Fontys Knowledge Valorisation Scheme

(effective as of 1 September 2026)

Please take note that you cannot derive any rights from this English version of the Fontys Knowledge Valorisation Scheme. In case of doubt, please consult the original Dutch version.

Introduction

Knowledge valorisation as a statutory task

Knowledge transfer or valorisation is laid down as a core task in the Dutch Higher Education and Research Act (Wet op het hoger onderwijs en wetenschappelijk onderzoek, WHW). Article 1.3 WHW describes the duties of higher education institutions. With regard to universities of applied sciences, it provides:

“Universities of applied sciences are oriented towards providing higher professional education. They carry out design and development activities or research aimed at professional practice. In any event, they provide bachelor’s programmes in higher professional education; where applicable, they provide associate degree programmes and master’s programmes in higher professional education; and in any event they transfer knowledge for the benefit of society. They contribute to the development of the professions for which the education is designed.”

The specific implementation of this statutory task is not laid down in the law. Within higher professional education, the terms impact, dissemination and valorisation are often used interchangeably. By means of this Scheme, Fontys delineates the concept of Knowledge Valorisation as part of the broader concept of impact.

Why is it important to valorise knowledge?

As a public knowledge institution, Fontys has the task of ensuring that knowledge generated through research is embedded in education, professional practice, and society. Fontys endorses Open Access and the FAIR principles regarding the sharing of research data and knowledge. At first sight, protecting knowledge through patents appears to conflict with this.

However, if all knowledge arising from our practice-oriented research were made fully publicly available, this could in fact hinder innovation. A temporary knowledge advantage may encourage investment in developing innovations for the market. If companies have the assurance that certain knowledge developed together with Fontys may become their property, in whole or in part, this increases the incentive for companies to collaborate with Fontys. For example, if Fontys employees engaged in research are given the opportunity to secure knowledge, this may create opportunities for valorising that knowledge, for instance by creating a strategic position vis-à-vis a professional field partner. By making specific parts of new knowledge available only to a limited extent, the appropriate preconditions and incentives for innovation may be created.

Distribution of income

This Scheme also provides for a model to distribute income from knowledge valorisation in a fair manner and thereby stimulate Fontys’s innovative capacity. Generating income from knowledge valorisation is not an end in itself. As a rule, knowledge valorisation is at most cost-covering for the public knowledge institution.

Principles

Through this Scheme, Fontys aims to achieve harmonised processes in the field of knowledge valorisation. In doing so, Fontys applies the following principles:

- Knowledge Valorisation concerns the monetisation of knowledge developed within Fontys by employees and students;
- Impact is the broader whole of all effects through which practice-oriented research, consciously and unconsciously, affects society; knowledge valorisation forms part of impact;
- Royalties on publications and books fall under the publication policy and are outside the scope of the Knowledge Valorisation Scheme.

Article 1 – Definitions

In this Scheme, the following terms shall have the following meanings:

a. Knowledge Valorisation Committee:	An advisory committee chaired by the Director of Fontys Onderwijs & Onderzoek and consisting of at least three members with expertise in research policy, control and legal affairs, supplemented by a substantive expert in the relevant knowledge domain and/or entrepreneurship, as required for the advice to be given. This committee advises the executive board on business cases submitted to it concerning requests for Knowledge Valorisation.
b. Service Department:	The operational unit within Fontys that carries out business processes in support of the primary process.
c. Director:	The person appointed as such who is in charge of an Institute or Service Department, as applicable.
d. Fontys:	The Fontys Foundation.
e. Institute:	The operational unit of organisation for Fontys's core competencies which is responsible for the execution of the primary process.
f. Intellectual Property Rights:	Including in any event copyright, patent rights, design rights, plant breeders' rights and database rights.
g. Knowledge:	Know-how, including ideas, concepts and practically applicable thoughts.
h. Knowledge Valorisation:	The monetisation of Knowledge and/or Work developed within Fontys by Employees and Students.
i. Research Group (Lectoraat):	A research group led by a professor of applied sciences (lector) that generates demand-driven knowledge contributing to the knowledge domain, applies this knowledge in educational programmes, and feeds it back into professional practice.
j. Employee:	A person employed by Fontys under an employment contract.
k. Net Valorisation Proceeds:	The proceeds arising in a particular case from Knowledge Valorisation minus all costs incurred for that purpose.
l. Scheme:	This Fontys Knowledge Valorisation Scheme.
m. Student:	A person enrolled in a study programme in accordance with article 7.32 et seq. WHW.
n. Work:	Any creation in the field of literature, science or art, regardless of the manner or form in which it is expressed.

Article 2 – Scope of Application

1. This Scheme applies to Employees and Students of Fontys.
2. This Scheme applies to Knowledge, Work and/or Intellectual Property Rights vested in Fontys.

Article 3 – Intellectual Property Rights and Open Science

1. Copyright in a Work created by a Student in the context of a study programme at Fontys shall vest in the Student, unless other arrangements have been laid down, or unless the Student is also an Employee. With regard to the remaining Intellectual Property Rights, the applicable laws and schemes and/or the contractual arrangements made with the Student shall apply.
2. Intellectual Property Rights in a Work created by an Employee within the job description or in the performance of their position at Fontys shall vest in Fontys in accordance with the collective labour agreement for universities of applied sciences (cao hbo).
3. Fontys is committed to Open Science. Free access to Fontys Knowledge and Work is therefore the guiding principle. Fontys owns the Intellectual Property Rights vested in Fontys in respect of Knowledge and Work developed within the Fontys organisation. Subject to further conditions to be determined, Fontys grants other parties non-exclusive access to the aforesaid Knowledge and Work.

