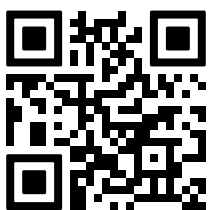


# Fundamentals of Commercialization Quick Guide

Your guide to protecting intellectual property,  
knowledge translation, and commercialization  
activities at The Hospital for Sick Children



Industry Partnerships & Commercialization | The Hospital for Sick Children



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## Commercialization at SickKids

The Industry Partnerships & Commercialization (IP&C) office at SickKids serves as an in-house strategic partner for researchers, clinicians, and staff, supporting the commercialization of early-stage innovations.

IP&C's goal is to ensure that groundbreaking discoveries made at SickKids translate into real-world solutions that benefit children's health and beyond. By connecting inventors with resources, expertise, and external partners, IP&C plays a pivotal role in advancing the impact of SickKids' research beyond the lab.

## Questions? Connect with us!

-  PGCL, 3<sup>rd</sup> Floor, Research Operations Offices
-  [ask.ipc@sickkids.ca](mailto:ask.ipc@sickkids.ca)
-  [ipc.sickkids.ca](http://ipc.sickkids.ca)

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**Industry Partnerships  
& Commercialization**

# Maximizing the Impact of Your Work

Following basic research, translation and commercialization can provide important pathways to ensure discoveries make a real-world impact. These efforts require substantial expertise, funding, and education to bring ideas from the lab to the patient.



## Knowledge Translation

Knowledge translation (KT) is a broad process that ensures research findings are shared, understood, and applied in practice or policy. While all commercialization requires KT, not all KT activities lead to commercialization.

Commercialization-focused KT contextualizes research by highlighting novelty, validating utility, and identifying practical applications. This pathway is specifically aimed at transforming discoveries into marketable intellectual property (IP).

## Commercialization

As the research is being contextualized and validated through translation, commercialization becomes the next step in turning discoveries into market-ready assets. This stage involves securing IP protections, developing prototypes, identifying market opportunities, negotiating partnerships or licensing agreements, and planning product launch or distribution.

At SickKids, IP&C provides the resources needed to effectively develop, de-risk, and position your discoveries for commercial success. The process can result in a range of tangible outcomes, including:

- Collaborative research agreements
- Formal partnerships
- Licensing agreements and other business deals
- Start-up companies

# Intellectual Property in Health Care

IP refers to knowledge, expressions, creations, and other forms of assets stemming from human intellect that are legally protected from unauthorized use by others. This protection enables the necessary investment to support the development of technologies and products by ensuring those making the financial and time commitments can recoup their investment plus benefit from upside rewards. As a staff member at SickKids, the IP you generate through your employment is owned by the Hospital and is typically categorized as Research Work or Institutional Work.

- **Research Works** involve new, inventive, and original creations, including their intellectual and tangible forms. This type of IP can be translated into valuable research assets and further commercialized in collaboration with IP&C.
- **Institutional Works** involve all tangible materials and work products created for specific purposes and include materials produced during normal job duties. Common examples include research data, biobanks, images, reports, methods, and operating procedures. The value of this type of IP can also be realized in collaboration with IP&C.

## SickKids Intellectual Property (IP) Policy

SickKids owns any IP generated at the Hospital and retains the sole right to its commercialization, with net revenues being shared equally between the Hospital and the inventors. Staff members are obligated to disclose all inventions and IP developed at the hospital, or using hospital resources, to the SickKids Industry Partnerships and Commercialization (IP&C) Office. To make a confidential invention disclosure to IP&C, use the [Inventor Portal](#) found on our departmental page on the mySickKids intranet.

## Understanding Inventorship

Accurately identifying the individuals involved in an innovation is a critical part of the commercialization process. Determining who qualifies as an inventor or creator—and distinguishing them from contributors—ensures that intellectual property (IP) rights are properly assigned, that recognition and revenue are distributed fairly, and that all legal and institutional obligations are met.

- **Inventors**  
Inventors are individuals who have played a meaningful role in the conception of an invention—the mental act of forming a definite and permanent idea of how the

invention works. Conception must extend beyond a general concept or vague notion; it requires a clear and specific idea developed through creative and intellectual effort.

- **Creators** is an inclusive term used by SickKids to describe individuals who “invent” as part of their role within the organization, as defined in the SickKids IP Policy. The term recognizes that invention is often part of the institutional research process, while still encompassing the responsibilities and rights of inventors under the policy.
- **Contributors**  
Contributors are individuals who provide technical assistance, perform experiments, or offer suggestions that support the invention, but who do not take part in its conception. Their efforts are valuable to the development of the work but typically fall within the scope of their regular duties and do not meet the criteria for inventorship.

