

## INTELLECTUAL PROPERTY POLICY

**NATIONAL INSTITUTE OF TECHNOLOGY, ARUNACHAL PRADESH**  
(An Institute of National Importance, Govt. of India )



**Coordinated and implemented by-**

**INTELLECTUAL PROPERTY RIGHTS CELL**  
**NATIONAL INSTITUTE OF TECHNOLOGY, ARUNACHAL PRADESH**

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## **I. THE INTELLECTUAL PROPERTY (IP) POLICY**

The objective of this IP Policy is primarily to build IP awareness so that various forms of IP based activities at NIT AP are spotted and addressed as per prescribed guidelines of Institute IP Policy, so as to encourage creation of IP in all form and representation, impart effective protection through creation of rights, sharing of benefits in equitable manner, to commercialize IP in a way commensurate with the socio-economic requirements and benefit and growth of the Institution and to maintain a viable IP environment within Institution through effective IP Policy as may be notified and made applicable and any required modifications of the IP Policy under due notification from time to time as may be deemed fit for the purposes.

### **II. Objectives of the IP Policy:**

The major objectives of the IP policy of NIT Arunachal Pradesh are:

1. To generate capability by way of a conducive and encouraging environment for creation, consolidation of property rights and its exploitation by commercialization of intellectual property based on efforts of students, researchers, faculties, and employees involved.
2. To create IP awareness amongst students, researchers, faculties, and employees in matters of Intellectual Property through various interactive sessions and trainings programs including by way of conducting seminars, conferences, invited talks and lectures, among the academic community.
3. To develop a system for incentivising the art of generation of intellectual property whereby original work of authorship, inventorship and creative efforts could be recognised and rewarded.
4. To create an environment where knowledge and advancement could be effectively monitored, documented and recorded and thereby benefit academic in pursuing academic excellence.
5. To provide avenues for legally acceptable forms of effective commercialization of fruits of research and development and mechanism for extending Institute's support and equitable benefit sharing amongst stake holders.
6. To evaluate and safeguard Institutional resources applicable intellectual property rights as and where found legally protectable against unauthorized use including defining measures to respect other.
7. To encourage target based research and development to meet societal needs and advancement oriented research which is beneficial to community.

### **III. SCOPE OF THE IP POLICY**

1. The IP Policy applies to all forms of intellectual property rights attracting the Institute IP policy and supposedly covers true and first research findings, results inventions, industrial designs, copyrightable materials such as books, publications, research papers, electronic courseware, computer programs, layouts of electronic circuits etc., protectable.

trademarks and trade secrets, which are developed using Institute's resources including faculty time, equipment, supplies, facilities, employee time, or trade secret information, and which relate to the Institute's activities, purposes, objectives, projects, research or development.

2. The IP Policy is supposed to fulfil the Policy objectives above stated and prescribe guidelines towards fulfilment of such stated objectives including safe guarding and ensuring that all form of intellectual property rights generated in the course of Institute activities are identified, legally safe guarded and respected and also generate much required IP awareness.
3. The IP Policy is directed to also identify and recognise all forms of original creative and/or inventive efforts in keeping with applicable legal provisions in place and also to respect such intellectual efforts whether originating within or outside of the Institute resources. This IP Policy is applicable to all the stake holders of Institutes such as faculties, researcher, students including Doctoral or Post doctoral fellows, employees, staffs, workers, visitors, sponsor, commercial and industry partners and on all such persons, who in any manner was/ is associated with Institute including its stakeholders in any form of creation of IP involving Institute resources whether tangible or intangible resources.

