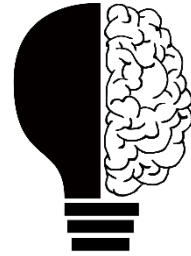


POLICY ON



INTELLECTUAL  
PROPERTY  
RIGHTS



**SREE VIDYANIKETHAN ENGINEERING COLLEGE**

Sree Sainath Nagar, Tirupati, A.P. India

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### **PREAMBLE**

Sree Vidyanikethan Engineering College (SVEC) was established in 1996 by Sree Vidyanikethan Educational Trust under the stewardship of Dr. M. Mohan Babu, renowned Film Artiste and Former Member of Parliament (Rajya Sabha). The proactive management team and strong teaching community are the key drivers of Sree Vidyanikethan in all its achievements. Full, broad, and balanced curriculum besides student co-curricular, extension and cultural and sporting activities in the right proportions have been part of student life. The institution is consistently attracting the best of students and transforming them into brilliant alumni who are spread across the globe. The networking with premier academic institutions, national laboratories, and industry has provided the necessary and essential platform for collaboration in academics and research. With its rich experience of over 28 years in education, Sree Vidyanikethan Engineering College is one of the premier educational institutions in India. With the support of all stakeholders the institutions have been achieving remarkable successes in Quality and Development; Research and Entrepreneurship; Collaborations; Skill development and Community service.

In this competitive environment, Intellectual property (IP) plays a vital role in preserving and commercializing the intellectual outcome of an Institute. The Intellectual Property Rights (IPR) Policy of the institute is needed not only to preserve the intellectual output of SVEC but also to create awareness among the faculty, staff, and students of SVEC and to know about its influences in the world at large. This Intellectual Property Rights (IPR) policy of the institute is expected to promote a competitive and conducive environment for both the curiosity-driven and market-driven research and development activities conducted at the Institute level so as to protect the creation of original works of authorship.

Intellectual Property (IP) refers to creation from the mind of any person (inventor) such as inventions, innovations, literary work, artistic works, designs, symbols, names, logos, images. IP plays an important role in providing a competitive edge to any organization.

The intangible assets like inventions, designs, software, brand name, and other creative and innovative ideas are more valuable than physical assets. It is necessary to protect these creations in order to enable organizations to earn recognition or

financial benefits. In this scenario, Governments of various countries are granting protection to the innovative ideas of the inventors/creators through Intellectual Property Rights (IPR) system. Recently, IPR has become a central issue in almost all developed and developing countries.

The faculty, research scholars, scientists, students, and other personnel of SVEC are actively engaged in various research and development activities of diversified nature. Many of these research and development leads to the creation of different forms of IP, which are likely to be commercially exploited and benefit both the institution as well as the society unless protected under IPR laws. In this scenario, the Intellectual Property Rights Cell (IPRC) of SVEC encourages, facilitates, promotes, and safeguards scientific investigations and research of SVEC Personnel and others. IPRC is acting as a nodal center for carrying out all the activities related to IP.

### **VISION**

To promote creativity and innovation thereby generating Intellectual Property in the areas of Science, Engineering, Technology, and all allied areas to foster development through knowledge and technology transfer

### **MISSION**

Promote an intellectual property development culture to foster entrepreneurship and research in the focused areas of science, engineering and technology by establishing systems for awareness, generation, Legal and Legislative Framework, Administration and Management, Commercialization, Enforcement, and Human Capital Development

### **NEED**

The Policy aims to promote innovation and entrepreneurship in the institution and push IPRs as a marketable financial asset for generating revenue.

## DEFINITION OF IPR

Intellectual Property Rights (IPR) denotes the specific legal rights of the inventors to hold and exercise Patents, Trademarks, Copyrights, Industrial Designs, etc. IPR aims to exclude third parties from exploiting the protected subject matter for a certain period of time (normally 20 years in case of Patents), without explicit authorization from the right holders. IPR owners can use or disclose their creations without fear of loss of control over their usage during the course of dissemination of their creation/invention to third parties.

IP confers of exclusive rights in relation to the particular form in which ideas/information are expressed / manifested in the following manner.

1. New and useful scientific and technical advancements in the form of innovations, inventions, products and processes, computer hardware and software, materials, biological varieties, and others that are patentable.
2. Industrial and architectural designs, models, drawings, creative, artistic and literary works, teaching resource materials, generated records of research including thesis, dissertations, and others which are copyrightable.
3. Trademarks, service marks, logos, etc.