## Examples of Health Care Innovations

Innovation in healthcare encompasses a broad range of developments, from research tools to therapeutics, and each may require a different type of IP protection and commercialization strategy. We can assist you in identifying opportunities within your work, as some innovations may not be immediately apparent, such as data platforms, questionnaires, and research methodologies. Below are examples of health innovations you might encounter/develop at SickKids:

<b>Educational Resources</b>	Educational apps, teaching platforms, disease simulators, books, educational content and curricula, etc.
<b>Research Tools</b>	Engineered cell lines, assays, questionnaires, rating scales, screening platforms, animal models, etc.
<b>Medical Devices</b>	Biosensors, health monitors, implants, surgical tools, clinical instruments, etc.
<b>Diagnostics</b>	Screening platforms, in-vitro tests, imaging equipment, diagnostic procedures and methods, etc.
<b>Therapeutics</b>	Drugs, vaccines, treatment regimens, biologics, surgical procedures, etc.

# Intellectual Property Protections

IP is categorized into several types, including patents, trademarks, copyrights, and trade secrets, each providing different protections and rights to creators:

<b>Utility Patent</b>	<ul style="list-style-type: none"><li>• Grants exclusive rights to inventors/assignees for their new and useful inventions</li><li>• Prevents others from making, using, or selling the invention without permission (a license)</li><li>• 20-year protection in Canada</li></ul>
<b>Industrial Design (Design Patent)</b>	<ul style="list-style-type: none"><li>• Protects the aesthetic design of products</li><li>• Prevents others from making, selling, or distributing items with the same or similar design</li><li>• 15-year protection in Canada</li></ul>
<b>Copyright</b>	<ul style="list-style-type: none"><li>• Protects original works of authorship, such as literature, photography, music, and art</li><li>• Grants exclusive rights to reproduce, publish, or display original works</li><li>• Lifetime protection + 70 years thereafter in Canada</li></ul>
<b>Trademark</b>	<ul style="list-style-type: none"><li>• Protects symbols, names, logos, and slogans used to identify brands, products, and services</li><li>• Prevents others from using a brand's likeness without permission</li><li>• 10-year protection in Canada</li></ul>
<b>Trade Secrets</b>	<ul style="list-style-type: none"><li>• Informally protects formulae, processes or designs by not disclosing proprietary details publicly</li><li>• Not registered with a government authority, protection is maintained as long as the information remains confidential</li></ul>

IP laws differ among countries and there is no universal patent or trademark system that provides worldwide coverage. However, there are international treaties and agreements that facilitate the process of filing for IP protection in multiple countries. The Patent Cooperation Treaty (PCT) allows creators to file a single international patent application that can later be converted into national applications in PCT member countries.

### Disclosing Inventions/Disseminating Knowledge Outside of SickKids

Note that public disclosures can disqualify your invention from protection consideration – avoid disclosing sensitive details in research publications, poster/seminar presentations, displays, and external conversations. If you have an invention, reach out to IP&C early – we provide tailored advice on how to manage knowledge dissemination outside of SickKids and strategies for maintaining your invention's novelty.

## Patents

Patents are a form of intellectual property that provide exclusive rights to creators for their inventions, allowing them to exclude others from making, using, selling, or distributing the patented invention without permission. Utility patents protect new and useful processes, machines, articles of manufacture, or compositions of matter. Design patents protect the ornamental design of a functional item, protecting the way a product looks rather than how it works.

**For a patent to be filed, inventions need to meet specific patentability criteria:**

- **Novelty** - Must be original and unknown to the public.
- **Non-Obviousness** - Cannot be a logical improvement of existing technologies.
- **Utility** - Must demonstrate credible and specific usefulness.

