



SHRI GURU RAM RAI UNIVERSITY

Patel Nagar Dehradun-248001, Uttarakhand

[Estd. by Govt. of Uttarakhand, vide Shri Guru Ram Rai University Act no. 03 of 2017 & Recognized by UGC u/s 2(f) of UGC Act 1956]

Intellectual Property Rights (IPR) Policy of Innovation and Incubation Center

For patent purpose, institute established a patent cell with designated committee members on original and innovative research, patents, and licensing. IPC is core functionaries to advise the institute on patent related issues like protectable subject matter, procedure for obtaining patent, transfer of patent, revocation and surrender of patent, infringement of patent, etc. Patent cell of institute also support for prior art search using various search engines, expired patent, going to be expired patent and also support research to facilitate transfer of its inventions/discoveries in the public interest. The Patent Cell provides a system for quick disclosure of inventions to faculties, researchers, and students who make inventions by giving importance to the priority date and provisional patent.

Aim: The aim of IPR Cell is to create awareness and provide guidance to faculty members, research scholars and students on intellectual property rights.

Objectives:

- To encourage and produce awareness among the researchers, faculties and students of SGRRU regarding patent and its importance.
- To motivate clinician, researcher, faculties and students for team-work for protection of inventive work at SGRRU.
- To offer direction to the patentable research by emphasizing the importance of prior art search for novel ideas for R&D, novelty and patentability, development of new technical solutions to problems, update new technological trends etc.
- To explain researchers' queries regarding intellectual property rights and their protection and management.
- To conduct one-one lecture/workshop on IPR and IKS in each school with the IIC, every academic year. These activities will help create an innovative ecosystem in our university.



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- Promote faculty members and research scholars to carry out patent search to fine-tune their research.
- To promote clinicians, researchers, faculties of SGRRU for collaborative research forvaluable patent.

Types of IP:

The intellectual properties can be broadly listed as follows:

- Patent:** is an exclusive right granted for an invention, which is a product or a process that provides a new way of doing something or offers a new technical solution to a problem.
- Copyright:** is an exclusive right given to the author of the original literary, architectural, dramatic, musical and artistic works; cinematograph films; and sound recordings.
- Trade/Service Mark:** means a mark capable of being represented graphically and which is capable of distinguishing the goods or services of one person from those of others and may include shape of goods, their packaging and combination of colours.
- Industrial Design:** means only the features of shape, configuration, pattern, ornament or composition of lines or colours applied to any article whether in two dimensional or three dimensional or in both forms, by any industrial process or means, whether manual, mechanical or chemical, separate or combined, which in the finished article appeal to and are judged solely by the eye; but does not include any mode or principle of construction or anything which is in substance a mere mechanical device.
- IC Layout Designs:** means a layout of transistors and other circuitry elements and includes lead wires connecting such elements and expressed in any manner in a semiconductor integrated circuit.



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f) **New Plant Variety:** a plant variety that is novel, distinct and shows uniform and stable characteristics.

g) **Biotechnology Inventions:** include recombinant products such as vectors, nucleotide sequences and micro-organisms.

h) **Traditional Knowledge:** The knowledge developed by the indigenous or local communities for the use of a natural resource with respect to agriculture, food, medicine etc. over a period of time and has been passed from one generation to another traditionally.

i) **Geographical Indications:** means an indication which identify such goods as agricultural goods, natural goods as originating or manufactured in the territory of a country or manufactured in the territory of a country or a region or locality in that territory where a given quality, reputation or other characteristic of such goods is essentially attributable to its geographical origin and in case where such goods are manufactured one of the activities of either the production or of processing or preparation of the goods concerned takes place in such territory, regions or locality as the case may be.

Intellectual property evaluation committee

The evaluation committee first reviews all of the relevant information (e.g., scope of work, purchase description/specifications) and develops weighted evaluation criteria that will establish the standards by which to measure how well an offeror's approach meets the needs of the requesting department.

➤ **Committee members:**

- I. Director-IIC
- II. Principle Coordinator-IIC
- III. Statutory officer.
- IV. IPR coordinator -IIC
- V. Entrepreneurship coordinator-IIC
- VI. Startup Coordinator-IIC
- VII. Finance coordinator-IIC