#### **IV. DEFINITIONS**

##### **1. Intellectual Property (IP):**

- a. "Intellectual Property" includes creative/ authorship/ inventorship original efforts of any individual or group of persons involving proprietary values being not part of public domain knowledge and broadly includes Patents, Designs, Copyright, Trademark, Trade name, Semi Conductor circuit layout, geographical indications, plant varieties, value added products, etc.
- b. Patent is a statutory grant to its Inventor or Assigns in recognition of a New i.e. not previously published anywhere in the world, INVENTIVE i.e. non-obvious and INDUSTRIAL USEFUL technical advance to exclude all others without consent from making, using, selling or importing the said technical advancement without the consent of the Inventor/Assigns for a prescribed period of time.
- c. Design is a statutory grant to the author of a new i.e. not previously published or original design applied to any article to exclude others without consent from applying same design to same article for a prescribed period of time.
- d. Copyright is a statutory grant including on any original work of authorship expressed in tangible medium and capable of being reproduced and includes literary (includes research papers, study materials, books, classroom teaching material, course material, computer software), artistic (includes engineering drawings, artworks ), musical (includes sound recording), dramatic creation (includes video of lectures, ppt presentation, videographic demonstration of experiments, simulations), cinematographic work for reproduction ,derivation or translation of the same.
- e. A trademark is a word, name, symbol or device (or any combination) adopted by an organization or individual to identify its goods or services and distinguish them from the goods and services of others.
- f. Semiconductor IC Layout Designs is statutory grant of copyright on the topography of original semiconductor and integrated circuit layout design.

2. The term "Fair Use" appears under the copyright law and is usually applicable to exempt limited and conditional usage of copyrighted content without authorisation from the copyright owner/author provided the limited usage is also not for any commercial purposes. Usually, non-commercial and academic purposes only reproduction of limited portions of copyright owners work with due acknowledgement is exempt from copyright infringement under such fair use provisions.
3. Stake Holder include the Institute and its Employees, Students and Institute Personnel and also any person who either engages Institute Resources or its Employees, Students and Institute Personnel leading to generation of any IP.
4. An "Employee" of the Institute is defined as any person full or part time who is engaged by the Institute for services under contract of service with compensation and has been assigned duties in regular course of his or her such employment with the Institute and does not include including students engaged in pursuance of their academic activities /courses and any scholarship, fellowship, assistantship or visiting professional and any payment received by a student during the course of his/her studies or visiting professional associated with the Institute does not classify him/her as an employee .
5. Student shall include any full or part time students of any course, students under exchange program, visiting students, interns, doctoral and post doctoral students, student researcher.
6. Institute Personnel comprise personnel other than Employees and Students and include such other members in-house or visiting as faculty, technical, administrative or the supporting staff and all other agents and employees, for any of undergraduate, postgraduate, doctoral and postdoctoral and irrespective of any attachment to any department or level of the Institute who is engaged or associated with the Institute
7. Creator includes true and first claimants /author(s) or inventor(s) or originator(s) or performer of any form of intellectual property and who is either an employee, student or Institute personnel for the purpose of this document.
8. **Work for Hire:** Work for hire is defines all/ any work commissioned by the Institute.

## V. IP MANAGEMENT PERSONNEL

1. **Intellectual Property Chairman (IP-Chairman):** The Institute's Senate shall appoint Intellectual Property Chairman having requisite exposure and experience in IP evaluation and management. The Senate may prescribe for the qualifications and/or experience for appointment of the IP Chairman and can be chosen from the faculty positions or any other person having the suitable qualification to match the requirements to function as an IP Chairman who will be responsible for day-to-day administration of IPR issues and governing of the Intellectual Property Committee (IPC) under the supervision of the Dean R&D/ Director. IP Coordinator shall serve as the member-secretary of the Intellectual Property Committee. IP Coordinator and IP Chairman shall be responsible

for effective functioning of the IPC and also compliance of the IP Policy by the related stake holders so that all forms of IP involving Institute ownership rights under the policy are effectively legally safe guarded to benefit possible commercialization and fund generation.

