parties, provide documentation on the fulfilment of obligations to the commissioner in regards to the legal protection of intellectual property, transfer of rights thereto and respective confidentiality provisions;
- 12.6.4. ensure that agreements concluded in the course of a given project include provisions for the distribution of rights and legal protection of the generated intellectual property pursuant to HSE's relevant bylaws and decisions of its administration;
- 12.6.5. if legal protection of generated intellectual property is foreseen as per the document regulating a project's (works) implementation, ensure that the project budget has the funds to identify protectable intellectual property (including patent studies, if necessary), assignment of intellectual property rights to the University or the commissioner, state registration of intellectual property, transfer of rights to a given intellectual property to the commissioner, and other activities related to the legal protection of said property;
- 12.6.6. perform other duties associated with issues to the University's intellectual property as set out in relevant bylaws and decisions of HSE's administration.

13. Transitional and Final Provisions

- 13.1. These Regulations must be communicated to persons who enter into an employment agreement with the University, its employees and students who are involved in any research, educational or other projects at HSE that may lead to the generation of protectable intellectual property.

A statement to confirm that such persons have read and understood these Regulations, as well as their express consent to the terms therein, shall be included in employment agreements or other agreements with the University.

13.2. In order to consolidate practical experience in the implementation of the University's bylaws on intellectual property, a Code of Practice for intellectual property may be developed.

13.3. These Regulations apply to any relations established after the former become effective. With respect to relations established before enactment of these Regulations, they shall only apply to rights and responsibilities arising after the Regulations have become effective.

No	Applicable to	Type of intellectual property	DISTRIBUTION OF INTELLECTUAL PROPERTY RIGHTS															
			EXCLUSIVE right holder	NON-EXCLUSIVE rights to use														
				Reproduction	Dissemination	Public display	Import	Lease	Public performance	Broadcasting	Cable transmission	Recurrent broadcasting	Translation or other processing	Making publicly available	Sublicensing			
2	Mostly institutes and laboratories	Outcomes of basic research	2.1. Reports, presentations, other reporting materials for HSE's Basic Research Programme (except for academic publications)	Note 1. Creator of intellectual property (while exercising their exclusive right, the creator must acknowledge that the intellectual property has been produced at HSE, and request that others who use this property do the same)	U	U	U	U	U	U	U	U	U	U	U	U		
			2.2. Monitoring reports for HSE's Basic Research Programme	Note 1. University		Creator holds personal non-property rights, such as <ul style="list-style-type: none"> • right of attribution; • right to one's name; • right of integrity; • right to disclosure. The creator may be permitted to use intellectual property at their own discretion if authorized by the coordinating Vice Rector (subject to an appropriate agreement).												
			2.3. Academic publications prepared in the course of projects under HSE's Basic Research Programme (such as preprints, articles and monographs)	Creator of intellectual property (while exercising their exclusive right, the creator must acknowledge that the intellectual property has been produced at HSE, and request that others who use this property do the same)		The University may use it to the extent set out in the job assignment and in relation to goals and objectives of such assignment, as well as disclose it.												
			2.4. Research works and publications developed under HSE's Academic	Creator of intellectual property (while exercising their exclusive right, the Creator	U*	U*	-	-	-	-	-	-	-	-	-	-	U*	-

