

Manage Intellectual Property Rights

Overview

This standard is about managing intellectual property rights. It involves protecting and exploiting your own or your organisations intellectual property rights and securing permission to legally exploit intellectual property created by others.

This can apply to rights to individual component assets or with rights to a whole product and can involve copyright, distribution rights, use of patents, trademarks, or other intellectual property rights.

This standard is for anyone involved in managing intellectual property rights.

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Performance criteria

You must be able to:

1. follow formal processes to assert intellectual property rights on behalf of yourself or your organisation
2. develop and agree rights exploitation strategies that optimise revenue for your organisation
3. agree negotiating strategies and positions with colleagues
4. negotiate with others to license your intellectual property to them and maintain accurate written records of agreements
5. identify intellectual property suitable for exploitation, including alternatives where original choices prove too difficult or expensive to obtain
6. negotiate with others to acquire licenses to use their intellectual property and obtain written agreements
7. calculate a fair market value for intellectual property rights you wish to license from or to others
8. liaise with colleagues or external specialists to ensure agreements are within legal and ethical frameworks and are of commercial value to your organisation
9. agree the ownership, nature and extent of all rights held in the product with other parties who have an interest
10. ensure that all aspects of intellectual property rights have been resolved before work commences
11. ensure assets in which you have acquired licenses for use are obtained in an appropriate format
12. ensure intellectual property is exploited in compliance with legal and statutory obligations

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Knowledge and understanding

You need to know and understand:

1. the different types of intellectual property rights and how they can be protected including copyright, distribution rights, use of patents, trademarks, or other intellectual property rights
2. the costs and terms of limitations for the different types of intellectual property including those associated with ongoing payments
3. when and how to assert intellectual property rights
4. the key aspects of UK and international intellectual property law
5. where to go for information about protecting intellectual property rights in specific jurisdictions outside the UK
6. industry-standard off-the-shelf licenses, how to access and when it is appropriate to use them
7. when permission is needed to use or exploit material created by others
8. the limits of what may legally be done with material created by others before permission is needed
9. how to identify and contact owners of intellectual property rights
10. the implications of not obtaining permission to use others' intellectual property before starting work
11. the key differences between UK intellectual property law and that of other countries or regions
12. specialist resources and sources of expertise to help assert intellectual property rights
13. the options available to counter or remedy breaches of intellectual property rights
14. sources of reliable market information for calculating the value of intellectual property rights relating to the capture, storage and use of data
15. the different components of a single product that could individually have associated rights
16. ongoing developments in the field of digital rights management

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Developed by	ScreenSkills
Version Number	3
Date Approved	30 Mar 2021
Indicative Review Date	30 Mar 2026
Validity	Current
Status	Original
Originating Organisation	ScreenSkills
Original URN	SKSIM28
Relevant Occupations	Administration and Secretarial Occupations, Arts, Media and Publishing, Crafts, Creative Arts and Design, Media and Communication, Performing Arts, Production Managers, Vehicle Trades, VFX Technician, Animation Professionals, AR/VR Technician, Interactive Media Professionals, Games Professionals
Suite	Games and Interactive Media
Keywords	Interactive media; games; websites, applications; online marketing; immersive; mixed reality; augmented reality; intellectual property; protection; permission; copyright; distribution; patents; trademarks