- 2. Intellectual Property Committee (IPC):** The Institute's Senate shall form an Intellectual Property Committee (IPC) to frame guidelines for appointment of members ,schemes to aid implementation of this IPR rules/ policy, implement schemes, administer, oversee the governance, evolution and legal principles governing IPR practise and policy of the Institute, decisions in IP management and commercialisation and matters incidental thereto, to resolve any disputes, revenue distribution and to make suitable recommendations to Dean/Director for implementation. Director's nominee will serve as the Chairman, and IP Coordinator shall serve as the Secretary of the IPC. In addition to Chairman(IPR) and IP Coordinator, the Senate will nominate three or such odd number of members from among the faculty of the Institute, preference to intake member having experience in generating and/ or commercializing IP and other aspects of IP. The tenure of IP Coordinator and the three members will be 2 years, preferably non-concurrent. A member may be appointed for a second term, but not more than 5 (five) years in total. All relevant stake holders including Employees, Students and Institute Personnel shall seek assistance from IPC in all/ any matters involving Intellectual Property. IPC shall be responsible for prescribing guidelines for maintaining safe guards while working on various projects or performing regular activities involving Institute Resources so that any form of creation having proprietary values whether statutorily registrable or not are documented and maintained for evaluation and IP legal scope determination whether under statutory or any common law proprietary rights thereon before it is made open in public domain or any form of commercialization. This should include coordinating filings and recording statutory grants of any form of IP, negotiating and preparing license and other IP conveyance /agreements, review and approve all agreements relating to intellectual property. IPC shall be responsible for codifying standard practises in Institute activities by various stake holders so that the ownership rights of Institute in IP as per the Policy is not only safe guarded but also the various stake holders are benefitted and made aware of the importance of various forms of IP Rights but also the various stake holders are aware of respecting others IP Rights during the course of their regular activities in the Institute or otherwise.

## VI. General Policy

1. The intellectual property policy shall apply to all stake holders for the purposes of this Policy.
2. The Intellectual Property policy shall apply to all kinds of intellectual property irrespective whether statutorily protectable subject matter or deriving out of any other common law rights and includes any data, information, content originating from any of the stake holder prescribed to be suitable for evaluation by IPC under this Policy for proprietary value. The institute will encourage and recognize the effort and contribution of creators of intellectual property and safe guard the ownership rights thereon in keeping with the Policy

3. The Intellectual Property Policy is targeted at timely and effective legal protection of all creative efforts of any of stake holders in any field including but not limited to scholarly ,technical or artistic creative efforts and shall guide the stake holders in taking every steps deemed necessary so as to completely protect its intellectual property as prescribed under this Policy.
4. The Institute shall have sole ownership of all intellectual property created under Work for Hire contract and/ or in case of every commissioned work. However, in case of commissioned copyright work the Institute rights shall be subject to applicable copyright exceptions such as moral rights and performers rights which shall continue to vest with the creator.
5. The intellectual property generated from research projects sponsored by government/ non-government agencies will be owned by the creator(s), i.e. the Principal Investigator or Chief Consultant, the Institute and the sponsoring agency. The sponsoring agency will bear 50% of the protection cost or forgo the rights to the intellectual property. In case the project was accepted by the Institute under terms different from that stated herein, the terms agreed to shall prevail.

## **VII. Intellectual Property Rights and Obligations**

1. Intellectual property created by full time Employee, Student and Institute Personnel under any regular course of activity or academic duties and/or involving the Institute resources, unless otherwise prescribed under the Policy or agreed upon by the Institute, shall be owned by the Institute jointly with the creator thereof.
2. Where intellectual property is created using Institute's (NIT Arunachal Pradesh) infrastructure, funds and facilities but creator is representative of any other Institute, in such cases Institute (NIT Arunachal Pradesh) in recognition of the rights of such Creator who is not from the Institute shall be simply sharing ownership rights with creator and of such other Institute from where the Creator belongs and thus the Intellectual Property Rights shall be jointly owned by NIT Arunachal Pradesh, such other Institute & creator/inventor.
3. In case Intellectual property is created by part time employees, students or visiting professionals or Institute Personnel involving their cats or activities for which they are associated with the institute and /or when done utilizing the institute facilities including knowledge resources, the Intellectual Property rights should then be jointly held by the creator and the institute.
4. In case of any employee, student or institute personnel claims to be creator of any Intellectual Property without the institute as a co-owner, the employee, student or institute personnel should obtain a clearance from the IPC to this effect as otherwise in keeping with the Policy guidelines for such exemption and sole ownership vesting with the employee, student or institute personnel.
5. Creator shall be duty bound to prior to making any public disclosure of the subject to submit reasonably complete disclosure of prospective intellectual property to the IPC and await the clearance of the IPC based on its evaluation of the subject for prospective IP coverage and related safe guards . IPC shall next after evaluation of the subject for prospective IP/Proprietary values convey its findings on whether to proceed for any statutory coverage of the IP and if so under which applicable laws or if there is any alternative requirement to safe guard the Ip from public disclosure to maintain its proprietary values and utilities or permit the Creator to publish the contents as per Creator interests in case

there is a possible Ip coverage based on the subject involving proprietary values. Only after such permit is granted by IPC the Creator shall go for public or any third party disclosure, publishing or otherwise release as publication in any conference, journals, oral disclosure, presentation, books, photography, prototype, engineering drawings or any other mode & medium, so as to impart appropriate protection under applicable laws.

