

Policy Title	AUBH Intellectual Property Policy	Policy Number	130
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Distributed To	All AUBH Staff And Faculty	Next Review Date	After 2 years

1.0 PURPOSE

This Intellectual Property (IP) Policy defines the rights, responsibilities, and procedures governing the ownership, protection, and commercialization of IP developed by faculty, staff, students, external collaborators and affiliated individuals at the American University of Bahrain (AUBH). This policy seeks to foster a culture of innovation, ensure appropriate recognition and benefit for inventors and creators, and align the development of IP with the university's mission and strategic directions in education, research, and public service.

The policy applies to all members of the AUBH community who create IP using university resources, engage in university-supported research, or are otherwise affiliated with academic and research activities under the auspices of the university.

This policy also supports project-based and collaborative innovation initiatives involving interdisciplinary teams and external partners, ensuring fair recognition and appropriate rights allocation for all contributors.

2.0 DEFINITIONS

Intellectual Property (IP) refers to any creation of the mind, including inventions, literary and artistic works, software, digital content, trademarks, symbols, designs, and images that can be legally protected.

Copyright is the legal right granted to the creator of an original work—such as literary, artistic, academic, or software-based content—to control its use and distribution.

Trademark refers to a word, phrase, symbol, or design legally registered or recognized as identifying and distinguishing the university, including its name, logo, or other brand elements, thereby establishing a clear representation of institutional affiliation.

Patent refers to the document issued by the competent authority to the owner of an invention, granting legal protection to the invention in accordance with the provisions of the law. An invention is considered patentable if it is new, involves an inventive step, and is capable of industrial application

Inventor denotes any faculty member, staff, student, or researcher who contributes to the conception or development of a patentable invention.

Creator refers to an individual who authors or otherwise produces original content or intellectual property.

University Resources are defined as any university-provided support, including—but not limited to—funding, specialized equipment, proprietary data, research facilities, or the dedicated time of university personnel, which contributes to the development of intellectual property.

Commercialization is the process by which intellectual property is brought to the market or applied for societal benefit, whether through licensing, assignment, creation of startups, or other entrepreneurial or partnership-based mechanisms.

Spin-Off refers to a company formed to commercialize intellectual property developed within the university. It is typically based on inventions, patents, or research results, and may involve the participation of university inventors or stakeholders, while the university may retain ownership rights, equity, or licensing arrangements.

3.0 POLICY

3.Ownership of Intellectual Property

The President's Office holds overarching authority over all matters related to intellectual property ownership at AUBH. This governance applies to patents, copyrights, software, digital works, trademarks and designs ensuring consistency and alignment with university policies.

3.1 Patents

An invention is considered patentable if it is new, involves an inventive step, and is capable of industrial application. The patent confers exclusive rights to exploit the invention for a period of twenty years from the date of filing the application, subject to the conditions and procedures set out in the Patent Law.

Patent holders have the exclusive right to make, use, sell, offer for sale, or import the patented invention. They may object to any unauthorized exploitation of their invention and take legal action against infringers. Patent owners can also license or assign their rights to others, benefit from the commercial use of their inventions, and request the removal of infringing products from the market. The Patent Law provides mechanisms for patent holders to enforce their rights and seek remedies, including injunctions and compensation for damages.

Patentable inventions developed by faculty, staff, students or AUBH affiliated entrepreneurs using university resources, as part of sponsored research and venture building through any AUBH Center and/or Lab, or in the course of fulfilling university duties shall be owned by AUBH. Inventions created

independently and without use of university resources may remain the property of the inventor, although they must still be disclosed to the university for review and documentation.

For patents involving external collaborators (e.g., GoFab3D), intellectual property ownership shall be determined based on the level of contribution, funding, and institutional support. Joint ownership agreements must be established before commercialization, ensuring equitable distribution of rights among AUBH, external collaborators, and inventors. These agreements will outline the respective contributions, revenue-sharing models, and publication rights.