Article 4 – Knowledge Valorisation – Employees

1. If an Employee or Director wishes to proceed to Knowledge Valorisation of Knowledge and Work in respect of which the Intellectual Property Rights vest in Fontys, this shall only be permitted if the procedure set out in this Scheme is followed.
2. The procedure referred to in paragraph 1 of this article shall be as follows:
    a. As soon as an Employee or Director wishes to proceed to Knowledge Valorisation, the Employee or Director shall prepare a business case for that purpose. The Employee or Director shall ensure that a Fontys business developer is involved in the preparation of the business case.
    b. The business case shall in any event describe:
        i. the manner in which the Knowledge Valorisation is envisaged, for example by means of a licence or transfer of Knowledge and/or Work to one or more third parties or by means of collaboration with one or more third parties;
        ii. the field of application, duration and possible remuneration on the basis of which one or more third parties may use the Knowledge and/or Work; and
        iii. why the chosen route and, where applicable, the chosen partner is or are the best option for the Knowledge Valorisation of the Knowledge and/or Work in the case at hand.
    c. This business case shall be submitted to the Knowledge Valorisation Committee for advice. The Knowledge Valorisation Committee shall issue advice to the executive board on the business case.
    d. The executive board shall decide on the business case. Following a positive decision by the executive board, the Employee may proceed to Knowledge Valorisation in accordance with the business case and, where and insofar as necessary, the relevant arrangements shall be laid down in an agreement.
3. If Net Valorisation Proceeds arise from the Knowledge Valorisation, they shall, where applicable, be distributed as follows: one-third to Fontys's central funds, and two-thirds to the Research Group or Institute where the Employee is employed. In principle, the remuneration applicable under the employment contract shall be deemed to include compensation for Knowledge and/or Work developed, in whole or in part, by the Employee and protected by Intellectual Property Rights.
4. If and insofar as, following approval by the executive board of a business case, a patent application by Fontys is necessary for Knowledge Valorisation, such application shall be financed from Fontys's central funds. A patent application by Fontys shall only be filed if the request to do so is included in the business case and has been assessed by the Knowledge Valorisation Committee for feasibility and revenue potential.

Article 5 – Knowledge Valorisation – Students

1. If a Student wishes to proceed to Knowledge Valorisation on the basis of Knowledge and/or Work in respect of which the Intellectual Property Rights vest in Fontys, arising from research to which that Student has contributed to a substantial degree, Fontys is prepared, subject to conditions, to make the relevant Knowledge and/or Work available to the Student, for example by means of a licence agreement or transfer. This is only possible if the procedure set out in this Scheme is followed.
2. The procedure referred to in paragraph 1 of this article shall be as follows:
    a. As soon as a Student wishes to proceed to Knowledge Valorisation, the Student shall prepare a business case for that purpose.
    b. The business case shall in any event describe:
        i. the manner in which the Knowledge Valorisation is envisaged, for example by means of a licence or transfer of Knowledge and/or Work to one or more third parties or by means of collaboration with one or more third parties;
        ii. the field of application, duration and possible remuneration on the basis of which one or more third parties may use the Knowledge and/or Work; and
        iii. why the chosen route and, where applicable, the chosen partner is or are the best option for the Knowledge Valorisation of the Knowledge and/or Work in the case at hand.
    c. This business case shall be submitted to the Knowledge Valorisation Committee for advice. The Knowledge Valorisation Committee shall issue advice to the executive board on the business case.
    d. The executive board shall decide on the business case. Following a positive decision by the executive board, the Student may proceed to Knowledge Valorisation in accordance with the business case.

Article 6 – Support – Knowledge Valorisation Desk

1. Employees and Students may contact the Knowledge Valorisation Desk for support and questions in the field of Knowledge Valorisation insofar as this concerns Knowledge and/or Work in respect of which the Intellectual Property Rights vest in Fontys.
2. The Knowledge Valorisation Desk is positioned within Fontys Onderwijs & Onderzoek and can be reached via kennisvalorisatie@fontys.nl.

Article 7 – Confidentiality

1. Employees and Students shall be obliged to maintain confidentiality with regard to activities carried out within Fontys which could reasonably lead to the establishment of Intellectual Property Rights in respect of Fontys Knowledge and/or Work, in order to enable such rights to be protected.
2. Any publication relating to the results of the activities referred to in paragraph 1 of this article shall have to be postponed for as long as necessary in view of any registration procedure for the protection of Intellectual Property Rights.

Article 8 – Final Provisions

1. This Scheme shall enter into force on 1 September 2026.
2. This Scheme shall be adopted and amended by the executive board.
3. In all cases not provided for by this Scheme, as well as in the event of a dispute concerning the interpretation of this Scheme, the executive board shall take a decision.
4. This Scheme may be cited as: “Fontys Knowledge Valorisation Scheme.”