6. Where a disclosure is received from creator/ inventor by IPC, it would be decided by IPC preferably within 15 days on modalities of protection available for the creation/ invention. IPC may proceed either through its own efforts or through appropriate Government or private firm or attorney with the consent of the Director. If the IPC does not find the property appropriate for protection by the Institute, the creator/ inventor becomes the sole owner of the property and is at liberty to apply for protection under national laws at his/ her own costs and effort and the Institute will issue a letter foregoing all its claim on such intellectual property.
7. Intellectual Property rights are territorial in nature and decision of Institute regarding territoriality of protection including coverage internationally for prospective IP coverage in countries outside India shall be final. Although creator/ inventor shall be free to proceed with obtainment of rights in territories where Institute decided not to proceed at his/ her own efforts and fund after obtaining permission to this effect from the institute. However, when commercialise either through licensing/ assignments or by any other mode, creator/ inventor shall be responsible to ensure no conflict of interest with Institute's interest irrespective of territory of rights.

#### **VIII. Royalty Income Sharing**

1. Both the Institute and the creator shall be entitled to commercialize the IP and in case of success in commercialization either by way of License or Assignment , the revenue/proceeds of such commercialization shall be shared equitably between the Institute and the Creator as may be agreed upon. and Unless otherwise agreed upon the Creator and the Institute shall share the proceeds of commercialization subject to other legal obligations in the proportions of creator/ inventor to have 75% and Institute to have 25% of revenue earned
2. The Creators and Institute shall have the respective rights to entitle legitimate claims to revenue sharing from part of the Creators and institute revenue earnings . It is hereby clarified that any legitimate claimant as a Creator shall be entitled to share the Creators revenue allocation while any legitimate claims by any sponsoring or supporting organization in generation of any IP shall be entitled to share the Institute revenue allocation based on the proportions already defined hereinbefore..
3. Creator may comprise one or more individual Creators , who shall together be entitled to the said 75% of generated revenue. The Creators who have jointly contributed to any IP and hence entitled to be identified as Creators of the IP shall be entitled to mutually agree upon respective sharing of the 75% of the generated revenue allocated to the Creators . consideration of the If the Creators on their won fail to agree upon the mutual sharing of the revenue , a request may be made to the IPC for necessary adjudication and recommendations to the Director whose decision in the matter shall be held final and binding upon the parties involved.