3.2 Copyrights

Creators retain copyright over works such as books, articles, music, software, and other artistic or scholarly content, provided these works are developed independently of university direction or without use of university resources.

Protection is conferred upon such works merely upon their creation, without the need for any formal measures, and includes both moral and economic rights as set out in the Copyright Law. The economic rights in a copyrighted work generally last for the lifetime of the author plus seventy years after their death.

Creators of copyright are granted exclusive rights to reproduce, distribute, perform, display, and adapt their works, as well as to authorize others to do so. They have the right to object to any unauthorized use or infringement of their works, including the right to request the removal of infringing content from the internet (notice and takedown). Creators may also benefit financially from their works through licensing or assignment, and can enforce their rights through legal action if infringement occurs.

Copyright for works developed under sponsored research and venture building through any AUBH center and/or lab, created as part of administrative duties, entrepreneurial and innovation initiatives or produced using dedicated university funding or resources shall be owned by AUBH. Course materials and instructional content are considered university-owned unless explicitly stated otherwise through a contractual agreement.

Course materials developed specifically for online teaching, virtual learning platforms, or hybrid instruction shall be subject to university ownership policies. Faculty and instructors retain academic rights over their original contributions, but digital adaptations and recordings are owned by the university.

3.3 Software and Digital Works

Software applications, websites, AI systems, and other digital content developed using university resources or as part of an employment, research, or funded project are considered the property of AUBH unless other arrangements have been pre-approved in writing. Such works may fall under the purview of Copyright Works as further detailed in section 3.3. of this policy.

3.4 Trademarks

A Trademark is anything with a distinctive form such as names, words, signatures, letters, symbols, figures, titles, seals, drawings, images, engravings, packaging, pictorial elements, shapes, colors or groups of colors or a mixture of them, or any mark or group of marks, if used or intended to be used to

distinguish goods or services of a facility or to indicate the rendering of a service or the control of inspection of goods or services. The sign of sound or smell may also be considered a trademark. Trademark registration is valid for ten years from the date of application and may be renewed for similar successive periods

Trademark holders have the exclusive right to use their registered marks in connection with the goods or services for which the mark is registered. They may prevent others from using identical or confusingly similar marks, including logos, in a way that could mislead consumers. Trademark owners can object to infringement, initiate legal proceedings to stop unauthorized use, and request the removal of infringing goods from the market. They may also license or assign their trademark rights to others and benefit from the commercial value of their brand.

To file a trademark application, the concerned person or their representative must submit the application to the Ministry of Industry and Commerce using the prescribed form. The application must meet the conditions specified by the Executive Regulation of the Trademarks Law. The application may include one or more categories of products or services. If multiple persons apply simultaneously for the same or similar marks, the Ministry of Industry and Commerce will suspend the registration until an attested waiver is submitted, or a final ruling is awarded. The applicant may also claim priority based on a previous application lodged in a member state of a multilateral international convention in which a GCC State is a party, provided the necessary documentation is submitted within six months.

Trademarks, including the university name, logos, program titles, and all associated visual identities or branding elements, are the exclusive property of AUBH. These marks may not be used for personal, promotional, or commercial purposes without formal authorization from the Office of the President.

3.5 Designs

Designs, including graphical elements, visual compositions, layouts, and branding aesthetics developed using university resources or within the scope of employment, sponsored research, or funded projects, shall be owned by AUBH. Independently created designs, developed outside university affiliation and without substantial use of university resources, remain the property of the creator but must still be disclosed to the university for review and documentation.

3.6 Project Based Intellectual Property

Intellectual property generated through DLAB initiatives shall be governed by co-ownership principles, ensuring proportional assignment of rights to faculty, students, and external collaborators based on their intellectual and technical contributions. For externally supported projects, such as partnerships with GoFab3D, joint ownership agreements shall define usage rights, commercialization terms, and attribution guidelines. Revenue generated from commercialized project-based intellectual property shall be distributed among contributors in accordance with formal agreements negotiated prior to project completion, ensuring equitable compensation for university stakeholders, external sponsors, and individual inventors

4.0 PROCEDURES

4.1 Disclosure and Protection of Intellectual Property

All potential inventions, software, and creative works that may be eligible for legal protection must be disclosed promptly to the AUBH Research Center. Disclosure must take place prior to any public presentation or external communication of the work, to preserve intellectual property rights and support strategic evaluation. The assigned contact persons for any AUBH Center and/or Lab will assess submissions in coordination with the relevant AUBH departments and determine whether to pursue protection or commercialization.

