

IPR POLICY OF VARDHAMAN COLLEGE OF ENGINEERING, HYDERABAD

One of the principal mission of Vardhaman College of engineering (hereinafter VCE) is to engage itself in assimilating and imparting knowledge and provide a nurturing environment to students and faculty to apply the science, technology and engineering principles in innovative projects. VCE recognizes that creative endeavors are a natural outcome of the pursuit of this mission. Accordingly the institute has been encouraging students and faculty to innovate through research work such that it qualifies for patenting and protection. VCE also recognizes that the efficient management of research activity and related intellectual property rights (IPRs) would strengthen the institute and provide a strong foundation for growth of human resources, research projects and technologies. To sustain the focus and to support of these goals, VCE is providing policy guidelines for inventions, copyrightable works, trademark and other related intellectual property rights arising from the activities of its faculty, staff, students and other who use VCE internal as well as external (those provided through an externally funded grant, contact, or other type of award or gift to the institution) resources.

STATEMENT OF POLICY:

A. Inventions

1. **Principle of VCE Ownership:** The VCE shall own each and every invention conceived, in whole or in part, during the course of any employment, research or scholarship activity of any VCE students, Research scholars, faculty, relating to the use of VCE resources.
2. **Invention Disclosure:** All original inventions shall be disclosed promptly by the inventors on prescribed invention disclosure form (Annexure-I) and assign each invention to the VCE or its authorized designee. The inventors shall refrain from disclosing any invention of any third party unless appropriately authorized by the VCE or its designee. In case of joint inventions, by multiple inventors, the invention disclosure form shall include names of all contributing inventors. The form shall constitute a full and complete disclosure of the invention subject matter and the identity of all individuals participating there in. The invention disclosure form shall be submitted to Director/ Dean R&D VCE, who would provide his recommendation to the Principal and process further for registration / filing with patent office.
3. While no public disclosure of the invention is permitted prior to registration/ allocation of priority date from patent office however in doubtful (non-patentable) cases the inventors/researchers should get the recommendation from the Dean (R & D), VCE for approval by the principal VCE to this effect. All relevant documents data, background material shall be finished by the inventors/researchers along with such requests.

B. Copyrightable Works:

- I. **Principle of VCE Ownership:** VCE shall own the **copyrights** to each copyrightable work conserved in whole or in part during the course of employment, research and or scholarship activity of any of VCE students, research scholar, faculty, utilizing VCE resources. The copyrights in categories of **instructional and scholarly copyrightable works** are not covered under this ownership and VCE permits such authors to register and retain such copyrights.
 - II. **Disclosure of copyrights with potential commercial value:** Each author of a copyrightable work that is VCE owned according to the foregoing principle of VCE ownership and that may have potential commercial value shall promptly disclose the copyrightable work in writing to the VCE and/or its designee.
 - III. **License to VCE for instructional or scholarly copyrightable works:** Each instructional or scholarly copyrightable work shall by operation of this policy, be subject to a perpetual non-exclusive, royalty-free license from the author to the VCE to use, duplicate, and internally distribute the instructional or scholarly copyrightable work for any pedagogical, research, or educational purpose of the VCE, subject to attribution of original authorship and to internal academic procedures and requirements of VCE. The foregoing license shall be broadly construed to enable the VCE's efforts to preserve research integrity and prevent fabrications, falsification and plagiarism.
- C. Trademarks:** VCE owns all rights, title and interest in trademarks that relate to VCE intellectual property or relate to a program of education, service, public relations, research or training by the VCE.
- D. Tangible Research Property and Research Data:** VCE owns all rights, title and interest in tangible research property and research data developed with support from VCE resources. All research work with associated data including results should be **recorded in a suitable research note book** as per the guidelines available with Dean (R&D), VCE. In most instances, except externally funded research (section- J), the VCE allows access of VCE owned tangible research property or research data to VCE personnel at the discretion of the **principal** (duly recommended by Dean (R&D), VCE) for furtherance of research, innovation and similar other non-commercial purposes.
- E. Respecting others IPRs:** VCE through this IPR policy notifies all VCE students, research scholars, faculty and associates to respect IPR's owned by other and not to use IPR's owned by others for any project, research, teaching or **reference**. The research fraternity at VCE shall comply to following guideline:
- I. Initiate and obtain appropriate authorization from the owners of such IPR's prior to use and acknowledge such use appropriately. Improper use by any VCE personnel, if any, would be treated as plagiarism and would be considered an offence. Principal, VCE would initiate/take necessary disciplinary and other legally required action for such offence.