## **IX. Scope and exploitation of Ownership of Intellectual Property in Special Cases**

1. In case of sponsored research where the research is sponsored by any private party or government organization unless there is any agreement to the contrary , the Institute and the Sponsoring Party shall be free to negotiate the prospects of exploitation and commercialisation of the intellectual property rights including determining the terms and conditions under which any License may be granted for effective commercialization of the Intellectual Property rights.
2. The intellectual property policies and guidelines of the Institute are subject to provisions of relevant laws and provisions, Government guidelines and policy.
3. Ownership of Intellectual property Generated by students
  - a. It is a requirement in academics that a student must own the copyright of the thesis (since it is his or her original work) which he or she submits as partial fulfilment of the requirements for an academic degree. However, as students use Institute's facilities, knowledge resources, funds and academic institutional benefits, the student will grant a non-exclusive, non-transferable royalty-free license to the institute to use, in the course of non-commercial academic activity, the records and data generated in the course of his/her research and also outcome of the research purely for academic purposes only . Supervisors should ensure to essentially guide students during the course of their work about the prospects of Intellectual Property Rights being generated in the process of their academic pursuit and also the precautions that are needed to ensure that such intellectual property rights thus generated are not lost due to lack of awareness of the students that intellectual property rights such as patents, industrial designs and trade secrets qualify for rights based on maintaining unpublished confidentiality till claims on such rights are recorded before authorities and priority of disclosure is duly recorded. More specifically, the students should be required to maintain strict confidentiality of their work and advancements during their academic courses and projects and should not involve in any publications without prior authorisation from supervisor /guide and the supervisor/guide shall as and when any issue of prospective required publication is brought to his notice shall evaluate future course including suggesting the student to connect to the IPC for evaluation of the work and its prospective intellectual property rights and safe guard measures application and directions thereto. The supervisor/guide and /or IPC should always ensure judicious approach so that the students academic pursuit and intellectual property rights emanating therefrom are both duly regarded and balanced to avoid any unwanted conflict between the two objectives and purposes.
  - b. In general in keeping with the established principles governing copyright of thesis authored by students , the copyright on the literary work will vest with the student while the institute would have restricted access to the thesis for limited non-commercial purposes as non-exclusive and non-transferable license. In the instance the evaluation of the thesis work prior to its publication by the supervisor/guide in consultation with IPC reveals prospects of any form of intellectual property including patent or design rights which need novelty (no-publication) on the priority date of claims for such IP Rights, it should be ensured that the claims are duly lodged before the respective statutory authorities before the publication of the work/thesis revealing such prospective IP. The benefit sharing on effective grant of such IP shall be governed by the Creator and Institute mechanism of benefit sharing in keeping with the provisions mentioned herein.

- c. Where a student is employed to assist in execution of a sponsored project or programme as per approval of the institute , the intellectual property rights originating from his contribution to the project will be governed by the terms of the contract between the institute and the sponsoring agency, subject to any work for hire contract validly applicable

#### **X. NON-Disclosure and Confidentiality requirement before any publication for valuation of prospective IP in work of Creators.**

1. All Employee, student and institute Personnel engaged in any work as creator thereof individually and /or as a group of creators shall ensure that no such work under his/her name as creator is published without first making a written disclosure of the concepts and principles thereof to the IPC, providing all such particulars as are vital to assess its industrial utilities and/or commercial prospects for evaluation of prospective IP by the IPC. The IPC shall promptly acknowledge, in writing, its receipt of the disclosure and the date of receipt. Also, prior to any intended publication of the work the creator/creators claiming to be the authors should send one copy of the proposed manuscript, , to the IPC for similar evaluation of any prospective IP in prior point of time ahead of the expected publication.
2. In recognition of this IP Policy all Departments of the Institute should maintain policy of non-disclosure and confidentiality of various creative engagements of the Creators to ensure that no prospective IP is lost due to unauthorised publication of such creative engagements . Thus ,each department is under obligation to file their R&D manuscripts, if any, on time to time basis, with the IPC for evaluation of prospective IP in keeping with this Policy. Departments of the Institutes and Creators involved and all stake holders as part of the Institute on and from the publication of this IP Policy in the institute portal will have deemed notice of the procedures and guidelines for operation under the IP Policy and deemed to be aware of the need to be compliant and consequences of loss of valuable IP rights resulting from any non-compliance of the Policy requirements and guidelines prescribed towards safe guarding unauthorised publications of IP generating and prospective creative efforts of the creators and stake holders and hence need to authorise publications only through IPC consent and not otherwise.
3. The creator who has communicated with the IPC under Clause 5.6.1 shall continue to refrain from publishing, reading, dissipating, circulating or disclosing the conception in any form to maintain legal confidentiality of the subject until under guidance of IP an effective priority claim has been lodged before desired authority or IPC has consented to going ahead with the publication even without any required IP priority claim recordable before any desired authority as the case may be.

#### **XI. Commercialization.**

1. For purposes of protection and commercialization of intellectual property on behalf of the Institute, anyone or more of statutory right including patent, trademark, Industrial designs ,copyright and any other form of IP coverage may be sought, or even valuable property right may be secured by way of proprietary information, technical know-how, or trade secret.