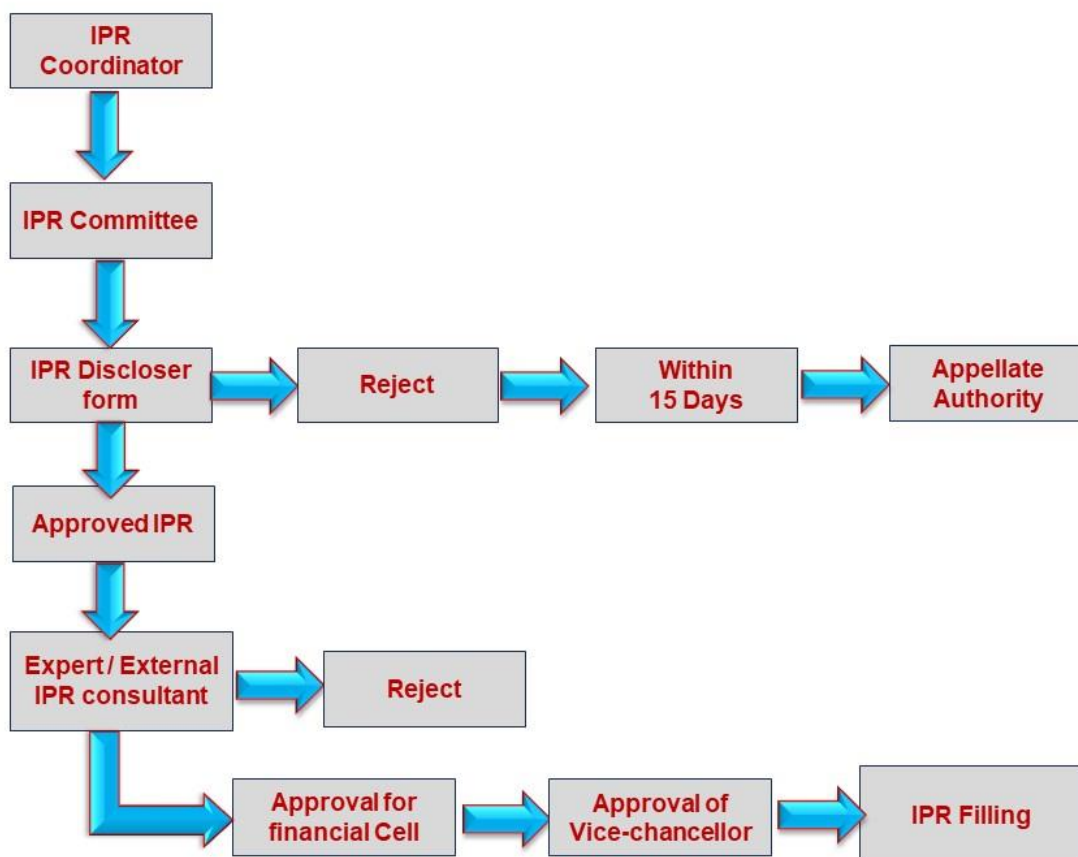
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Functions of the Committee

- Determine and Apply Evaluation Criteria
- Evaluate Proposals Individually and/or Discuss
- Rank and/or Develop a Shortlist
- Interview/Obtain Clarifications
- Recommend
- Nomination Power.
- **Functioning of IPR cell:**





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Scope of the Policy:

1. IPR cell shall facilitate and support the faculties, researchers and students of SGRR University in documentation, protection and commercialization of various IPRs such as Invention(s), Designs, trademarks, copyright and other creative & artistic works.
2. The IPR cell will provide faculty members, researcher and students necessary information and guidance if they wish to file a patent or other IPR application.
3. An internal approval form (available at the IPR cell) is filled out by the principal investigator (PI) and mentions the names of the inventors/authors. The IPR committee notifies the concerned department itself.
4. Invention disclosure description (in invention disclosure format) is to be forwarded along with the duly signed approval form to the IPR cell for further action.
5. Invention disclosure Patent/Trademark and similar documents are to be treated as confidential and would be maintained confidentially by the signing of a Non-Disclosure Agreement by the IPR cell.
6. Any work pursued to be filed by a faculty member and or student(s) arising out of R&D work done at the University will be filed in joint names as inventors or authors while University shall be the applicant and owner of Intellectual Property (IP).
7. The IPR cell committee for approval for patent filing would consist of Vice Chancellor, Director of IIC and IPR evaluation committee nominated by Vice Chancellor.
8. All cost of application made by the university as applicant shall be borne by the University.
9. The IPR Cell will communicate with the IP consultant and the inventors on IP matters.
10. The inventors would be required to collaborate with the IPR cell to expedite the provision of information for timely actions, or else pay an additional fee to the patent office.



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11. Revenue sharing: The University and Inventors/researchers, all share in the revenue earned from the licensing of patents for their inventions. Under the Current Policy the net earnings from the commercialization of IP owned by SGRR University would be shared as follows:

* Intellectual property consultants provide advice on the usage of intellectual property assets such as patents, copyrights, and trademarks hired by University.

The net earnings from the commercialization of IP owned by SGRR University would be shared as follows:

- Payment shall come into role-play after commercialization.
- The inventor/ author shall have no legal right as far as the commercial claims are concerned.
- It shall be the discretion of University to cash the inventor.
- The interested party will contact the University for the use of IPR through E-bidding.

S.No.	Net earnings	Inventor(s)Share	SGRRU Share
1	For the first amount 'X'	60%	40%
2	For the more than amount X	50%	50%

It is suggested that amount 'X' be initially fixed at Rs. 25 lakhs. The creator(s) share would be declared annually and disbursement will be made to the inventors & creator(s), their legal heir, whether or not the creators are associated with SGRRU at the time of disbursement. The inventors may at any time by mutual consent revise the Distribution of IP Earnings Agreement. If any researcher/student has a significant part in the development of intellectual property, he/she should be given due credit and be mentioned in the Income Distribution Form.