F. Administration and execution of IPR policy: The IPR policy will be managed by Dean (R&D), VCE. The principal and the Dean (R&D), VCE would have the authority to enforce the sections of the IPR policy and also to review and amend the sections as and when required.

G. Disposition of VCE intellectual property: this policy shall be deemed as:

- a. A term and condition of employment for every employee of the VCE.
- b. A term and condition of enrollment and attendance at the VCE by students and
- c. A term and condition of participation in any VCE research or other use of VCE resources by any person (whether or not employed by compensated by enrolled at the VCE). This would include:
 - i. External research scholars registered under JNTUH or other universities to work in VCE research centre and or getting guidance from the faculty of VCE and
 - ii. Internal research scholar from VCE registered in other institutions registered under JNTUH or other universities and getting guidance from the faculty of VCE.

H. Outside activities authorized by the VCE: for VCE faculty or staff remain subject to this policy to the extent this policy does not conflict with any other existing policy applicable to third party in case of a conflict, the ownership of all IP emanating from such outside activities (collaborative work) will be mutually decided through discussions on case by case basis.

- a. As directed and requested by the VCE and or its designee, all creation of VCE intellectual property shall **execute legal documents** required to effect this policy. The VCE (on its own behalf and on behalf its designee) reserves the sole right in its exclusive discretion to make agreements regarding the retention ownership, patenting licensing accessing and any other use or dispositions of any right, title or Interest in VCE intellectual property.
- b. The VCE or its designee will determine whether to commit funding to obtain patent, copyright or trademark protection for particular disclosed VCE intellectual property and / or to seek to identify one or more licensee who will bear the cost of obtaining that legal protection. No creator of VCE intellectual property has the authority to assign, license or otherwise dispose of VCE intellectual property except to the VCE or its designee pursuant to this agreement. VCE personnel engaged in outside activities shall have no authority to enter into an intellectual property agreement that conflicts with this policy. Persons who wish to confirm that a consulting employment or other agreement that addresses assignment of intellectual property associated with a proposed outside activity does not conflict with this policy should submit a copy of the agreement for review by VCE.

I. Commercialization of Intellectual Property:

- I. **Patents:** VCE may pursue commercialization of the patents owned by it and any revenue from such Commercialization may be distributed as under clause-III of this section.

II. Equities of Participating Parties:

General Policy: Income derived by the VCE and /or its designee directly from the commercialization of VCE Intellectual Property shall be administered in accordance with this policy. It is the policy of VCE to encourage and recognize the creative efforts of VCE personnel and to share the financial rewards of such efforts on an equitable basis. This general policy may be rescinded or amended at any time by the VCE, and all legally enforceable rights related to Tangible Research Property and Research Data (Intellectual Property or proceeds there from) owned presently or in future by the Institution will remain with the Institution.

III. General Principle of Division: In most instances, Net Proceeds will be distributed according to the following formula: a) one-third ($1/3^{\text{rd}}$) to the VCE, and b) two – thirds ($2/3^{\text{rd}}$) to inventors comprising of VCE or other personnel who created the VCE Intellectual Property that gives rise to the Net Proceeds. Any agreement among those VCE personnel setting relative distribution shares among themselves shall be decided, a priori while registering the IPR. If necessary, the Principal may authorize a variance from the forgoing principles, depending upon the circumstances of an individual case, including relevant contractual arrangements and any applicable funding regulations.

IV. Re-conveyance of VCE Intellectual Property: Intellectual Property may be re-conveyed to the VCE personnel who disclosed it, upon their request to the Principal, VCE, if the re-conveyance would not:

- a. Violate any legal obligations of or to the VCE,
- b. Limit appropriate VCE uses of the materials,
- c. Create an unmanageable conflict of interest for the inventor/creator,
- d. Have significant commercial or public value which may best be exploited by the VCE itself, or
- e. Otherwise conflict with VCE goals or principles.

J. Works of Independent Contractors: A written agreement will be documented from independent contractors such as website developers, architects, building contractors, interior decorators, special software developers, etc. that ownership of inventions /Copyrightable works made in the course of VCE retention will be assigned to the VCE.

