

Factsheet 5

Intellectual Property Rights

Bild ACT recognises that training organisations often have Intellectual Property Rights (IPR) that they wish to protect.

Bild ACT therefore has measures in place to protect that IPR, that operate in two areas:

1. Bild ACT as an organisation
2. Certifying organisations

1. Bild Act as an organisation

Bild ACT should be considered to comprise its director and management team, the panel members, and the individual assessors.

All are required to sign a declaration of interest form and confidentiality agreement every year.

This means that any sharing or dissemination of any training materials without property authorisation will amount to a gross misconduct disciplinary matter.

2. Certifying organisations

There is a clearly stated requirement that all training organisations applying for the Bild ACT Certification Scheme **must** respect the intellectual property rights of other organisations.

The applicant organisations will be required to confirm that they have not breached any Intellectual property rights regarding the use of copyrighted material at the beginning of their application and at specific points during the application and certification process listed below:

- Eligibility Phase
- Formal Panel Review of Application
- Signing of Certification Contract with Bild ACT

Further to this the Bild ACT Assessors will check the following as part of their initial assessment to judge whether or not a potential breach of another organisations Intellectual property has occurred:

- Using trademarked terms
- Using logos from other Certified Training Services (CTS)
- Using videos produced by other CTS
- Using sets of slides originated by other CTS
- Using workbooks originated by other CTS

In the event Assessors have concerns or require clarity about any IPR related matter, they will be expected to contact the Lead Assessors as a matter of priority.

Where it is suspected an organisation has breached Intellectual Property Rights and this cannot be resolved we reserve the right to inform the organisation we believe owns the IPR (and they may in turn choose to take legal action).

Where an organisation suspects a breach of IPR against them and brings it to Bild ACT's attention, the Certification Director will decide a course of action which may include investigating claims of IP infringement, but this will be restricted to those instances where tangible evidence of a founded claim exists, and this may result in suspending an organisations application or Certified Status until the matter has been resolved.

See Bild ACT's IP Policy for more information (to be found in the Bild ACT Customer Handbook).