



## **Kenya Pipeline Company Limited**

### **INTELLECTUAL PROPERTY POLICY**

**MANAGING DIRECTOR:** ..... *NKang* .....

**EFFECTIVE DATE:** ..... *11-06-2025* .....

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**LIST OF ABBREVIATIONS**

<b>TERM</b>	<b>DEFINITION</b>
IP	Intellectual Property
KPC	Kenya Pipeline Company
KPIs	Key Performance Indicators
MD	Managing director Kenya Pipeline Company
MIOG	Morendat Institute of Oil and Gas

## **DOCUMENT CONTROL**

**Title:** Intellectual Property Policy

**Status:** Issue 1

**Version:** Version 1

**Date of Issue**.....

**Supersedes:** None

**History:** None

**Next review date:** N/A

**Endorsement, Ratification and Compliance**

## **1 INTRODUCTION**

The Kenya Pipeline Company through Morendat Institute of Oil and Gas is committed to becoming a leading centre for research and innovation in the oil and gas industry. To fully realize the KPC huge potential of Research outputs, an Institutional Intellectual Property (IP) Assets management Policy is fundamental. This IP policy, therefore, is designed to create an enabling environment to safeguard national interests, the rights and interests of KPC and its stakeholders as well as promoting the uptake and commercialization of R&D products and services.

### **1.1 Vision, Mission and Core Values**

The Vision, Mission, and Core Values of the KPC

Vision:

Africa's premier oil & gas company

Mission:

Transforming lives through safe and efficient delivery of quality oil and gas from source to customer."

Core Values:

- i. Integrity
- ii. Transparency
- iii. Accountability
- iv. Diligence
- v. Team Spirit.
- vi. Loyalty
- vii. Care for the Environment

Policy Statement:

***Intellectual Property Policy***

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KPC is committed to ensuring that any Intellectual Property (IP) emanating from its activities is used in support of the objectives as set out in the Companies Act, and in accordance with its legal obligations, for the benefit of the organization, the Creator(s)/ Inventor(s) and, most importantly the society.

## **2 PURPOSE**

The purpose of this policy is to:

- i. Protect the rights of the KPC, its innovators, inventors, researchers, Collaborators and the public
- ii. Promote creativity, innovation and commercialization of research outcomes.
- iii. Define ownership rights over intellectual property created within the organization.
- iv. Ensure that IP assets are managed and protected effectively.
- v. Promote fair distribution of benefits derived from IP between the organization, its employees, researchers, students, and external collaborators.

## **3 SCOPE**

This Policy applies to all IP generated at the Institution, particularly by Staff Members, Students, Visitors, and Partners.

## **4 GOVERNING LAWS**

This policy shall be interpreted in accordance with applicable Laws of Kenya. These laws include:

- i. Constitution of Kenya, 2010
- ii. Industrial Property Act 2001
- iii. Trade Marks Act, (Cap 506)
- iv. Copyright Act, (Cap 130)
- v. Science, Technology and Innovation Act, 2013

## **5 DEFINITIONS**

### **5.1 Intellectual Property (IP):**

Any creations of the mind, including inventions, designs, software, technical know-how, processes, and trade secrets.

### **5.2 Copyright:**

Rights over literary, artistic, and scientific works including reports, software, and publications.

### **5.3 Patent:**

Legal protection for new inventions or discoveries that are novel, useful, and non-obvious.

### **5.4 Trademark:**

Any symbol, name, or logo that distinguishes goods or services.

### **5.5 Licensing:**

The granting of rights to use the IP by a third party under agreed conditions.

### **5.6 Creator:**

Any person to whom this Policy is applicable, who creates, conceives, reduces to practice, authors, or otherwise makes a substantive intellectual contribution to the creation of IP and who meets the definition of 'inventor' as generally implied in the IP laws.

### **5.7 Trade Secrets:**

The Institution will designate certain confidential information as a Trade Secret, owned by the Institution. In such event, all Creators will be obligated to maintain the secrecy of the Trade Secret and to follow the direction for the management of the Trade Secret by IP management committee

### **5.8 Kenya Industrial Property Institute (KIPI)**

The institute that registers patents, trademarks and other intellectual and industrial properties.

**5.9 Intellectual Property Rights (IPRs).**

The proprietary rights that may be granted for an invention, mark, design, plant variety, or other type of IP, should the statutory requirements for protection be met to result in a patent, trademark, registered design or plant breeders' right, respectively.

**5.10 Author.**

Any person to whom this Policy is applicable, who individually or jointly with others makes a design, a mark or copyrightable work and who meets the criteria for authorship under the IP laws.