12. Infringements, Damages, Liability and Indemnity Insurance: As a matter of policy, SGRRU shall, in any contract between the licensee and SGRRU, seek indemnity from any legal proceedings, including, without limitation manufacturing defects, production problems, design guarantee, up-gradation and debugging obligation SGRRU shall also



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ensure that indemnity clauses are built into agreements with licensee(s) when transferring technology or copyrighted material to licensees. SGRRU shall retain the right to participate or not participate in any patent and licence infringement litigation.

13. Conflict of Interest: Any conflict of interest or potential conflict of interest must be disclosed by the inventor(s).
14. A license or an assignment of rights of a patent to a company in which the inventors have a stake shall be subject to the approval of the VC/Director IIC taking into consideration this fact.
15. Dispute Resolution: In the incident of a disagreement between SGRR University and the inventors regarding the implementation of the IP policy, the aggrieved party may file an appeal with SGRR University's Registrar. Attempts will be made to address the aggrieved party's concerns. In this case, the Registrar's decision would be final and binding.
16. Jurisdiction: As a policy, all agreements signed by Shri Guru Ram Rai University will be subject to the jurisdiction of Dehradun court or arbitrator appointed with mutual consent and the seat of arbitrator shall be Dehradun.
17. These guidelines are not intended to be legal opinion. In case of any legal problem, an intellectual property lawyer may be consulted.

DISCLAIMER:

These research supports are employee privileges, not rights. All of the above provisions, permissions, and financial assistance are intended to encourage research orientation among employees, and their approval is solely at the discretion of the University's competent authority. Employees' responsibilities to the University and its students must always take precedence. The provisions are subject to periodic review, modification, and change.



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Definitions

- a. 'Inventor' means faculty, students, researcher or visiting faculty who has/have written or created a creative work. It also includes any person who signs an agreement or MOU with SGRRU for any work that results in IP creation.
- b. The term "invention" includes, but is not limited to, any new and useful design, process, formula, or machine conceived or first put into practice in whole or in part, as defined by the Patent Act. The inventions result in but not limited to Patent, copyright works, software, designs and circuit layouts. Inventor(s) are person(s) who produce an invention.
- c. 'Patent' means the exclusive right granted by law for making, using or selling an invention.
- d. 'Copyright' means the exclusive right granted by law for a certain period of time to an author to reproduce, print, publish and sell copies of his/her creative work.
- e. 'Design Registration' is Registration of the novel non-functional features such as shape, or ornamentation of a product.
- f. 'University' means Shri Guru Ram Rai University
- g. 'IPR Committee' is a committee formed by SGRRU and is the sole authorized body to handle all IPR related issues and conflicts.
- i. 'Revenue' is any payment received as per an agreement by the University usually for legal use of an Intellectual Property through a license.



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Name of Disclosure(s):

Department(s):

1. The project/invention title:
2. The project's funding source: Industry sponsored/ Govt. aided/consultancy with or without prior predetermined contract
/any other:
3. Is the work assured by any contract/contract/MOU?
4. Is that patent (to be filed) for a process or product?
5. Investigation's general focus and therefore patent's subject content:
6. Is work
 - a. Completed and results are validated?
 - b. At a basic conceptualization stage?
 - c. In progress
7. Explanation of the invention (NMT100words): You are requested to be very specific with regard to the technical problem being researched and the proposed solutions.
8. Origin of the thought/ invention: who first thought of the idea; and when? Did the clue get generated in a argument? If so, who were the members of the conversation?
9. Any assistance from others during the idea's conception:
10. Date of start of the project:
11. Project-related partners:
 - a. Details of co-investigators/authors filing the patent:
 - b. Other applicants (cooperating partners)



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12. Provide upbringing literature details (Please give the references searched and the findings from the literature)
 - a. Journals and other publications investigated
 - b. Any applicable information available with the researcher
 - c. Patent databases examined Is your work presented anywhere?
13. Is your work reported/published/presented anywhere?
14. Is the inventor ever submitted any prior patent applications?
15. Is any related patent filed by the inventor previous?
16. Information presented in the published literature (previous art) about the problem tackled
17. Unique features about the work done with respect to prior art (known information)
 - a. Is the work merely a continuation of already known information? If so, could you kindly outline the information that is currently known and describe the extension that has been recommended or put into action?
 - b. Has the work filled a major gap in prior art Please give a short summary of the exact technical gap that was closed?
 - c. Has the work led to any main economic improvements(or will the proposed work lead to any significant economic gains)
 - d. Are there any eco-friendly issues?
18. What aspect of the invention (or your outcome/results)needs protection?
19. A systematic and chronological documentation of the work has been made? If yes, kindly provide the documentation details or at least the reference to such documentation.
20. Commercial applications of the innovation or technology?



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21. Has any costing of the product/process /invention been calculated?
22. Are any industries /companies interested in licensing or commercializing the work?
23. Country of filing patent and detail justification for the same focusing on target industrial sector, market etc.

I/We certify and declare that all the information provided above is true and correct to the best of my/our knowledge and belief.

Date:

Name(S) Signature(S)