## KEY FORMS OF IPR

- **Patent:** The exclusive right granted for a particular invention, which may be a product or a process for providing a new way of execution or bring a new technical solution to a problem.
- **Copyright:** 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:** 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 the shape of goods, their packaging, and combination of colors.

- **Industrial Design:** Only the features of shape, configuration, pattern, ornament or composition of lines or colors 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, separated 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 merely mechanical device.
- **Semiconductor Integrated Circuits and Plant Variety**
  - The ownership rights over integrated circuits and plant varieties, with the utilization of resources of the academic institution, shall vest with the academic institution.
  - If the academic institution determines that the semiconductor integrated circuit layout design or plant variety was created by an individual(s) on his/her own time and unrelated to his/her responsibilities towards the academic institution and was conceived or reduced to practice without the use of resources of the academic institution, then the semiconductor integrated circuit layout design or plant variety shall vest with the individual(s).
- **Geographical Indications:** An indication which identifies 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 another characteristic of such goods is essentially attributable to its geographical origin and in the case where such goods are manufactured as 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.

## DEFINITIONS

- a) IPR** means generally patented or potentially patentable inventions, trademarks, service marks, trade names, copyrightable subject matter, trade secrets, or any other forms of statutory or common law protection of any kind in all jurisdictions, where applicable.
- b) First Party** - Sree Vidyanikethan Engineering College (SVEC).
- c) Second Party** - Faculty, Supporting Staff, Project Staff, Students of SVEC, Alumni, Associated Organizations, Non-Institute Personnel.
- d) Faculty** means a professionally qualified person who conveys his/her knowledge to the learners through teaching and research at SVEC. He/she may be as a full-time employee, or a visiting faculty appointed by SVEC.
- e) Supporting Staff** is the person who helps the relevant members to carry out the research, development, teaching, or any other related activities.
- f) Student** means an individual who enrolls himself/herself as full time, part-time, or exchange student from other universities/colleges.
- g) Project staff** means a person who is temporarily employed under a research project, consultancy or any other activity carried out by SVEC on a contract basis.
- h) Third-Party** - Any organization with whom the First or the Second Party interacts for any activity by exchanging cash or kind.
- i) Activity** - Practices related to teaching, research, consultancy, generation, and dissemination of information carried out by a person or an Institution independently, or collaboratively.
- j) Inventor(s)** – A responsible person or a group of persons who deal with the creation of an IP. In case, creation of IP is associated with more than one inventor and other organizations are involved, one of them, from SVEC, would function as a Lead Inventor.



- k) Visitor** - A person visiting under a collaborative activity or associated work at SVEC. It is expected that the visit has been approved by the competent authority of SVEC.
- l) Associated Agreement** – Document created with mutual consent of involved parties defining the rights, roles, and responsibilities of each of the parties, such as Memorandum of Understanding (MoU), Memorandum of Association (MoA), Research Agreement, Consultancy Agreement, Non-Disclosure Agreement (NDA), etc.
- m) Non-Disclosure Agreement (NDA)** - The agreement intends to protect proprietary or confidential information among the parties involved in executing an NDA.
- n) Alumni** - Past students of the SVEC.
- o) Associated Organizations:** All organizations with whom SVEC enters into separate agreement/s.
- p) Non-Institute Personnel:** Other students, Entrepreneurs, Investors, Startups employees, Individuals.

## OBJECTIVES OF THE POLICY

Objective 1: To create Awareness and undertake Outreach and Promotion of IPR

Actions:

- Conducting awareness programs for the specific needs of teachers, students, inventors, creators, and entrepreneurs.
- Providing awareness to teachers, researchers and students about the need to protect their inventions before publishing.
- Introducing courses or incorporating the content of successful use of IPRs of the respective domains into the curriculum.
- Encouraging high quality and cost-effective innovation and research leading to prospective intellectual property.

## Policy on Intellectual Property Rights [IPR]

- Creating print/ electronic/ social media promotion for the propagation of intellectual property generated by the institution.

