



Cooperative  
Research  
Australia

**Higher Education Research  
Commercialisation IP Framework  
October 2021**

*Cooperative Research Australia acknowledges the traditional custodians of the land on which we operate, the Ngunnawal people. We also acknowledge the traditional custodians of the various lands across Australia upon which Cooperative Research Centres operate.*

*We pay our respects to Elders past, present and emerging and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to our lands and waters.*

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Cooperative Research Australia (CRA) welcomes the opportunity to provide a submission to the Higher Education Research Commercialisation IP Framework.

Cooperative Research Australia, previously the Cooperative Research Centres Association, is the voice of business-research collaboration and advocates for the translation of research into commercial, economic, social and environmental outcomes that benefit all Australians. Our members form a lynchpin in the Australian innovation system and are focused on creating new products, services, industries, and value in our economy. CRA represents all the Cooperative Research Centres (CRCs), CRC-Projects, and post-CRC entities, and 30 universities as well as other collaborative research entities, associated businesses, alumni and industry-research collaboration professionals.

Cooperative Research Australia commends the government for taking the initiative to reform IP agreements to incentivise and increase collaboration between businesses and universities through commercialisation. IP negotiations can be an area of significant impedance for collaboration and anything that can expedite, enhance, or demystify this process is a worthwhile undertaking that we support.

However, CRA cautions against the mandatory use of standardised agreements in the proposed framework and welcomes CRCs from being excluded from this. A mandatory approach does not allow for the complexities in IP negotiations that require flexibility and the option for parties to mutually negotiate agreements customised to the specific needs of each collaboration. We recommend the framework be developed as a guide, and it be delivered as a series of best practice templates that can be used by participants as appropriate. We believe this would set a benchmark for all parties involved and foster and stimulate further collaboration between businesses and researcher institutions without being restrictive or creating additional administrative burden.

Cooperative Research Centres have been at the centre of large- and small-scale collaborations between business, research and government for the past 30 years. CRA recommends that government look to the lessons from the program and draw upon the knowledge and expertise of the cooperative research community when further developing this scheme. This community has extensive knowledge of best practice when negotiating contracts between business and the research sector. CRA would be happy to facilitate a round table with key stakeholders in the community.

Cooperative Research Australia also stresses that government should not lose focus on the importance of fundamental research in the quest for more commercial outcomes. Good fundamental research does not always lead solely to commercial outcomes. It can also lead to significant non-commercial, i.e. social and environmental, outcomes. All these applied outcomes are built on a strong base of good fundamental research.

Regardless of the final framework, templates should be accessible and understandable to the broad range of participants in university research commercialisation. They should also

cater to the complexity of IP agreements with a broad range of examples provided from different industries.

**Recommendations:**

- Reconsider making standardised IP agreements mandatory across the sector.
- Draw upon the lessons of 30 years of CRCs in collaborating and negotiating IP agreements.
- Do not lose focus of the importance of fundamental research.
- Templates should be accessible and understandable, and a cover a broad range of industries.

CRA and our members would be delighted to contribute further to any scheme or policy that helps Australia maximise impact from research.

Yours sincerely,

Jane O'Dwyer  
Chief Executive Officer  
Cooperative Research Australia §



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