2. The Institute shall have its own discretion to consider commercialization of any prospective IP and the creator or creators shall have their own right to commercialize under due intimation to Institute and in keeping with the benefit sharing as prescribed herein. In the instance, the Institute considers commercialization the same shall be at the discretion of the Director under advice of IPC and the Institute or IPC or Director shall have no obligations to respond to any queries or be answerable to the creators or any third party on any commercialization attempts and results.
3. In seeking and developing commercialization of intellectual property, the Institute shall be guided by the following principles:
  - a. The Intellectual Property Rights are effectively utilized for facilitating original creative efforts in various fields of academic and technical excellence and also making available the subjects of intellectual property for benefit to society and industrial development.
  - b. To recognise that intellectual property is based on creative efforts involving intellectual efforts, resources ,time and capital and it is important that such efforts are transformed into commercial use so that the property right can generate funds for future development and facilitate further research and developmental activities.
  - c. The Creator is recorded and authorised for active participation in all efforts for commercialization and also given the status of principal beneficiary in all commercialization efforts of intellectual property as may be realizable. .

## **XII. Courseware including Electronic and Distance Education Materials**

1. All original works submitted by the creators for the purpose of courseware including electronic and/or distance education course development shall remain the property of the concerned Creators and the Institute jointly.
2. The Institute has the right to use the course (including all related materials) developed by Creators involved in the development of a distance learning and/or e-learning course for the Institute's own educational, research, and other purposes without any additional compensation to the Creator who is an author of the course by way of perpetual non-exclusive and non-transferable license ... For any required updates and future editions, the Creators shall have the first opportunity to carry out the revisions and upgradation and in case the Creators are not interested and/or cannot be contacted ,the Institute can then subject to any applicable authorship rights vesting with the Creators authorised to carry out upgradation and necessary future edition of the courseware.
3. If the course and/or related materials are licensed, sold, or otherwise conveyed to a third party, the mechanism as per Clause 5.3 will govern the distribution of any proceeds. If the material is used in distance education activity generating revenue under a scheme where instructors or other Institute personnel receive specific compensation, the Creator of the courseware is entitled to a fair share of the proceeds, the exact amount being determined by the Director.
4. Creators of any work including authors of publications ,Courseware including digital form are required to be aware of that their work do not in anyway infringe any others proprietary or copyright and should take all reasonable measures to avoid any such copyright infringement and in case any violation of any others legal rights are attracted by the Creators work the Creator shall not hold the Institute being a joint owner of rights under the Policy in any manner whatsoever since authorship rights and aspects of originality in the Creators work should

always be the Creators sole contribution and the Institute being a legal entity cannot involve in such Creation of work. The Institute as joint owner of such intellectual property shall assume the originality in the Creators work and in case of any dispute and legal issues the Institute shall not be a party to the proceedings and in case of any liability claims on the Institute the Creator shall indemnify the institute against any claims.

### **XIII. Implementation of Intellectual Property Policies.**

1. The IPC shall prepare and distribute to the various departments copies of this document and other recommendations as may be considered appropriate for the implementation of the provisions of intellectual property policies and guidelines adopted by the Institute, and on and from the date of publication of the IP Policy in the Institute Portal the same would be deemed to be notice to all stake holders and will be in effect.

### **XIV. Procedures for Management of Intellectual Property**

#### **1. Creating IP Awareness**

One of the basic objectives of this IP Policy is to create IP awareness so that creative efforts are duly recorded and evaluated in confidence by the institute IPC before it is made public so that all proprietary rights and/or values attached to any creative effort is not lost and duly compensated. The IPC will take a proactive approach for generation and protection of intellectual property in the Institute. The committee shall prescribe guidelines for docketing of creative efforts of stake holders and safe guarding the same from any unauthorised publications/access without due consent and permit of IPC so that Creators and all stake holders can have free and fair opportunity to generate their IP in confidence and through appropriate support and guidance of IPC which would include (a) evaluation of prospective IP and (b) if found viable for IP coverage to send recommendations to Director for necessary support. The IPC will be open accept proposal for evaluation of prospective IP in Creator activities and performances and the Creator on his own or through the relevant department will place a formal proposal before the IPC with details of the subject of the creation. The IPC will examine the proposal taking help of internal or external experts, if necessary. The Creator (s) may be required to make a presentation/demonstration of the relevant subject of his creative effort before the Committee. In case IPC need more information/data /documents to decide further, the IPC may raise requisition to this effect and Creator should cooperate and make available such additional inputs for facilitating the evaluation by the IPC towards prospective IP Rights or commercialization. Depending upon the nature of creative efforts involved evaluated by IPC in consultation of Creator, the IPC shall determine the appropriate form of IP coverage desired and formulate strategy of protection of the property and, where appropriate, initiate steps towards effective and appropriate protection. The objects and purposes of IPC in ensuring effective IP coverage and legal protection is to make avenues for process for licensing, selling, or otherwise conveying intellectual property which should not involve the use of sealed bids. All costs associated with these actions shall be borne by the Institute, except that such costs shall be offset against future income. When a technology or other invention or intellectual property is commercialized, the net income from such commercialization will be distributed in keeping with the Policy guidelines. The IPC will guide the Institute on the negotiations for any IP commercialization and revenue earning distribution formula.