### Objective 2: To stimulate the generation of IPRs

#### Actions:

- Identifying specialized areas and specific sectors to focus on innovation and research for generating Intellectual Property.
- Creating culture and facilities that encourage the institution for new knowledge generation and its applications through IP.
- Increasing the generation of IP assets in the Institution and their utilization for development purposes and to harness the full potential of IPRs for revenue generation.
- Establishing a strong linkage with industry for encouraging inter-disciplinary and IPR-driven research and innovation in identified areas.
- Encouraging teachers in IPR creation and setting it as a key performance Metric in Faculty Performance Appraisal System.
- Rewarding students with incentives for IPR creation to recognize their merit and innovation.
- Providing special incentives for the creation of IPRs in environmental, energy-efficient, and cost-effective products and systems.

### Objective 3: To establish a Legal and Legislative Framework for IP

#### Actions:

- Defining clearly legally binding international instruments (s) such as Traditional Knowledge (TK), Genetic Resources (GR), and Traditional Cultural Expressions (TCE).
- Developing IP related rules, guidelines, procedures, and practices for clarity, simplification, streamlining, transparency, and time-bound processes in administration and enforcement.
- Defining IP guidelines to remove ambiguities and inconsistencies with other laws, if any.

## Policy on Intellectual Property Rights [IPR]

- Creating legal mechanisms and procedures for the Protection of new knowledge developed, innovative products, and Trade Secrets.
- Establishing defined procedures for technology transfer, technical know-how, and licensing.

Objective 4: To establish, modernize and strengthen service-oriented IPR administration and management

Actions:

- Creating a Cell for IPR Promotion and Management to facilitate promotion, creation, and commercialization of IP.
- Adopting best practices with respect to filing and docketing of documents, maintenance of records, and digitizing the same including document workflow and tracking systems.
- Modernizing the physical and ICT infrastructure to accelerate e-filings, e-processing, and other e-services.
- Collaborating with various R&D Institutions, Universities, Funding Agencies, Chambers of Industry and Commerce, professional bodies and societies in providing advisory services to improve IP creation, management, and utilization.
- Developing linkages with IP offices in areas of Capacity Building, Human Resource Development, Training, Access to Databases, Best Practices in search and examination use of ICT and user-oriented services.
- Exploring the possibility of speedy examination of patent applications to promote innovation and novelty.
- Conducting periodic audits of processes being adopted in IP administration for efficient grant and management of IP rights.
- Implementing quality standards at all stages of operations to obtain national quality certifications to the IP Cell.
- Providing continuous training to staff of the IP Cell to update them of developments in procedures, substantive laws, and technologies.

### Objective 5: Commercialization of IPR for revenue generation

#### Actions:

- Developing a common platform for IPR owners (teachers and students) and users of IPRs by acting as a facilitator to be connected with potential users, buyers, and funding agencies.
- Acquiring access to databases on Indian IP and global databases of creators/innovators, market analysts, funding agencies, IP intermediaries.
- Promoting licensing and technology transfer for IPRs.
- Devising suitable contractual and licensing guidelines to enable the commercialization of IPRs.
- Promoting patent pooling and cross-licensing to create IPR based products and services.
- Promoting collaborative IP generation and commercialization efforts with R&D institutions, Industry, Academia, and Funding Agencies.
- Arranging for financial support for development and commercialization of IP assets through links with financial institutions including banks, venture capital funds, angel funds, crowdfunding mechanisms.
- Providing seed funding to the teachers and students of the institution for marketing activities such as participating in trade fairs, industry standards bodies, and other forums.
- Providing guidance and support to IPR owners (teachers and students) about commercial opportunities of e-commerce through the Internet and mobile platforms.
- Encouraging innovators (teachers and students) to create brand equity from their IP rights, such as Trademarks and GIs.

### Objective 6: Enforcement and Adjudication

#### Actions:

- Strengthening the enforcement and adjudicatory mechanisms for combating IPR infringements.

## Policy on Intellectual Property Rights [IPR]

- Building respect and awareness for IPR among the stakeholders of the Institution and to sensitize the inventors and creators of IP on measures for protection and enforcement of their rights.
- Monitoring enforcement strategies at various levels including at individual, department, and institution.
- Identifying and undertaking measures to prevent counterfeiting and piracy of IP in the institution.
- Arranging regular IPR workshops / colloquia for Deans, HoD's, and IP cell administrators to facilitate effective adjudication of IPR disputes.
- Following up on adjudication on IPR disputes of the Institution, if any, through a special team of IP Cell in specialized commercial courts and exploring Alternative Dispute Resolution Mechanism.

