



## IPR POLICY

Educational institutions mainly focus to build technical and ethical human resource for the entire societal development. The inventions of an organization through the human resources may be in the form of products, expressions, designs and so on. The actual challenge is to transfer intellectual assets of an organization to commercial products for the benefit of the society. By considering such challenges Agni College of Technology has formulated its IPR policies for systematic intra and inter-institutional knowledge management. The key features of the IPR policy is as follows:

The IPR policy is focused to

- Encourage, initiate, promote and protect scientific inventions and research which leads to new products/processes/designs development.
- Implement a professional autonomy and process set for the inventions and innovations made through institutional research to make them readily available for the public by transferring the knowledge from institution to commercial society.
- Establish standards for recognizing the rights and responsibilities of the Institution, inventors and their industrial collaborators with respect to intellectual works carried out at the Institution.
- Inspire, support and afford conjointly beneficial rewards to the members of the Institution and others who assisted to transfer Institutional intellectual property to the public through commercial channels.
- Improve the reputation of the Institution as an academic research institution and a member of society by supporting and encouraging novel research activities which lead to provide noble intellectual assets to the Institution.

## **THE ROLE OF IPR CELL OF ACT IN IP PROTECTION**

The Intellectual Property Rights Cell (IPR Cell) at Agni College of Technology (ACT) provides guidance, support and resources to all ACT personnel and facilitates protection and deployment of their inventions. In achieving this goal, IPR Cell creates awareness on the necessity of protecting and commercializing inventions, installing the IP policy, invites feedback regarding the features of the IP policy and periodically updates the Policy to improve upon any deviations. Issues related to ownership, confidentiality, disclosure, patentability, technology transfer, commercialization, and conflict of interest among others play a very important role in any IP management. IPR Cell communicates the personnel by conducting various awareness meetings on related issues. All matters relating to IPR such as confidentiality, violations, disputes and obligations are administered by IPR Cell.

## **INTELLECTUAL PROPERTY POLICIES OF ACT**

### **Introduction**

ACT has taken the efforts to promote innovations and to facilitate protection of such innovations thus generated at ACT. Actions to help and inspire these efforts have been taken through the various forums and now have reached a stage of development. An official framework to guide the implementation of these actions is now indeed. By considering this, an Intellectual Property Policy for ACT has been framed. This policy aims to convey the encouragement and support available to innovators at ACT for upgrading their creative works into protectable IP. People engaged in creations of original and innovative product development and project work at ACT include teaching, nonteaching staff and students (both UG and PG). This policy also aims to set detailed guidelines for ownership and commercialization of IP developed at ACT. The objective of IP Policy is to maintain and grow creativity in amoral environment in ACT. It also aims to recognize the importance of innovations and supports in protecting and transforming them into products and processes for commercialization.

### **The IP Policy:**

This policy is applicable to all ACT personnel (staffs and students) as well as non-ACT personnel connected with any activity of ACT. It covers different classes of Intellectual Property like Patent (both product and process), Copyright, Trade Mark / Service Mark, Design Registration, Trade Secret, Confidential Information and Integrated Circuits Layout.

### **Ownership:**

#### *Invention(s), Designs, Integrated Circuit Layouts and other creative works:*

Invention(s) including process, product, software, designs and integrated circuit layouts, created by ACT personnel without the use of significant resources of ACT and not connected with the profession for which employed at ACT, shall be owned by the creator(s).

ACT shall be the joint owner of all invention(s) including process, product, software, designs and integrated circuit layouts created by individual or teams of ACT and non-ACT personnel connected with any activity of ACT. Non-ACT personnel, who create invention(s) including software, designs or integrated circuit layouts at ACT but without intellectual contribution of ACT personnel or significant use of ACT resources, shall be the joint owner of such invention(s). Except as specified above, ACT shall be the owner of all invention(s) including process, product, software, designs and integrated circuit layouts created at ACT. ACT shall be the address for service in all IPR applications for any invention(s) including process, product, software, designs and integrated circuit layouts created at ACT.

### **Copyrightable Work:**

Ownership of copyright of all copyrightable work shall rest with the author(s) with the following exceptions:

ACT shall be the owner of the copyright of work, including software, created by ACT personnel with significant use of ACT resources.

ACT shall be the owner of the copyright on all teaching material developed by ACT personnel as part of any of the academic programs at ACT. However, the authors shall have the right to use the material in her/his professional capacity. As the traditional exception, ACT shall not claim ownership of copyright on books and publications authored by ACT personnel.

ACT shall be the owner of copyright of work produced by non ACT personnel connected with any activity of ACT with the intellectual contribution of ACT personnel. However, the authors shall have the right to use the material in her/his professional capacity.

#### ***Trade Mark(s) / Service Mark(s):***

Ownership of trade mark(s) / service mark(s) created for ACT shall be with ACT.

In cases of all IP produced at ACT, it shall retain a non-exclusive, free, irreversible license to copy/use IP for teaching and research activities, reliable with confidentiality agreements.