No	Applicable to	Type of intellectual property	DISTRIBUTION OF INTELLECTUAL PROPERTY RIGHTS													
			EXCLUSIVE right holder	NON-EXCLUSIVE rights to use												
				Reproduction	Dissemination	Public display	Import	Lease	Public performance	Broadcasting	Cable transmission	Recurrent broadcasting	Translation or other processing	Making publicly available	Sublicensing	
		Fund Programme	must acknowledge that the intellectual property has been produced at the HSE, and request that others who use this property do the same)											year upon submission reporting materials		
		2.5. In the course of the fulfilment of HSE's obligations to third parties (if the agreement stipulates transfer of exclusive rights or rights of use to the commissioner)	University		The Creator holds personal non-property rights, such as <ul style="list-style-type: none"> • right of attribution; • right to one's name; • right of integrity; • right to disclosure (unless confidentiality is required as per an agreement between the University and the commissioner). The creator may be permitted to use intellectual property at their own discretion if authorized by the coordinating Vice Rector (subject to an appropriate agreement).											
		2.6. Other academic publications	Creator of intellectual property (while exercising their exclusive right, the creator must acknowledge that this intellectual property has been produced at HSE, and request that others who use this property do the same)		The University may use it to the extent permitted by law (Civil Code of the Russian Federation, Article 1295)											
3	Mostly institutes and laboratories	Outcomes of applied research, expert reviews and analysis (R&D reports	3.1. In the course of fulfilment of HSE's obligations to third parties (under public contracts and other agreements, if the law	University		The Creator holds personal non-property rights, such as <ul style="list-style-type: none"> • right of attribution; • right to one's name; • right of integrity; • right to disclosure. 										

No	Applicable to	Type of intellectual property	etc.)	or relevant agreement stipulates the transfer of exclusive rights or rights of use to the commissioner)	DISTRIBUTION OF INTELLECTUAL PROPERTY RIGHTS												
					EXCLUSIVE right holder	NON-EXCLUSIVE rights to use											
						Reproduction	Dissemination	Public display	Import	Lease	Public performance	Broadcasting	Cable transmission	Recurrent broadcasting	Translation or other processing	Making publicly available	Sublicensing
						The creator may be permitted to use intellectual property at their own discretion if authorized by the coordinating Vice Rector (subject to an appropriate agreement).											
4	Mostly MIEM and Faculty of Business Informatics	Inventions, utility models, industrial designs and integrated circuit layouts	4.1. Generated in the course of the fulfilment of HSE's obligations to third parties (under public contracts and other agreements, if the law or relevant agreement stipulates the transfer of exclusive rights or rights of use to the commissioner)	University		Creator holds personal non-property rights, such as <ul style="list-style-type: none"> • right of attribution; • right to remain anonymous in a patent application/registration. 											
			4.1. Generated in the course of the fulfilment of HSE's obligations to third parties (under public contracts and other agreements, if the law or relevant agreement stipulates the transfer of exclusive rights or rights of use to the commissioner)														
5	Mostly Public Relations Office	Audio/video recordings of public events held at HSE	5.1. Sound recordings	University		According to Paragraph 3, Chapter 71 of the Civil Code of the Russian Federation, the employee has no rights to sound recordings.											
			5.2. Video recordings	University		The Creator holds personal non-property rights, such as <ul style="list-style-type: none"> • right of attribution; • right to one's name; • right of integrity; • right to disclosure (unless confidentiality is required as per an agreement between the University and the commissioner). The creator may not use the intellectual property at their own discretion.											
6	Mostly Online Media Unit	Outputs produced for HSE portals (websites)	6.1. Articles, interviews	Creator of intellectual property (while exercising their exclusive right, the creator must acknowledge that the intellectual property has been	U	U	U	U	U	U	U	U	U	U	U	U	
			6.2. Photos									U					