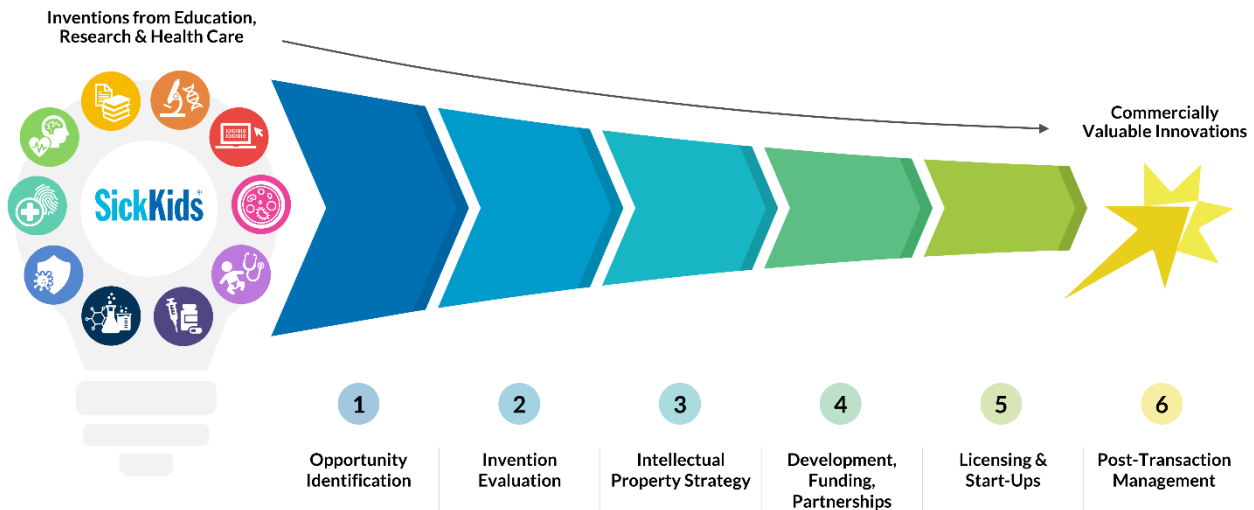
## Copyright

Copyright is another form of intellectual property that protects original works of authorship, such as research articles, questionnaires, rating scales, data, and software code. Copyright grants the creator exclusive rights to reproduce, distribute, perform, display, and create derivative works based on the original work – others must obtain permission to use copyrighted material.

Copyright protection is automatically granted when an original work is created and fixed in a tangible medium, such as writing it down, recording it, or saving it digitally. While registration with a copyright office is not required, it can provide legal advantages if you ever need to enforce your rights.

# SickKids Innovation Pathway

As an inventor, you play an integral role in translating and, where appropriate, commercializing your discovery. Once an invention disclosure is submitted, IP&C collaborates with all inventors to develop tailored strategies to protect and advance the work toward impact. This shared process is outlined in our **Innovation Pathway**.



## 1) Opportunity Identification

At the first stage of the commercialization pathway, IP&C works to identify high-potential opportunities through internal outreach, education, and consultation. We engage with inventors early to explore value generation and protection strategies, ensuring inventions are positioned for success from the start.

- **Inventor Responsibilities**

Recognize potential intellectual property and submit an invention disclosure through the [Inventor Portal](#). Clearly specify all collaborators or funding sources that contributed to the invention and consult IP&C before making any public disclosures.

## 2) Invention Evaluation

IP&C evaluates the invention's commercial potential by assessing unmet needs, market landscape, and investor interest. This stage helps define the most appropriate IP protections and informs a tailored commercialization strategy.

- **Inventor Responsibilities**

Engage with IP&C to articulate the invention's unique advantages, market relevance, and current activity in the field to support the evaluation process.

### 3) Intellectual Property Strategy

IP&C develops and manages a comprehensive IP protection strategy, overseeing filings with relevant patent, copyright, and trademark offices. We collaborate with inventors to co-develop data generation plans and define milestones that strengthen the innovation's position.

- **Inventor Responsibilities**

Provide regular research and data updates, help review prior art to strengthen claims and participate in drafting IP applications with external agents.

### 4) Development, Funding, Partnerships

During this stage, IP&C helps identify potential investors, funding opportunities, and partnerships to advance development. We monitor progress and provide strategic guidance to help de-risk the innovation and attract future investment.

- **Inventor Responsibilities**

Actively contribute to strategy discussions, prepare and submit funding applications, refine development plans, and provide regular updates on progress.

### 5) Licensing & Start-Ups

IP&C identifies and engages potential partners or investors best positioned to bring the innovation to market. We solicit interest, develop commercialization opportunities, and negotiate terms for licensing agreements or start-up creation.

- **Inventor Responsibilities**

Deliver on agreed milestones, collaborate with IP&C to develop balanced science-and-business pitches, disclose any new relationships to the Relationship Management Committee.

### 6) Post-Transaction Management

Following a licensing or start-up agreement, IP&C ensures all contractual obligations are met, including compliance, payments, and reporting. We continue to protect SickKids' interests through ongoing IP management and follow-up actions.

- **Inventor Responsibilities**

Report ongoing developments, modifications, or improvements to the invention, and notify IP&C of any changes to inventorship or revenue-sharing. Continue collaborating with IP&C to maximize the long-term impact and value of your innovation.



## **Industry Partnerships & Commercialization**