4.2 Filing a Patent and Trademark

When the university deems an invention to be patentable, or a work to be “trademarkable”, and of commercial value, the Centers and/or Labs will initiate the registration application process in collaboration with the inventor(s). AUBH shall bear the costs of filing, prosecuting, and maintaining the intellectual property. Inventors are expected to contribute actively throughout the process, including supporting legal reviews and responding to patent/trademark office inquiries. In cases where the university decides not to pursue a patent/trademark, inventors may request assignment of rights, subject to the university retaining a non-exclusive license for academic use and compliance with any existing agreements.

4.3 Revenue Sharing

Net revenues from commercialized patents or copyrighted works shall be shared among the inventor(s), the university according to the following structure:

- **Inventor(s)/Creator(s): 50%** This allocation recognizes the direct contribution of inventors and creators, incentivizing innovation and rewarding individual or collaborative effort. Bahraini law (Patent Law, Article 8) acknowledges the inventor’s right to be named and, unless otherwise agreed, to benefit from the invention, especially where the invention is not a result of a specific employment contract.
- **AUBH (General Fund or Strategic Initiatives): 50%** The university’s share ensures sustainability of institutional support for research, education, and strategic initiatives, in line with the university’s mission and the public interest objectives reflected in Bahraini law.
- **Multiple Inventors/Creators** Where there are multiple inventors or creators, Bahraini law (Patent Law, Article 7) provides that rights are shared equally unless otherwise agreed. The use of a predetermined invention contribution form or mutual agreement is consistent with this legal framework.

4.4 Licensing and Commercialization

The Entrepreneurship Center and the broader IP & Innovation Committee shall oversee the negotiation of licensing agreements, startup formation, and broader commercialization strategies. Creators are

encouraged to contribute to commercialization efforts by participating in technology demonstrations, investor meetings, and outreach activities.

This includes conducting market assessments, identifying potential industry partners or investors, and crafting tailored commercialization plans for each innovation. For licensing, the Entrepreneurship Center and the broader IP & Innovation Committee will lead the drafting, negotiation, and execution of licensing agreements, ensuring alignment with the university's intellectual property framework, the interests of the inventors, and fair market value. This will involve establishing standard license templates, managing due diligence on licensees, and ensuring ongoing compliance with license terms.

With respect to startup formation, the Entrepreneurship Center will guide inventors and entrepreneurs through the company creation process — from developing business models and assembling founding teams to assisting with company registration, equity structuring, and intellectual property assignment. The Entrepreneurship Center will maintain a curated network of legal, financial, and technical advisors to support early-stage companies and will provide incubation and acceleration programs and access to funding opportunities.

If the university opts not to pursue commercialization, the creator may formally request the reassignment of rights, subject to conditions ensuring academic use by the university and respect for existing obligations.

4.5 Use of University Name and Resources

Use of the university's name, logo, or other trademarks in connection with intellectual property or commercialization efforts is not permitted without prior written approval from the President's Office. University resources—including personnel time, facilities, or equipment—may not be used for personal or commercial projects unless explicitly authorized through appropriate channels.

4.6 Student Intellectual Property

Students retain ownership of intellectual property they develop independently, without university sponsorship, supervision, or resource use. If students participate in AUBH projects, are funded by the university, or rely on institutional resources, then ownership of any resulting intellectual property may be shared with or assigned to the university under mutually agreed terms. In cases where a student submits a thesis or capstone project that demonstrates strong potential for publication, patenting or commercialization, the university reserves the right to publish or protect the work, while ensuring the student receives authorship credit and appropriate recognition.