No	Applicable to	Type of intellectual property	EXCLUSIVE right holder	DISTRIBUTION OF INTELLECTUAL PROPERTY RIGHTS																
				Reproduction	NON-EXCLUSIVE rights to use															
					Dissemination	Public display	Import	Lease	Public performance	Broadcasting	Cable transmission	Recurrent broadcasting	Translation or other processing	Making publicly available	Sublicensing					
			produced at HSE, and request that others who use this property to do the same)																	
7	Mostly institutes, Laboratories and MIEM	Trade secrets (know-how)	7.1. Methods	University		According to Chapter 75 of the Civil Code of the Russian Federation, employees have no personal non-property rights to the trade secrets (know-how) they generate. Creators are not permitted to use trade secrets on their own.														
			7.2. Algorithms	University																
			7.3. Other information that is commercially important while undisclosed to third parties	University																
8	Mostly Online Media Unit, institutes, laboratories and administrative subdivisions	Complex (as per Article 1240 of the Russian Civil Code), composite intellectual property and other R&D, the production of which is organized by HSE at a high cost, it involves substantial number (over 10) of employees, or requires regular updates.	8.1. LMS in general	University		The Creator holds: <ul style="list-style-type: none"> personal non-property rights (including the right of attribution; right to one's name; right of integrity; right to disclosure) to databases and sound recordings; copyrights to materials integrated as part of complex or composite intellectual property. Creators are not permitted to use any complex or composite intellectual property on their own. Copyrights to materials integrated as part of complex or composite intellectual property may be exercised by a creator at their own discretion, with due consideration of the University's right to use to such materials.														
			8.2. Databases of HSE's HR Office	University																
			8.3. Portals (websites) including software	University																

No	Applicable to	Type of intellectual property		DISTRIBUTION OF INTELLECTUAL PROPERTY RIGHTS											
				EXCLUSIVE right holder	NON-EXCLUSIVE rights to use										
					Reproduction	Dissemination	Public display	Import	Lease	Public performance	Broadcasting	Cable transmission	Recurrent broadcasting	Translation or other processing	Making publicly available
9	All subdivisions	Brand identity	9.1. Name 9.2. Trademarks 9.3. HSE's brand names and service marks	University		<p>Employees may use these if they obtain a prior authorization in writing from the Rector or coordinating Vice Rector.</p> <p>The following uses require no prior authorization:</p> <ul style="list-style-type: none"> ▪ official HSE letterheads; ▪ official publications and periodicals of HSE; ▪ HSE portals; ▪ marking events, projects, publications, products, works and services implemented/held/provided to fulfil HSE's contractual obligations; ▪ HSE's name in notifications on its exclusive rights in intellectual property; ▪ indicating the employee's job title; ▪ making reference in a publication to a research project supported by the University. 									
10	HSE Publishing House, editorial offices of respective periodicals	Materials created for publication by the HSE Publishing House or in HSE Periodicals	10.1. Textbooks 10.2. Monographs 10.3. Academic articles	Creator of intellectual property While exercising their exclusive right, the Creator must acknowledge that the intellectual property has been produced at the HSE, and request that others who use		<p>The University's rights of use are set out in a separate agreement with the creator.</p> <p>The rights of use are set out in a license agreement with the creator.</p>									

No	Applicable to	Type of intellectual property	EXCLUSIVE right holder	DISTRIBUTION OF INTELLECTUAL PROPERTY RIGHTS																
				Reproduction	NON-EXCLUSIVE rights to use															
					Dissemination	Public display	Import	Lease	Public performance	Broadcasting	Cable transmission	Recurrent broadcasting	Translation or other processing	Making publicly available	Sublicensing					
		10.4. Other materials	this intellectual property do the same.																	
11	Mostly institutes, laboratories and faculties	Intellectual property generated in the course of fulfilling administrative assignments	11.1. Any materials including teaching and learning, research and other materials	University		<p>The Creator holds personal non-property rights, such as:</p> <ul style="list-style-type: none"> • right of attribution; • right to one's name; • right of integrity; • right to disclosure. <p>The creator may be permitted to use intellectual property at their own discretion if authorized by the coordinating Vice Rector (subject to an appropriate agreement).</p>														
12	All HSE subdivisions	The name and/or content of intellectual property is directly or indirectly associated with the University	All kinds of software	University		<p>The Creator is entitled to use the intellectual property to the extent set out in a respective agreement between the Creator and the University.</p>														

* Unless agreed otherwise between HSE and the employee.

Note 1. The creator may assign all exclusive rights to the University at their own discretion, free of charge, on the basis of an agreement for the transfer of an exclusive right.