

POLICY OF WITHHOLDING THESIS PENDING A PATENT APPLICATION CONTENT OR MANUSCRIPT SUBMISSION

A thesis cannot be permanently restricted on the university's MSpace repository. It can only be restricted under the above embargo periods of two years plus one additional year.

In 1970, The University of Manitoba Board of Governors and Senate approved a policy on accepting research grants from outside agencies. This policy defined the right of agencies to defer release of information and thus ensure freedom of publications for research findings of university personnel. Occasionally, the university may also wish to restrict the release of a thesis pending patent application. For additional details, see The University of Manitoba Governing website. (<https://umanitoba.ca/governance/governing-documents/#academic>)

This situation may arise in the two (2) circumstances defined below, both of which are governed by the same set of regulations:

1. Where a research project is known to contain patentable items as defined in the research contract, then it is the responsibility of the advisor/co-advisor to give information of the restrictions on publication to the student prior to the start of the thesis research. If the student agrees to carry out the research, then the regulation given below will apply.
2. Where a patentable item is found during the course of research, then the advisor/co-advisor and the student may make application for patent rights through the University Patent Committee, and the following regulation will apply concerning the release of the thesis.

Regulations Concerning Release of a Thesis during Application and Negotiation for Patents

The Dean of the Faculty of Graduate Studies will receive the approved thesis. On joint request of the advisor/co-advisor and the student, the Dean will retain the thesis for a period up to two (2) years. One additional year may be requested. Requests beyond one additional year may be made to the Dean in exceptional cases.

Regulations Concerning Release of Thesis Pending Manuscript Submission

The Dean of the Faculty of Graduate Studies will receive the approved thesis. On joint request of the advisor and the student (via the Embargo Request Form), the Dean will retain the thesis for a period up to two (2) years.

In exceptional cases, not covered by the regulation concerning patents, where adequate causes can be shown to delay publication, the student and advisor/co-advisor may request that the Dean of the Faculty of Graduate studies restrict access for a period up to two (2) years after submission of the digital version of a thesis or practicum to The University of Manitoba. The Dean shall determine for what period, if any, access will be restricted based on the request. One additional year of restriction can be requested if needed. Requests beyond one additional year may be made to the Dean in exceptional cases.