4.7 Dispute Resolution

Disputes concerning ownership, revenue sharing, or commercialization decisions shall first be addressed through internal mediation facilitated by the President's Office. The President's Office will form an independent IP & Innovation committee. The affected individual has the right to appeal against the decision of the committee. In this case a second appeal committee will be formed by the President's Office.

Should resolution not be achieved at this level, the dispute may be escalated to the Court.

4.8 Compliance and Enforcement

All members of the university community are expected to adhere to this policy. Non-compliance may result in disciplinary action, including the reassignment of IP rights, restriction of research privileges, or other institutional measures as determined by university regulations.

This policy should be read in conjunction with the university's Code of Conduct, Research Integrity Policy, and relevant employment or academic regulations. Final decisions may be appealed according to university grievance or disciplinary procedures.

4.9. Governance: IP & Innovation Committee:

AUBH shall establish an IP & Innovation Committee ("the Committee") entrusted with overseeing intellectual property activities in circumstances where there is no dedicated Technology Transfer Office. The Committee shall be composed of representatives from the Research Centre, DLab and Entrepreneurship Centre, and any external advisors deemed necessary to provide specialized insight on IP matters. Meetings shall generally take place on a quarterly basis, although the Committee may convene more frequently if needed to address urgent disclosures or disputes.

• Committee Functions:

- **Review of Invention Disclosures:** Ensures that all potential IP is properly assessed for protection and commercial potential, as required by law.
- **Decisions on Protection/Commercialization:** The Committee's role in deciding whether to pursue patenting, licensing, or other commercialization routes is consistent with the university's right to manage its IP portfolio.
- **Composition:** Including representatives from Entrepreneurship Center, Research Center. DLab and external advisors ensures transparency, expertise, and the management of conflicts of interest, as solely appointed by AUBH.

4.10. Commercialization Process.

Once the Committee receives an invention disclosure, it shall evaluate the innovation for patentability, "trademarkability", market potential, and its alignment with AUBH's strategic objectives. After conducting this analysis, the Committee will decide whether to file patent applications or pursue other protection measures. If protection is granted or is deemed appropriate, the Committee shall guide the University towards one of several potential commercialization pathways, which may include licensing the invention to an external party, assigning it outright, or forming a spinout enterprise to bring the technology to market.

Should AUBH determine that it no longer wishes to proceed with or maintain commercialization efforts, the inventor may request the reassignment of the IP rights. In such cases, the University shall retain a non-exclusive license to use the IP for its academic purposes, safeguarding its ability to incorporate the invention into teaching and research activities. Where spinout formation is favored, AUBH reserves the right to take an equity position in the new enterprise.,

4.11. Education and Accessibility:

AUBH recognizes the importance of fostering broader awareness and understanding of intellectual property rights among students, faculty, and staff. To this end, the University shall publish a condensed IP

Rights Guide, offering a succinct overview of Bahraini IP laws and their relevance to academic innovation. This guide will be presented in language accessible to non-specialists, whilst highlighting key obligations and best practices for managing creations and discoveries emerging from teaching, research, and entrepreneurial activities.

5.0 IP Legislation

5.1 Overview of Bahraini IP Law

AUBH recognizes that its IP Policy operates within the broader framework of Bahraini law, and this overview is intended solely for educational purposes and does not constitute formal legal advice. Under Bahrain law, copyright protection is generally granted for the life of the author plus fifty years following his or her death, consistent with the Copyright Law. Patents may be obtained for inventions that satisfy the threshold requirements of novelty, inventive step, and industrial applicability, allowing patentees to exclude others from manufacturing, using, or selling the protected invention without permission. Trademark rights are secured through registration with the Ministry of Industry and Commerce, enabling proprietors to prevent unauthorized third parties from using identical or confusingly similar marks in commerce.