### Objective 7: To strengthen and expand Human Capital Development

#### Actions:

- Developing a pool of IPR professionals and experts in spheres such as policy and law, strategy development, administration, and enforcement.
- Strengthening and empowering the IP cell and internal experts to conduct training for IPR administrators and managers in industry and business, academicians, R&D institutions; IP professionals; inventors, and civil society for awareness and revenue generation.
- Strengthening collaboration for IP Teaching, Research and Training with WIPO, WTO, other International Organizations, and reputed Foreign Universities.
- Developing training modules (on-campus and online courses) and organize train the trainers with internal and external experts including legal training.
- Recruiting teachers of eminence with experience in IP creation to provide quality teaching and guide research for the generation of IP.
- Introducing multi-disciplinary IP courses/ modules by making IPR an integral part of the curriculum covering legal, technical, commercial, and management aspects.
- Facilitating Industry interfacing through Inventor and Creators Associations to raise awareness of IP issues and for Teaching, Training, and Skill Building.

## **SCOPE OF THE POLICY**

- The ordinance governing the intellectual property policy shall come into effect from April 1<sup>st</sup>, 2020 subject to the approval granted by the Governing Body of Sree Vidyanikethan Engineering College.
- This IP Policy of the SVEC is applicable to all researchers, staff who has made substantial use of SVEC Resources.
- This policy is also applicable to staff/ researchers/ faculty/ students who have created the IP while at the SVEC and thereafter have resigned, quit, or graduated from the SVEC.
- This policy also applies to SVEC researchers working at other organizations through a formal agreement with the other organization, under such cases the IP Policy of the SVEC will be interpreted in reference to the relevant formal inter-institutional agreement.

## **OWNERSHIP OF IP**

Sree Vidyanikethan Engineering College (SVEC) shall be the SOLE OWNER of all intellectual properties including inventions, software, copyright, Trademarks, Industrial Designs, and integrated circuits, etc. created by creators/inventors as a result of research or created by substantial use of college facilities.

SVEC shall be the owner, with the creators specially stated as inventors for all the intellectual property, inventions, software's, copyright, Trademarks, Industrial Designs, and integrated circuits, etc. created by the creators who include faculty members, research scholars, students and those who make use of the resources of SVEC.

If the creators/ inventors include the name of the college (SVEC) as the applicant while filing the IP, the ownership on the IP will fully with SVEC only. However, some royalty on the technology transfers can be shared with the inventor / creator as per the discretion of Head of the Institute (HoI).

## Policy on Intellectual Property Rights [IPR]

The inventors/ creators shall include the name of the college (SVEC) as the assignee/ owner while filing the IP. If IP is created with the collaboration/ joint venture, on the prior permission of SVEC, the names of the third party shall be included as one of the assignee / co-owners of the specific IP which shall be based on the agreement entered with such third parties.

All the inventors should take special care while filing the patent ensuring the affiliation of the Institute should be clearly visible in all the forms wherever necessary.

### IP Creation without resources of SVEC:

The Inventions/IP created by SVEC personnel, without using SVEC resources and created outside their assigned/normal duties/areas of research /teaching shall be owned by the inventors and the revenue generated out of such creations shall be shared in the following between the creator/Inventor and SVEC

Creator/Inventor share (%)	SVEC share (%)
60%	40%

Where more than one Inventor is involved, initial responsibility for agreeing to the division of the Inventor's share of revenue amongst them shall lie with those Inventors. The revenue would be shared based on the apportionment provided by the concerned SVEC Faculty or primary Inventors, in the event of any dispute, the IPR Cell will take the lead in determining the apportionment.

### IP Creation in SVEC with the support of Industry:

If an Inventions/IP has emerged as a result of an Institutional/Industrial consultancy, sponsored to SVEC the concerned industry and SVEC shall own the IP. This however will not apply to those IPs that are covered under specific MoU's where the action shall be carried out as per the provisions of the MoU's. If the IP is a result of funds sponsored by an outside agency, then the IP will be shared between SVEC and the sponsoring agency on a case by case basis, as per MoU/Agreement/Undertaking

## Policy on Intellectual Property Rights [IPR]

between SVEC and the outside agency. Further, in the absence of specific agreement, IPR cell will decide on revenue sharing based on the contributions of either side than in general making them co-owners.

