

DR. HARISINGH GOUR VISHWAVIDYALAYA
INTELLECTUAL PROPERTY RIGHTS POLICY



Dr. Harisingh Gour Vishwavidyalaya,
Sagar (M.P.)
(A Central University)

Intellectual Property Rights Policy

Dr Harisingh Gour Vishwavidyalaya, SAGAR M.P.



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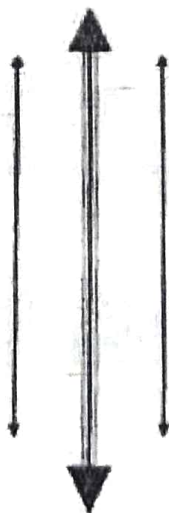
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संचालक (अनु. एवं विकास)
Director (R & D)
डा. हरीसिंह गौर केन्द्रीय विश्वविद्यालय, सागर
Dr. H.S. Gour Central University, Sagar

DOCTOR HARISINGH GOUR VISHWAVIDYALAYA SAGAR (M P)
(A Central University)



Minutes of 26th Meeting
of
Executive Council



Date: February 07, 2020


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Venue : Board Room of Association of Indian Universities (AIU), New Delhi

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Dr Harisingh Gour Vishwavidyalaya Sagar M.P. (hereinafter referred to as Institute) is one of the oldest universities of the country, established in the year 1946. It is committed to the challenging tasks of overall development of education by preparing competent graduates. It has conserved its trends and traditions vis-a-vis societal and technological advancements. This axiom has enabled the University to emerge as one of the strong pillars of the edifice of the Indian Higher Education. The mission of the University is to impart quality education and conduct research through comprehensive strategic planning through different schools and dedicated academic professionals. There have been many significant transformations and accomplishments ever since the inception of the University to educate and serve the society for more than seven decades. Dr Harisingh Gour Vishwavidyalaya, SAGAR was accredited with Four Star rating in the year 2001 and then by 'A' Grade in second and third cycles of accreditation by NAAC in the year 2007 and 2015, respectively. The National Institutional Ranking Framework (NIRF), Bangalore has ranked University 39th in 2015 and ranked 11th (all India Rank) Department of Pharmaceutical Sciences in 2017. Development of India as an emerging industrial power, is a demanding exercise as it involves the combination of cost effectiveness and efficiency along with cutting age world-class technology. The institute fosters and promotes development of new ideas and technological innovations. It also encourages the production of creative and scholarly works and the development of new and useful materials, devices, processes, and other intellectual property with a potential intrinsic commercial value. The institute realises its role in effective contribution towards the nation's endeavors by producing quality human resources of world class standard through sustainable technical education to meet out and cope up with the changing technological needs of the country. The relevant social concerns and academic eco-systems has been created and built to propagate innovative technologies explorable and viable for the economic development of the nation.

The faculty and staff of the Institute are engaged in quality research and



developmental activities resulting into the generation of intellectual property (IP). These may be in the form of patents, copyrights, trademarks, designs, processes or any other inventions which may have potential for commercialization. In order to safeguard the Intellectual Property, its ownership and to continuously encourage the development of such Intellectual Property, the Institute has drafted its own intellectual property rights policy (hereinafter referred as the Policy). The objective of the Policy is to provide the researchers an atmosphere favourable for research and set forth the guidelines for ownership and commercialization of the IP.

1. OBJECTIVES OF IPR POLICY

The objectives of the policy are as follows:

- a. To provide an encouraging environment for research and development as a result generation of IP.
- b. To provide every possible support to the institutional inventors of the IP.
- c. To formulate the regulations and guidelines regarding ownership of the IP and revenue sharing of commercialized IP, if any.
- d. To provide legal support to the inventors.
- e. To create an environment for acquiring new knowledge through innovation and research, compatible with the educational mission of the Institute,
- f. To create awareness among the students, staff and faculty about the IP.

2. INTELLECTUAL PROPERTY

2.1. ESTABLISHMENT OF INSTITUTE INTELLECTUAL PROPERTY CELL

An Institute Intellectual Property Cell (IIPC) shall be established for the facilitating the IPR process which will comprise of the Director, Research and Development of the Institute (Convener IPR Cell, ex officio), Two Deans of the Schools (nominated by the Vice Chancellor of the Institute) and two other experts members (one shall be a legal expert) nominated by the Vice Chancellor of the Institute. The nominees will serve a three-year term.

IIPC shall be responsible to administer all decisive issues related to IP policy and



such other relevant matters as shall be determined from time to time.

The objectives of the cell would be follows:

- a. To screen the IP on the scale of originality (novelty), usefulness, non-obviousness and practicability of the invention.
- b. To decide whether or not the invention has commercial applicability
- c. The screening process of the IP should be completed within a maximum time limit of 90 days.

The Director, Research and Development of the Institute shall be responsible for the implementation of all the recommendations and decisions through IIPC.