2. IPC in coordination with Deputy/Assistant Registrar (Admin) will ensure that every faculty member/technical staff signs the undertaking form no. NITAP/IP/1 at the time of joining.
3. At the time of registration for Autumn Semester, each student must sign and submit a declaration in form no. NITAP/IP/3 to Prof-In-Charge (IP).
4. All departments will provide financial support in a fruitful means to all student projects with possible commercial outcome.
5. The institute will provide additional funds with higher outlay for project works with a commercial potential, wherever necessary.
6. The IPC will bring out brochures/newsletters and make necessary announcements in various media for creating awareness among academic community in regards to advancements on technology, patentable and commercial technologies, IP laws and amendments and legal aspects related to IP.
7. The IPC will conduct seminars, workshops, talks by eminent scientists and practitioners on IP related issues, and shall organize student groups to create greater participation.
8. At the time of submission of thesis, each student must sign and submit a declaration in form no. NITAP/IP/4 to Prof-In-Charge (IP).

#### **XV. Proposals for patent application**

1. Faculty members, technical staff and students interested to protect their intellectual creations under IP law of the land may apply to Professor-in-charge (IP) using the Invention and Technology Disclosure Form (Form No. NITAP/IP/5).
2. IP Coordinator will draw the attention of IPC members in a meeting for evaluating the IP substance for possible protection preferably within four weeks. The evaluation shall be directed to include of whether subject matter is protectable, economic viability, right of any third party and all such aspect having capability of affecting the decision of the Institute. If the members agree to file for protection, the IPC will approach appropriate Government, private and legal entities to go forward with protection of the IP with due recommendation from Director.
3. The expenditures for protection of IP substance will be borne by the Institute from its non-plan "administrative expenses" head.
4. If the IP substance is not fully developed for possible protection, IPC will guide the originators where to improve it, in consultation with practitioner, if necessary. IPC may also give guidance on drafting the Patent forms etc. even with provisional specifications.
5. The expenditure for patent filing till its grant will be borne by the creator/ inventors if it is filed in Indian Patent office and in case if it is filed in abroad then the complete patent filing cost should be shared between creator/inventors and Institute itself with due permission of Director.
6. The Institute shall bear all the charges for patent search while filling up the patent form.
7. If the patent is granted, it becomes the joint property of the creator/ inventor and the Institute.

8. The Institute has the prerogative of finding a suitable partner for commercialization of the patents for first two years from the date of the patent *<after filing patent with complete specification, one can start commercializing>*
9. After two years, the originator may choose a suitable partner for commercialization of intellectual property created by him/her, without affecting right of the Institute to continue with the process of finding suitable partner. However, benefit sharing mechanism will be adhered to as per Clause herein. The creator/ inventor, before going for technology transfer on his own, must seek the permission of IPC. The IPC should strive to dispose of the matter within two weeks.

#### **XVI. Archiving theses containing Intellectual Property with commercial potential**

1. Theses submitted by the students may have potential IP substance and thrive to convert the subject matter of thesis into commercially viable intellectual property the student submitting thesis must give a declaration in the Form no. NITAP/IP/4.
2. The IPC will examine all the theses and find the suitability of protection of IP created by the students with as stated revenue sharing and joint ownership.
3. All the students at the time of registration for autumn semester (start of project semester) will fill up the Form no. NITAP/IP/3 for initiating work on commercially viable projects.

#### **XVII. Steps of Patent Filing**