### IP Creation in SVEC only:

The Inventions/IP created by SVEC personnel, with the available SVEC resources shall be fully owned by the SVEC and the revenue generated out of such creations shall be completely taken by SVEC. However, some royalty (preferably 20%) on the technology transfers can be shared with the inventor / creator as per the discretion of Head of the Institute (HoI).

### Creators not willing to give the rights to SVEC:

If the IP is created by utilizing resources/ facilities of SVEC and the creators/ inventors are not willing to assign the IP to SVEC, the management/ Head of the Institute (HoI) can take disciplinary actions for violation of IPR policy of the institute such as terminating the services, etc. as well as exploring the legal avenues to get the share in such Intellectual property Rights.

### SVEC students alone:

If IP is created by the students with the aid of college resources/ facilities, the share will be decided by the IPR cell on case to case basis.

### Out of scope:

IPR that does not fall in the professional scope of an Inventor/Researcher of SVEC and generated without the use of the resource of the SVEC must be declared prior to its protection. In such IP, the IP rights can remain with the Inventor(s) subject to a "No objection certificate" from the SVEC.



### SVEC IPR Works:

#### **Patents/ Trademarks/ Industrial Designs/ Integrated Circuit Layouts**

- All the IP whether created by student/ researcher/ faculty developed by utilizing SVEC's resources, or with the mix of funds, resources, and/or facilities of the college, shall ordinarily be vested with SVEC.
- Invention(s) including software, design, and integrated circuit layouts created by the Institute personnel without use of the Institute resources and not connected with the profession for which he/she is employed at the Institute shall be owned by such inventor/creator(s) subject to obtaining NOC from the IP CELL and Management of SVEC.
- The ownership of all rights in all types of IP involving the college shall ordinarily be vested with the SVEC.
- If SVEC determines that the creator of the IP was created by an individual on his/ her own time and unrelated to his/ her responsibilities, then the right to the same shall ordinarily be vested with the said individual subject to obtaining NOC from the IP CELL and Management of SVEC.
- Trade and service marks related to goods and services involving SVEC will be owned by SVEC.
- For patentable IP, it is essential that the patent protection is filed before the publication or disclosure of it in any other form of public domain. As a pre-condition, all information/ innovation/ inventions that are developed/created and intended to be published should obtain prior permission before making such disclosure/publication.

#### **Copyrights:**

- SVEC shall be the owner of all copyright works including software and all connected teaching materials designed and developed by staff/ faculty of Sree Vidyanikethan Engineering College.
- SVEC shall also be the owner of copyrights of works produced, including software and all teaching materials developed by persons not directly associated with SVEC, provided SVEC has made its contribution in the form of any of the resources and/or guidance.

## Policy on Intellectual Property Rights [IPR]

- It is the responsibility of the author/creator that their creation does not violate any copyright rules or ethical standards.
- The ownership of copyright by SVEC will in no way deprive the claims of the creator/author to publish his/her contribution in a scholarly and intellectual way and they have the authority to improve, publish and propagate their works by taking prior approval (NOC) from the IPR cell. Also, the ownership rights in Massive Open Online Courses (MOOCs), films, plays, and musical works, thesis, dissertations, term papers, laboratory records, institutional materials including, but not limited to, course syllabi, curricula, exam questions, exam instructions, and papers/ reports specifically commissioned by SVEC, shall ordinarily be vested with SVEC.
- Any publication, document, and/or paper arising out of research activities shall be owned by the SVEC and the author/researcher/creator shall have only Moral Rights.
- The use of name, logo, and/ or official emblem of the college shall not be done without prior written permission from the institution. Violation of this policy will lead not only violation of this IPR Policy but also Infringement/passing off of Trademark Rights of SVEC in which cases appropriate legal action would be taken by SVEC.

**Note:** However, the revenue share for all the above cases will be decided by the IPR Cell. The figures indicated above shall be subjected to change as per the contributions of stakeholders.

### **RESPONSIBILITIES OF CREATORS/ INVENTORS**

- a) To sign a confidentiality agreement and consent agreement with the college before filing an IP
- b) To make an invention disclosure in a thorough and timely manner of all IP created.
- c) To provide evidence of originality/ novelty for the IP created along with the Invention Disclosure Form.

