
INTELLECTUAL PROPERTY AND OPEN-PUBLICATION POLICY

Inner Planets Terraforming Foundation Corporation

Adopted: 25 July 2026, by resolution of the Board of Directors (Resolution 2026-OM-3).

1. Purpose and authority

This Intellectual Property and Open-Publication Policy (“Policy”) implements Articles III(c) and III(f) of the Foundation’s Articles of Incorporation, which require that the results of the Foundation’s research and development be made available to the public on a non-discriminatory basis in compliance with Treasury Regulations Section 1.501(c)(3)-1(d)(5)(iii)(a). The Policy governs ownership, licensing, and disclosure of intellectual property arising from the Foundation’s activities.

Authority for this Policy rests with the Board, with operational oversight by the IP and Open-Publication Committee established under Bylaws Article VI Section 6.2(d).

2. Scope

This Policy applies to:

- (a) all research, development, software, data, designs, and other intellectual outputs created by directors, officers, employees, contractors, fellows, or volunteers of the Foundation in the course of Foundation activities;
 - (b) any intellectual property contributed to the Foundation by donors;
 - (c) any intellectual property generated in connection with paid consultation engagements under Article III(e) and (f) of the Articles, subject to the special rules in Section 6 below; and
 - (d) the Foundation’s name, logo, and other marks, addressed in Section 7 below.
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3. Default ownership

Subject to Section 6 (consultation engagements) and except as otherwise expressly agreed by the Board:

- (a) Intellectual property created by Foundation employees within the scope of their employment is owned by the Foundation as a “work made for hire” or by assignment, as the case may be;
- (b) Intellectual property created by Foundation contractors shall be assigned to the Foundation by the contract under which the work is performed;
- (c) Intellectual property created by directors, officers, fellows, or volunteers in their capacity as such, using Foundation resources, is owned by the Foundation;

- (d) Intellectual property created by Foundation personnel outside the scope of Foundation activities, on personal time and without using Foundation resources, is owned by the creator and is not subject to this Policy.
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4. Open-publication mandate

In furtherance of Articles III(c) and Treas. Reg. §1.501(c)(3)-1(d)(5)(iii)(a), the Foundation's default posture is that all research outputs are made available to the public on a non-discriminatory basis. Specifically:

- (a) **Documents, papers, reports, and other written outputs** shall be released under a Creative Commons Attribution license (CC-BY 4.0) or a successor non-restrictive license that permits unrestricted use including commercial use, modification, and redistribution with attribution;
- (b) **Software** shall be released under an Open Source Initiative-approved permissive license (e.g., MIT, BSD, or Apache 2.0) or, where appropriate for collaborative or copyleft purposes, an OSI-approved copyleft license (e.g., GPL or LGPL);
- (c) **Data sets** shall be released under a Creative Commons Public Domain Dedication (CC0) or Creative Commons Attribution license (CC-BY), and shall be deposited in publicly accessible repositories appropriate to the data type (e.g., Zenodo, Figshare, Dryad, or domain-specific repositories);
- (d) **Designs and engineering specifications** shall be released under a non-restrictive license that permits use, modification, and redistribution by any party, with attribution.

The Foundation may use its own publication channels — website, repositories, journals, conferences — or rely on third-party channels, including a client's publication, to satisfy the public-availability requirement; what matters is that the results are accessible to the public, not that the Foundation be the publisher.

5. Patents and other proprietary rights

The Foundation generally does not seek patent or other proprietary protection for outputs of its primary research and educational programs, because the open-publication mandate of Articles III(c) is more readily satisfied by direct release into the public domain (or under permissive licenses). The Foundation may, however, file for patent protection in the limited circumstance where the IP and Open-Publication Committee determines, with the approval of the Board, that:

- (a) patent protection is necessary to ensure broad public access to the underlying invention (for example, to prevent another party from obtaining proprietary rights that would impede public use); or
- (b) patent protection is required as a condition of a substantially-related consultation engagement under Section 6.

Any patent obtained by the Foundation shall be licensed on a non-discriminatory, non-exclusive basis to any party that wishes to use it, with reasonable terms and at no cost where practicable, in

compliance with Treas. Reg. §1.501(c)(3)-1(d)(5)(iii)(a).

6. Consultation engagements

For intellectual property generated in connection with paid consultation engagements under Articles III(d)–(e):

- (a) **Patent and proprietary rights.** The Foundation may, by written agreement and with the approval of the IP and Open-Publication Committee, permit a client to obtain or retain patents, copyrights, or other proprietary rights resulting from research conducted in the engagement, provided that the underlying research is itself made available to the public on a non-discriminatory basis within the timeframe established under Section 6(b) below.
- (b) **Confidentiality embargo.** The IP and Open-Publication Committee shall determine, in advance of each engagement, the period of client confidentiality reasonably necessary to permit the client to obtain patent or other proprietary protection. Reference points are:

approximately 18 months for engagements involving only U.S. priority patent filings;

approximately 24 months for engagements involving Patent Cooperation Treaty (PCT) international filings;

up to 30 months for complex international or multi-jurisdictional filings;

any period exceeding 30 months requires full Board approval and contemporaneous written justification, per Bylaws Section 8.5(c);

permanent confidentiality is prohibited absolutely under Articles III(f)(iii).

- (c) **Generalizable outputs.** Generalizable methodologies, scientific principles, and non-client-specific learnings derived from any consultation engagement shall be released to the public in the ordinary course of the Foundation's public outputs, in accordance with Articles III(f)(ii) of the Articles.
 - (d) **Background and foreground IP.** Each consultation engagement contract shall specify the treatment of (i) the client's pre-existing intellectual property ("background IP," ordinarily retained by the client), (ii) the Foundation's pre-existing intellectual property ("Foundation background IP," ordinarily retained by the Foundation under the licensing terms of Section 4), and (iii) intellectual property newly created during the engagement ("foreground IP," subject to the rules of Section 6(a)–(c) above).
 - (e) **No DP clients.** Per Bylaws Section 8.3, the Foundation shall not accept any consultation engagement from a person who is a disqualified person within the meaning of IRC §4946, and this Section 6 does not apply to any such engagement.
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7. Foundation marks

The Foundation's name, logo, and any other distinctive marks ("Marks") are owned by the Foundation. Use of the Marks by any third party requires the Foundation's prior written consent. The

Foundation may grant trademark licenses on terms it deems appropriate. The Foundation shall not license its Marks in any manner that suggests endorsement of a commercial product, service, or organization in a way that would be inconsistent with the Foundation's exempt status.

8. Pre-publication review

Before any output is publicly released, the responsible Foundation employee or principal investigator shall give the IP and Open-Publication Committee a reasonable opportunity (typically not less than ten (10) business days) to review the proposed release for compliance with this Policy, including license selection, attribution, and deposit-repository selection. The Committee's review is procedural; the Committee may not block a release that complies with this Policy.

9. Recordkeeping

The IP and Open-Publication Committee shall maintain a register of:

all Foundation-created intellectual property and its associated public-release status;

all consultation engagements, the embargo periods determined for each, and the actual public-release dates;

all patents, copyrights, or other proprietary rights filed or retained by the Foundation; and

all third-party patents, copyrights, or other proprietary rights assigned to a client under Section 6, with cross-reference to the underlying public-release records.

The register shall be made available to directors at any time and to the IRS upon any examination.

10. Review and amendment

This Policy shall be reviewed by the IP and Open-Publication Committee not less than annually and recommended to the Board for re-adoption, amendment, or replacement as appropriate. Material amendments require the approval threshold for amendment of bylaws under Bylaws Article XI.

End of IP and Open-Publication Policy.