5.2. International Framework

The Kingdom of Bahrain is a member of the World Intellectual Property Organization (WIPO) and is a contracting party to key international agreements, including the Berne Convention for the Protection of Literary and Artistic Works and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). In addition, Bahrain has ratified other major treaties such as the Paris Convention for the Protection of Industrial Property, the Patent Cooperation Treaty (PCT), the Madrid Protocol for the International Registration of Marks, and the Hague Agreement for the International Registration of Industrial Designs. Collectively, these treaties ensure that Bahrain's IP legislation is consistent with international standards and that rights originating in Bahrain may be recognized or extended abroad.

Beyond national protection, members of the AUBH community may seek international protection of their intellectual property. For example, inventors may file international patent applications under the PCT, trademark owners may extend protection through the Madrid System, and designers may register their creations internationally under the Hague System. These mechanisms, administered by WIPO, allow rights holders in Bahrain to pursue broader protection while relying on the framework available in Bahrain.

By situating its IP Policy within this international legal context, AUBH aims to provide clear pathways for extending protection globally. This approach promotes internationally informed innovation practices to help safeguard IP rights of the AUBH community both locally and abroad.

5.3 Legislation Table

Name of the Law	Subject	Date of Publication
– Law No. 1 of 2004 – the Law on Patents and Forms of Benefit Bahrain (“ Patent Law ”)	Patents and Forms of Benefit	24 January 2004
Decision NO. 115 of 2011 regarding the Procedures for Granting a Patent in Bahrain	Patent Procedures	12 June 2011
Law No. 18 of 2012 on Trade Names	Trade Names	9 April 2012
Law No. 6 of 2014 Regarding the Approval of Trademarks Law (Regulation) of the Cooperation Council of the Arab States - GCC Trademarks Law (Regulation) of 2014	Trademarks (Gulf Cooperation Council Regulation)	17 February 2014
Decision No. 101 of 2018 on the Implementing Regulation of Patent Law in Bahrain	Patent Law Implementing Regulations	6 December 2018
Decision No. 65 of 2016 – Implementing Regulations of the Trademark Law (“ Trademark Law ”)	Trademark Law Implementing Regulations	26 May 2016
Law No 22 of 2006 On the Protection of Copyright and Neighbouring Rights (the “Copyright Law”)	Copyright Law	25 June 2006

5.4. Bahrain - International Treaties:

Treaty	Subject / Focus	Instrument Accession Date
Berne Convention	Protects literary and artistic works (copyright); sets minimum standards of protection.	Accession: November 29, 1996
Brussels Convention	Protects against unauthorized distribution of satellite broadcast signals.	Accession: February 1, 2007
Budapest Treaty	Provides for the international recognition of deposits of microorganisms for patent purposes.	Accession: August 20, 2012
Madrid Protocol	Allows international registration of trademarks through a single application.	Accession: September 15, 2005
Nice Agreement	Establishes a standardized classification system for goods and services in trademark registration.	Accession: September 15, 2005

Paris Convention	Protects industrial property (patents, trademarks, industrial designs, etc.) and grants priority rights for foreign filings.	Accession: July 29, 1997
Patent Cooperation Treaty	Enables filing of a single international patent application to seek protection in multiple jurisdictions.	Accession: December 18, 2006
Patent Law Treaty	Harmonizes and simplifies formal procedures for filing and maintaining patents.	Accession: September 15, 2005
Rome Convention	Protects performers, producers of phonograms, and broadcasting organizations (related rights).	Accession: October 18, 2005
Trademark Law Treaty	Standardizes and simplifies procedures for trademark applications and renewals.	Accession: December 18, 2006
WIPO Convention	Establishes the World Intellectual Property Organization and sets its framework.	Accession: March 22, 1995
WIPO Copyright Treaty	Updates copyright protection for the digital environment (e.g., computer programs, internet works).	Accession: September 15, 2005
WIPO Performances and Phonograms Treaty	Grants performers and producers of sound recordings additional rights in the digital environment.	Accession: September 15, 2005

POLICY HISTORY

Date of Last Action	Action Taken/Changes	Authorizing Entity	Effective Date