- d)** To promptly disclose know-how, designs, algorithms, source-code, prototypes pertaining to the IP conceived in writing without concealing information and submit it to the IPRC as and when requested.
- e)** To cooperate with the Institution IPRC in resolving all conflicts as may arise with respect to the IPs concerning to him/her.
- f)** To cooperate with IPRC while evaluating the Invention Disclosure Form.
- g)** To maintain confidentiality over the invention and should not reveal/ discuss the same with anyone prior to disclosing with IPRC of SVEC
- h)** To take complete responsibility for the filing activities such as preparing the necessary documents/forms, drafting the inventions, filings, etc. if decided to seek protection for the IP created.
- i)** To inform about his/ her activities with IPRC from time to time.

### Criteria for naming inventors

The naming of Inventors is normally decided on the basis of the following criteria:

- All persons who contribute towards the development of patentable features of an invention will be named as the inventor(s).
- All persons, who have made intellectual contributions in achieving the final results of the research work leading to a patent, will be named as the inventor(s).
- A person who has not contributed intellectually in the development of an invention is not entitled to be included as an inventor.
- A person who provides ideas needed to produce the 'germs of the invention' need not himself / herself carry out the experiments, construct the apparatus with his/her own hands or make the drawings himself/herself, the person may take the help of others, such persons who have helped in conducting the experiments, constructing apparatus or making the drawings or models without providing any intellectual inputs are not entitled to be named as Inventors.
- Quite often difficulties may arise while deciding the names of Inventors. To avoid such a situation, it is essential that all scientists engaged in research should keep a factual, clear, and accurate records of daily work done by them

in the form of a diary (Lab Note Book). The pages in the diary should be consecutively numbered and the entries made should be signed both by the scientists and the concerned principal Researcher.

### **TRANSFER OF RIGHTS/ OWNERSHIP**

Sree Vidyanikethan Engineering College shall strive to identify potential licensee for the IP to which it has ownership. Generally, creators are expected to assist the transfer of IP.

Prior to the commencement of the policy, the rights/ ownership of the IP created by the creators must be transferred to Sree Vidyanikethan Engineering College. A legal agreement shall be executed between the creator and SVEC which consists of the following:

- The terms and conditions
- Revenue sharing particulars
- Sharing in the fee for transferring purposes
- IPRC will actively monitor the market and keep a watch on IP Applications for similar technologies and enforce the rights as and when needed and actively commercialize the IPR Generated and Protected.

### **INTELLECTUAL PROPERTY RIGHTS CELL (IPRC)**

The intangible assets like inventions, designs, software, brand name, and other creative & innovative ideas are more valuable than physical assets. IPRC is committed to encourage, protect, manage, and commercialize Intellectual Property such as Patent, Copyright, Trademark, etc. generated through the College. IPRC will coordinate the activities of evaluating, protecting, licensing, and managing the IP generated by SVEC. Further, it shall provide guidance to all SVEC personnel and facilitate protection and deployment of intellectual property issues of ownership, confidentiality, suitable advice from experts, disclosure, patentability, and transfer of rights.

## Policy on Intellectual Property Rights [IPR]

IPRC will be the leading administrative body, which will be responsible for formulating the procedures and to implement the IPR policy of SVEC. IPRC would also clarify any issues/appeals related to IPR policy.

### Members of IPRC:

The members of IPR Standing Cell include:

<b>IPRC members</b>	<b>Function</b>
<b>Head of the Institute (HoI)</b>	Supervises the activities of IPRC.
<b>IPR cell Coordinator</b>	Coordinates between the staff and the HoI. Also, responsible for organizing training, consulting industry experts, etc.
<b>Internal Subject Experts</b> [C-Branch's: 1   E-Branch's: 2   ME: 1   CE: 1   BS&H: 1]	Experts to evaluate the Invention Disclosure Forms (IDF's) submitted by inventors. To take decisions on the inventions.
<b>IPR expert</b>	IP expert to supervise the activities in par with the Indian Patent Act. It also conducts patentability searches in paid databases to check the novelty/ obviousness of the invention. Provides guidance to the prospective inventors on the preparation of required forms/ drafting of provisional/ complete specifications.
<b>Industry Person (4 No)</b>	Experts to evaluate the IDF's submitted by inventors. To take decisions on the inventions. Suggest further recommendations.
<b>A legal advisor</b>	Legal Advisor to assist all the legal needs in executing the IP filings/ activities within SVEC

**Note:** \* However, the Marketing and Commercialization of Protected IPR in India and abroad will be done with the support of Industry members of the IPR Cell and Industry Institute Interaction (III) Cell.