### **DISCLOSURES, CONFIDENTIALITY AND ASSIGNMENT OF RIGHTS**

For all inventions produced at ACT, if the inventor(s) wish to protect the invention(s) they produce, then they are required to disclose the creative work to the IPR cell through an Invention Disclosure form (IDF) at the earliest date. Disclosure of invention in the parent institution's IPR cell is a sensitive part of the IP protection process and it formally documents the claims of inventorship, the date of the invention and other details of the invention. The inventor(s) shall assign the rights of the disclosed invention to ACT. Even after submitting the IDF to the IPR cell, the inventor(s) should treat all IP related information of the particular invention, rights assigned to ACT or rights rest with ACT personnel as confidential.

### **VALUATION OF INNOVATION(S) FOR PROTECTION**

To facilitate valuation of a creative work for protection and allied activities, an IP Valuation Committee (IPVC) shall be formed by the IPR cell secretary consisting of Dean (R&D) as chairperson, IPR cell secretary and at least three additional faculty members (Who are all not in the list of co-authors for the corresponding creative

### ***Technology Transfer:***

ACT shall attempt to market the IP based on the market demand for the IP to which it has ownership or joint ownership. The creator(s) are expected to support in this process. Optionally, if ACT has not been able to commercialize the creative work in a reasonable time frame; the creator(s) may approach the IPR cell secretary for the assignment of rights of the invention(s) to them.

### **Dispute Resolution**

In case of any disputes between ACT and the inventors regarding the implementation of the IP policy, the aggrieved party may appeal to the Principal of ACT. Efforts shall be made to address the concerns of the aggrieved party. The Principal's decision in this regard would be final and binding.

### **Glossary:**

'Author' means faculty, students, staff or visiting faculty who has/have written or created a creative work.

- 'Collaborative Activity' is the research undertaken by ACT personnel in collaboration with industry and or another researcher(s) who are not ACT personnel.
- 'Confidential Information' is Information not in the public domain and declared confidential by parties as such in a MOU/Agreement that has been signed by the parties.
- 'Creators' are persons who have produced any original work.
- 'Cumulative Earnings' from a patent/patent application are the total earnings to date obtained from the commercialization of the patent/patent application.
- 'ACT personnel' is not only limited to the faculty, students, staff or visiting faculty, researchers and scientists at ACT.
- 'Intellectual Contribution' means original technical or artistic contributions.

work) with domain expertise or familiarity/experience in areas related to the particular creative work.

The IPR cell shall assess the IDF in a timely manner and shall convey the details to the IPVC for facilitate them to make recommendations on the patentability of the invention. The IPR cell may make one of the following recommendations that:

- ACT shall take the responsibility of protection of the IP, in such cases and IPR cell will initiate appropriate processes.
- ACT shall not take the responsibility of protection of the IP, in such cases and the rights to the disclosed invention shall be promptly reassigned to the creator(s). The creator(s) may then choose to protect the creative work on their own.

## **RENEWAL OF IP RIGHTS**

A decision on the annual renewal of IP rights will be taken by a committee constituted by the IPR cell secretary, Dean (R&D) and Principal. If ACT decides not to renew the IPR of a particular IP, then it will assign the rights of the IP to the creator(s) with or without a request from the creator(s). In case of patents, the process of reassignment will be completed in a period of three months before the due date for its renewal. In all cases where IP rights have been reassigned to the inventor(s), ACT shall not claim any share of proceeds earned through that IP excepting for the costs already incurred by ACT.

## **SUPPORT:**

### ***Obtaining IPR:***

If ACT decides to protect the creative work, it shall provide support through IPR cell for drafting the IP application for filing. ACT shall pay for access to the relevant IP information databases and other associated costs. The inventor(s) shall conduct IP searches to study the prior art and provide the necessary inputs to draft the IP application at the time of submitting IDF. ACT shall bear all costs of drafting and filing an Indian IP application.

- 'Intellectual Property' is not limited to copyrights and copyrightable materials, patented and patentable inventions, physical research results, trademarks, service marks and trade secrets.
- 'IP Valuation Committee (IPVC)' is a committee formed by the IPR cell secretary, who decides on the issues of ownership and patentability among others consisting of Dean (R&D) as Chairperson, the IPR cell Secretary and at least three additional faculty members.
- 'Invention' is not only limited to any new and useful process, formula or machine conceived or first reduced to practice in whole or in part. Inventor(s) are person(s) who produce an invention.
- 'Net Earnings' is Earnings resulting from the licensing or commercialization of the IP, reduced by the outstanding actual expenses incurred in obtaining and commercialization of the IP.
- 'Significant Use of ACT Resources' is any usage of ACT's resources during the creation of the invention(s), such as routine use of office facilities, computers, lab equipment, consumable stocks in college, library resources.

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Signature:



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IPR Cell Coordinator

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Principal

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