**5.11 IP Management Office (IPMO)/IPM Committee (IPMC).**

This administrative unit is established responsible for day-to-day management of all IP-related activities of KPC.

**5.12 Industrial Design:**

Those aspects of a useful article, which are ornamental or aesthetic and include the shape, pattern, line or color of products of industry, handicraft, technology or architecture.

**5.13 Geographical indications:**

Indications which identify a good as originating in the territory of a country, or a region or locality in that territory, where a given quality, reputation or other characteristic of a good is essentially attributable to its geographical origin.

**6 OWNERSHIP OF INTELLECTUAL PROPERTY****6.1 Organization Ownership:**

KPC shall own all IP rights created by employees, students, or researchers when:

- i. Research is conducted as part of their employment.
- ii. The research is funded by KPC.
- iii. Substantial use of the KPC resources (laboratories, infrastructure) is involved.



## **6.2 Individual Ownership:**

The creator shall retain ownership of IP in the following cases:

- i. IP developed outside of their employment and without the use of KPC resources.
- ii. Work created solely by students for academic purposes unless otherwise stipulated by a specific research project.

## **6.3 Collaborative Research:**

IP ownership resulting from joint research projects with external partners will be governed by agreements signed at the beginning of the collaboration, specifying rights to IP ownership, management, and commercialization.

# **7 DISCLOSURE AND PROTECTION OF IP**

## **7.1 Disclosure Requirements:**

- i. Any employee, student, or researcher must disclose any potentially valuable invention/innovation developed during the course of their research or employment.
- ii. The disclosure must be made to the IP Management Office/Committee under the Research and Innovation Department in a timely manner before publication or any public dissemination.

## **7.2 IP Protection:**

- i. The organization shall assess the commercial potential of the disclosed invention/innovation.
- ii. Should the invention/innovation be commercially viable, the organization will determine the most appropriate IP protection strategy, which may include patenting, copyright registration, trade secret protection, Trade mark, Industrial design, or utility model.
- iii. All costs for securing and maintaining IP rights will be borne by the organization unless otherwise agreed upon with the creator(s).

## **8 COMMERCIALIZATION OF IP**

### **8.1 Licensing and Assignment:**

- i. KPC encourages the commercialization of IP to benefit society. The organization may license IP to third parties for commercial development or assign rights under mutually beneficial terms.
- ii. Any revenue generated from licensing or sale of IP shall be distributed according to the policy outlined below.

### **8.2 Revenue Sharing:**

Net revenue from IP commercialization shall be shared between KPC and the creator(s) in the following proportions (subject to review from time to time):

- i. 50% to KPC.
- ii. 40% to the creator(s) or inventor(s).
- iii. 10% to the relevant department or research unit for reinvestment into research activities.

## **9 PUBLICATION AND ACADEMIC FREEDOM**

- i. KPC recognizes the importance of disseminating research findings. However, researchers must ensure that any IP disclosures are made before public dissemination, including academic publications, to safeguard IP rights.
- ii. The organization shall not unduly delay publication for the sake of IP protection, but a reasonable time frame will be agreed upon between the researcher and the R&I Department.

## **10 DISPUTE RESOLUTION**

- i. Any disputes regarding IP ownership, revenue sharing, or the interpretation of this policy shall first be addressed through internal mediation facilitated by the Research and Innovation Department.
- ii. If a resolution cannot be reached, the dispute will be referred to an independent arbitrator, whose decision will be binding.

## **11 WAIVER OF KPC RIGHTS**

KPC may waive intellectual property rights to the creator, inventor, or student if it: -

- i. Determines not to protect, license or commercialize that intellectual property.
- ii. Determines to abandon all efforts to protect or commercialize such intellectual property

## **12 POLICY REVIEW**

The Intellectual Property Policy shall be reviewed after every 3 years to reflect changes in national laws, international IP regulations, or the operational needs of the organization. However early review may be occasioned by:

- i. Major changes in operating environment.
- ii. Change of Company Mandate or Government policies/regulations.

## **13 CONCLUSION**

This IP Policy aims to balance the interests of the organization and creators, fostering an environment that promotes research, innovation, and the responsible commercialization of intellectual property.

THE UNIVERSITY OF CHICAGO  
DIVISION OF THE PHYSICAL SCIENCES  
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REPORT OF THE  
COMMISSIONERS OF THE  
UNIVERSITY OF CHICAGO  
FOR THE YEAR 1900

CHICAGO: THE UNIVERSITY OF CHICAGO PRESS  
1901