# Changes in the IPR committee shall be done as and when required with the prior approval of the chairman of the committee.

### Terms of reference of IPRC:

- Formation of expert groups: To form expert groups with members from different domains/ subjects to assess and evaluate all the proposals for filing IP.
- Procedures/ guidelines: To create and finalize procedures/ guidelines for the best implementation of the IPR policy at SVEC.
- Tracking of IP filed: To maintain a record of all the IP filed by SVEC and to track the various IPs filed so as to ensure a speedy and hassle-free IP process.
- IP protection: To facilitate the protection of IP by drafting suitable and specific agreements.
- Agreements management: To handle all the Agreements pertaining to IPR in order to protect the interests of SVEC.
- Organizing awareness programs: To conduct IP awareness programs for educating SVEC personnel / students/ staff/ students/ research scholars.
- Funds for IPR: To approach funding agencies (external or internal) for generating funds to promote IPR activities.
- IPR utilization: To release IPR to the Inventor(s) and/or Third-party without violating the IPR policy of SVEC.
- Disputes handling: To solve disputes related to the ownership of IP, violating the policy, processing of IP proposals, procedures adopted for the implementation of IPR policy.
- Technology transfers: To assist in commercializing the inventions as and when required.

## ACTIVITIES LEADING TO THE GENERATION OF IP

The various Research and Development activities performed in SVEC can generate different types of IPs which are illustrated as follows:

- a) Research is done by a faculty/staff/student/research scholar in the normal course of his/her engagement at SVEC with the funds of SVEC (this would include research projects undertaken by students under the supervision of the faculty member);

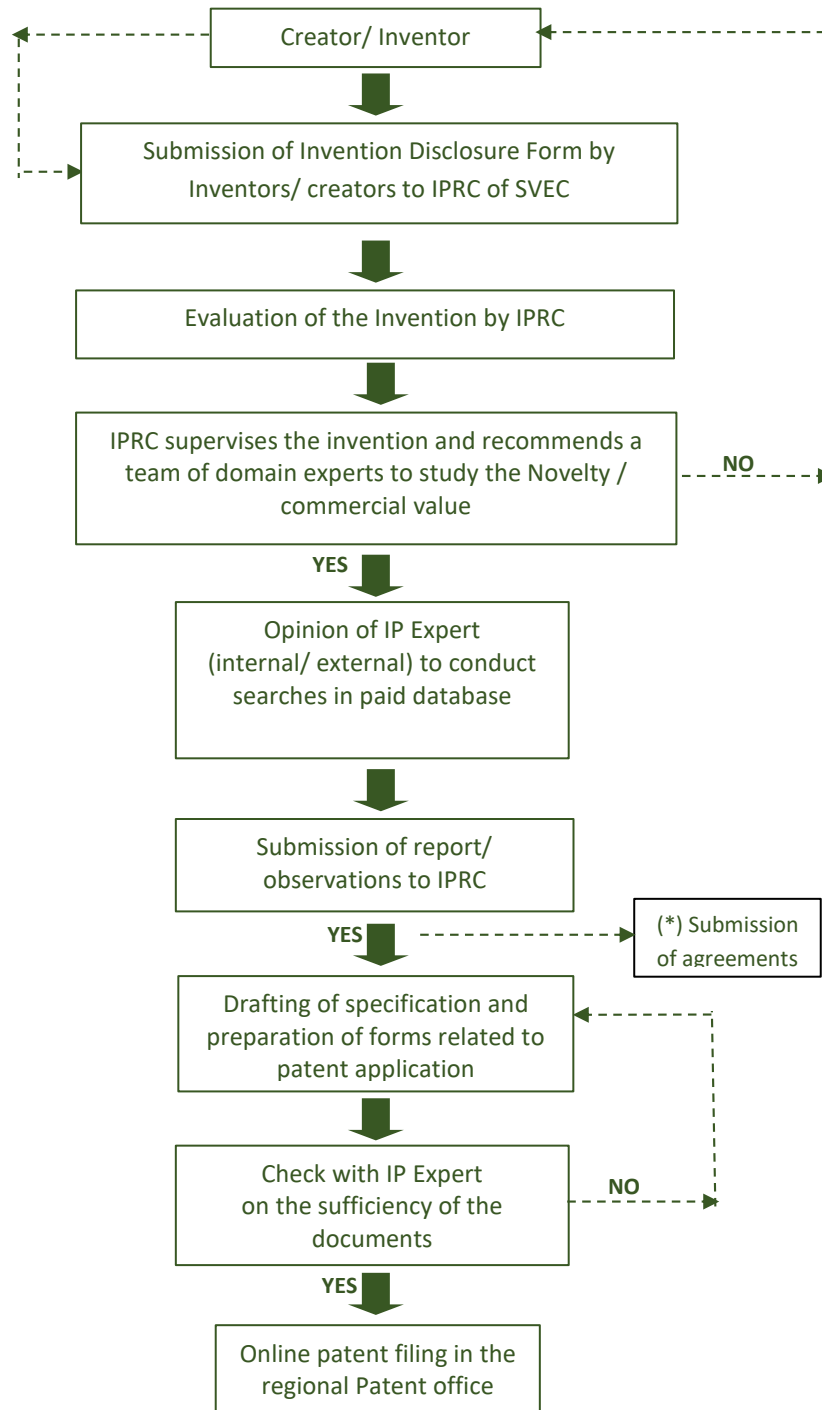
- b) Research done through the sponsored projects by a faculty/staff/student;
- c) Collaborative projects and researches performed with other institutions including Government Departments and agencies, PSUs and Private companies located in India;
- d) Collaborative research with foreign institutes/universities and companies; and
- e) Any combination(s) of the above