2.2 IP EVALUATION

Institute Intellectual Property Cell alongwith the faculty expert from the field of invention and one external expert nominated by Vice Chancellor of the Institute shall screen the application for patentability of invention and facilitate the application for patenting. In certain cases, external members can also be included in the screening process.

2.3. IP OWNERSHIP

- a. INSTITUTE would hold the ownership rights when the IP is developed by the students, faculty, staff, or any external personnel not related to INSTITUTE by using the funds or facilities available with the institute, if there is an agreement to this effect with the above mention persons.
- b. In case a payment has been made by the inventor to the institute for utilization of facilities, then institute can have joint ownership, if their is an agreement with the inventor to this effect.
- c. In case when an IP is developed as a part of work that has been funded by external agencies or consultancy, then a joint ownership must be established with proper rights to license the innovation as per agreement.
- d. In issues of copyrightable material such as software, lectures (video lectures), books,



circuit designs, images, etc developed by institute personnel for use by external agency or industry, the institute shall claim the rights for the ownership of the IP after proper registration with relevant copy right office. However, the developers shall be free to use the IP for research and teaching purposes by reverse license agreement with institute.

- e. In case of theses and dissertation reports related to academic activity, the students will hold the ownership rights. However, the students should give a royalty-free right to institute to use the reports for academic purposes, as and when required. An agreement for the same must be included in the theses properly signed by the student, department head and Director, R&D.

2.4. OBTAINING RIGHTS

In case the intellectual property cell decides in favor of protecting the IP, the institute shall follow the following to ensure IP protection:

- a. The institute should appoint and provide an attorney to draft the IPR application as appropriate for the invention.
- b. The institute shall bear all the costs related to access of IP databases, for IP search, prior art etc.
- c. The institute shall also bear the expenses for drafting and filing the IP application. This also includes the cost for filing overseas applications.

3. DISCLOSURES and CONFIDENTIALITY

Following procedure should be followed for disclosure of the IP by the inventors.

- a. For all the IP produced and developed at the institute, i.e. institute, the inventors have to disclose the IP to Director (R&D) in a proper format (IP disclosure form) at the earliest. With this disclosure, the inventors would assign the rights of the IP to the institute. Similarly, the students of the institute are expected to submit their IP disclosure form along with their thesis work (Post Graduate or PhD) properly signed and forwarded by their supervisor. It would be the responsibility of the institute to maintain the confidentiality of the IP once it has been submitted to the IIP Cell for evaluation for assessment for filing and possibility of commercialization.



- b. For all the IP generating from the externally funded projects and collaborative project, the IP disclosure shall be done as per the contract terms and conditions.

4. REVENUE SHARING

- a. Upon commercialization of the intellectual property developed at the institute, the revenue generated by the royalty payments would be shared between the institute and the inventors with a respective percent sharing of 30% by the institute and 70% by the inventor.
- b. In case of multiple owners of the IP other than the institute, the owners shall come to an agreement before filing the IP as to how to share the revenue.

5. CONFLICT OF INTEREST AND JURISDICTION

It is the responsibility of the inventors to disclose any conflict of interest or potential conflict of interest prior to applying for screening to the IIP cell. In case of any dispute, the aggrieved party may contact the Registrar, Dr Harisingh Gour Vishwavidyalaya, SAGAR M.P. In all circumstances, the decision taken by the Registrar, institute would be final and abiding to all.

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ANNEXURE -I

Intellectual Property Disclosure Form

Title of the Invention Name and Affiliation
of Inventor(s)

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Brief description of the invention

Describe the invention including all the claims so that the other faculty who are knowledgeable in the field can assess the technical and commercial merits of the invention.

Following may be included in description:

- How does this invention relate to new processes, machines, compositions of matter?
- How is the present invention an improvement over existing comparable invention?
- Has the invention been tested experimentally? Are experimental data available?
- Has invention been patented or protected under confidentiality agreement?

(Please attach sketches, drawing, photographs and other materials that illustrate the description).

Commercial Potential

- What are the possible uses / application areas and / or product you feel may embody aspects of your invention?
- Who are the possible end – users of the product?

Prior disclosure and possible Intent

- Has the invention been disclosed to industry representatives or third parties? if yes, Name companies and specific individuals and their titles.
- Has any commercial interest been shown in it and of what nature?

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ANNEXURE - II

UNDERTAKING

I /We the undersigned, hereby certify that the Work _____ has been undertaken by the undersigned at Department of _____, Dr Harisingh Gour Vishwavidyalaya, SAGAR M.P. for making significant use of Dr Harisingh Gour Vishwavidyalaya, SAGAR M.P. resources.

I/We hereby agree to abide by the provision of the intellectual property policy of the Institute.

Signature (s):

Signed this ----- day of -----(month)----- (Year)

Name(s) : -----

Address: -----

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