

# Intellectual Property Standard

## Owner: Director, Enabling Functions, Legal

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## Purpose

The purpose of this Intellectual Property Standard (Standard) is to set expectations and requirements for the creation, use and management of intellectual property at Cenovus.

## Scope

This Standard applies to the use, management and protection of intellectual property at Cenovus.

This Standard applies to all staff and service providers, including individuals performing work for Cenovus as an employee or in the course of providing contracted services.

## Roles and responsibilities

**Intellectual Property (IP) Legal team** is responsible for managing Cenovus's intellectual property rights including evaluating invention disclosures and drafting, filing and prosecuting intellectual property applications and registrations.

**Communications** is responsible for managing the approval process and for reviewing staff's content and messaging prior to any public disclosure; as well as managing the use of trademarks.

**Staff and service providers** are responsible for disclosing intellectual property conceived during the course of performing work for Cenovus or with the use of Cenovus resources, assisting in defining and providing details to enable the protection of intellectual property, and for protecting the proper use of Cenovus's trademarks.

## Standard statements

### Intellectual Property (IP)

IP is defined as an intangible asset and encompasses inventions, ideas, original works (e.g. written materials, illustrations, images, presentations, electronic files and software), data, know-how, designs, symbols and images including the legal rights residing in copyright, patents and trademarks.

### Ownership

IP developed during the course of performing work for Cenovus, or with the use of Cenovus resources including physical, digital and other company assets (including facilities, equipment, tools, computers, mobile devices, supplies, and other tangible resources, as well as nonphysical assets such as trade secrets, information, data & information systems, network environments, and cloud services), are valuable assets and are owned by Cenovus.

Staff and shall have no proprietary interest in any IP notwithstanding that they may have conceived, developed, authored, created, or contributed to the creation or improvement of the same. Where contractors and service providers create intellectual property in the course of providing services to Cenovus, the contract between Cenovus and the service provider shall govern ownership.

This Standard does not apply to IP for which no physical, digital and other company assets was used, and which does not: a) relate to the business of Cenovus; b) relate to the staff or service provider's actual or demonstrably anticipated job responsibilities, processes, research or development; or c) result from any work performed by the staff or service provider for Cenovus.

Staff and service providers are required to execute documents as necessary to confirm ownership by Cenovus for all IP falling within this Standard as requested by Cenovus. In the case of copyright, staff and service providers are also required to waive all moral rights in the Cenovus owned works.

## **Intellectual property disclosure**

Disclosure is required for any IP developed or conceived in the course of performing work at Cenovus or with the use of Cenovus resources, to the IP Legal team. When such a disclosure is made, Cenovus may require assistance in: a) crafting a technical description required to define an innovation; b) defining and establishing the legal rights of Cenovus; and c) executing any documents necessary to establish and/or maintain Cenovus's legal rights in the IP.

Cenovus will determine at its discretion which IP, including but not limited to innovations, novel ideas, designs or processes, it wishes to protect through the various legal options available.

## **Innovations**

The creation, development or invention of novel processes, apparatus, designs or improvements (herein referred to as inventions) during the course of performing work for Cenovus or with the use of Cenovus resources are valuable assets.

An invention disclosure (ID) shall be submitted through the Inventors' Portal on INC to be evaluated for patent potential by a multi-disciplinary panel of experts. All records related to the development of potentially patentable innovations are to be treated as strictly confidential, are the property of Cenovus and represent confidential information, and/or are considered as trade secrets.

## **Copyright**

Materials created which may be protected by copyright include written materials (such as marketing content, instruction manuals, design drawings, presentations, illustrations, video content or photographic images, and electronic files and software (collectively referred to as "original work") created during the course of performing work for Cenovus or with the use of Cenovus resources. The IP Legal team shall manage the registration of copyright as required.

Copyright in original work, and all physical embodiments of the original work, is owned by Cenovus. Where practical, all original work shall contain the following copyright designation:

©, Cenovus Energy Inc., (year).

Approval must be obtained from Cenovus Communications prior to distribution to the public any original work bearing the copyright designation.

## **Trademarks**

To preserve the value of its trademarks, Cenovus maintains control over the character and quality of its brands and logos, and protects its visual identity through authorized trademark use only.

When using a Cenovus trademark, the spelling or form must not be changed or varied, including adding or deleting hyphens, making one word two words or using plural forms of the trademark or altering colour

combinations. Specific requirements for use of certain Cenovus trademarks are published on the company's intranet.

Unless required to do so in the proper course of performing work for Cenovus, staff shall not use any Cenovus trademarks in any public representations without express authorization by Cenovus Communications.

## **Confidentiality and public disclosure**

All records and materials related to the development of any IP are the confidential property of Cenovus and must be managed confidentially in accordance with the Information Security Classification Standard.

Confidential information about Cenovus's IP may not be disclosed without authorization and are subject to written non-disclosure agreements. Prior to the public disclosure of Cenovus IP, including through presentations made at industry meetings and events, any proposed content must be reviewed and approved through the Communications review process.

Where a service provider or contractor may be involved, terms for disclosure and ownership may be subject to a written non-disclosure agreement or a contract. Contracts take precedence only when subject to legal review.

## **Unauthorized use of third-party intellectual property**

Staff and service providers shall not violate or infringe the valid IP rights nor breach any obligations relating to the confidential information of others.

Unauthorized use or copying of published books, music, videos, images, movies, software or newspaper articles is prohibited. Staff and service providers may not download or otherwise copy computer files of any kind in violation of copyright laws. Staff must ensure that necessary licenses and permissions are obtained for the use of any photographs or other images in company marketing content or other materials.

## **Compliance and enforcement**

### **Monitoring**

The IP Legal team monitors compliance to this Standard through regular and ad hoc review.

Communications shall regularly monitor compliance of trademark use.

### **Exemptions and waivers**

Exemptions related to ownership, intellectual property disclosure, copyright and innovation shall be submitted to the IP Legal team for consideration and approval by the owner of this Standard.

Requests for external endorsement, including using the Cenovus name and trademarked logo shall be submitted to Communications for consideration or approval by the Director, Communications.

### **Consequences of non-compliance**

Cenovus considers any violation of this or any related policy or standard seriously. Staff or service providers who violate this Standard or any related Cenovus policy or standard, may be subject to disciplinary action up to and including dismissal from employment or termination of services. In the event that the violation has breached Federal, Provincial, State or International laws, Cenovus may have an obligation to report and the staff or service provider will be required to assume full responsibility for their actions.

Where there is an inconsistency between this Standard and an agreement between Cenovus and a contractor or service provider, any such inconsistency must be identified to IP Legal. However, the terms of the agreement shall prevail.

## Support

Please contact the IP Legal team for any questions or support related to this Standard.

## Related policies and standards

- Acceptable Use of Information Technology Standard
- Code of Business Conduct & Ethics
- Data & Information Management Policy
- Information Security Classification Standard
- Policy on Disclosure & Employee Trading
- Social Media Standard

## Related resources

- Patenting at Cenovus
- Logo, brand & templates
- Approval for speaking engagements