**Note:** The applicant name for cases mentioned above and all other possible cases must be Sree Vidyanikethan Engineering College.

### **PATENT FILING EXPENSES**

SVEC shall bear the patent filing expenses as per the recommendations of the IPR cell. If it is a joint patent with a sponsoring agency, then the patenting cost will be equally shared. If the other agency does not show interest in such a process, SVEC can either continue the patent by paying the fees for its full term or withdraw the application for the patent protection, at its discretion.

## PATENT FILING PROCEDURE WITHIN SVEC



Note (\*): Forms to be submitted:

- Agreement between Inventors & SVEC clearly stating the fee and revenue sharing.



- Mutual agreement between the co-inventors.

### **LEAVING SVEC/ DISCONTINUATION OF SERVICES AT SVEC:**

- Cessation of employment either by resigning, retirement, or completion of project/ course, under normal circumstances, or a Student leaving SVEC, will not affect an individual's right to receive a share of revenue, provided the IP/revenue was generated during the due course of their admission, employment or association with the SVEC.
- If the creator/ inventor left the institute, SVEC will continue to share the agreed revenue sharing with the creator/ Inventor.
- In deceased conditions, SVCE continues to share the agreed share with his/ her nominee/legal representative.
- SVEC will also entertain all the commitments to make payments to SVEC personnel as a creator/inventor who had left the employment of the Institute prior to the exploitation of IPR.
- The researchers/staff/faculty/students that have been terminated by SVEC for various reasons, the sharing of the revenue, if any, will be decided on a case by case basis.

### **DISPUTE RESOLUTION**

In case of any disputes between the Institute and the inventors regarding the implementation of the IP policy, the aggrieved party may appeal to the Chairman/Principal SVEC. Efforts shall be made to address the concerns of the aggrieved party. The decision of the management shall be communicated by the Principal in this regard would be final and binding.

### **CONFLICT OF INTEREST**

Each researcher must declare any potential conflict of interest that they have in relation to IP to the concerned person of the IPRC, to the head of the Institute (HoI), as soon as possible.

## **WAIVER/ AMENDMENT OF THE IP POLICY**

The SVEC shall have the discretion to waive or vary any or all of the provisions of this IP Policy, or any of the rules or guidelines framed thereunder, in a particular case. Such discretion shall lie solely with the head of the Institute (HoI) of SVEC. Similarly, SVEC may amend the provisions and guidelines set out in the IP Policy from time to time and shall notify its researchers/staff/faculty of such amendments as soon as possible. The amendments shall be in full force and effect on the date the amendments have been announced by the SVEC to take effect.