K. IP generated during execution of (through) externally funded projects: For the IP generated through externally funded projects such as sponsored research programs, the ownership and sharing of IP will be done on case-by-case basis, depending on nature of project, funding and other factors. All IP generated through these Projects will be documented and communicated to the Dean (R&D), and VCE. In cases where the ownership is assigned to the sponsoring party; VCE would retain a license free use of such of such IP for its teaching and research purposes.

L. Incentives and Motivation:

I. VCE Faculty and associated research individuals shall be entitled for Incentives for publication of papers in conferences as follows.

- a. Publications shall be subsidized for grant of conference fees to a maximum of USD 1000 or Rs. 60,000/- in three categories depending on the conference standing.
 - b. Annual Budget of Rs.5.40 Lakhs.
- II. VCE shall allocate budget and shall identify attorney for support in registering and retaining patents and other IPRs.
- a. Patent applications would be filed on behalf of VCE by appointed attorney and full charges being borne by VCE.
 - b. Annual Budget of Rs.4.52 Lakhs (5 full IPRs or combination thereof).

M. Miscellaneous:

- a. Designee: The VCE may designate Dean (R&D) VCE or any other representative to act for it in any respect hereunder.
- b. Amendments: This memorandum may be amended or withdrawn in whole or in part at any time by the principal of the VCE.

ANNEXURE- I

(INVENTION DISCLOSURE FORMAT)

To be filled in by the inventor(s):

Tentative Filing Date

Filing Type (Provisional or Complete)

Inventor(s) Information:

Inventor(s) Full Name

Residential / Contact Address

Phone No. & Mail ID

Applicant(s) Information:

Applicant(s) Full Name:

Vardhaman College of Engineering

Residential / Contact Address

Phone No. & Mail ID

Invention Information:

Key words about the invention (Please list as many as you consider are appropriate, that you would like to be added in the database to search and retrieve)

Technology Domain

(Please Classify your invention in any of these Categories)

Sub Domain

(Classify your Sub Domain also)

Disclosure of the Invention:

Field of the Invention:

Proposed title of the invention:

Related application/filing (If any):

Background of the Invention:

In this section -

What is the problem addressed by your proposed invention?

How may it be approached according to the prior art/present knowledge?

What are the problems/limitations/drawbacks of the currently available product or process?

How was this problem or requirement addressed/solved before?

What is your proposed invention?

What is thought to be novel in your proposed invention?

Have you conducted a prior art or patentability search/analysis?

If yes, do you consider the search as extensive?

Please list any relevant patent/literature/article.

Drawing(s) + BRIEF DESCRIPTION OF THE DRAWINGS:

In this Section –

Checklist:

Drawing(s) /Diagrams /Graphs /Pictures of the embodiment(s) of the proposed invention?

Diagrams/figures of the prior art (If required for reference)?

Proper labeling marked on the sketches/figures/flow charts (if you are using those in the description)?

(Measurements are not required, unless they are essential to the operation of the invention.)

Detailed Description of the Invention:

(Try to add embodiments as much as you can. Try to add at least one example/ illustration of your invention)

In this Section –

How does your invention work? (Not what does your invention achieve)

Describe the best method/system of your invention according to you.

What advantages are provided by your invention?

Briefly describe any efforts to make a prototype of your invention or to test your invention. In addition, summarize the results of any related experiments and/or testing conducted and highlights any results of particular significance.

Mention if any other novel alternative(s) to solve the problem(s)

You have described the best method/system of making and/or performing your proposed invention. Now consider the alternatives.

In what ways could the features/parts/process steps be changed or equivalent parts substituted without changing the basic invention?

Is there a generic description for any of the features/parts you listed (i.e. "fastener" instead of "Machine Screw", or "plastic" instead of "polypropylene")?

Could the functions of any of the features/parts be changed, combined, or eliminated?

What could be added to make the invention work better?

What could be left out?

Can your proposed invention be used for anything other than its preferred use?

Note: Include embodiments as much as you can. Include at least one example/ illustration of your invention.

Abstract: Following summary shall be edited to compile abstract

Glossary of Terms and their definitions:

Name: _____

Designation: _____

Date: _____

ANNEXURE-2

WHO SHOULD KNOW THIS POLICY

- Board of Governors
- Faculty/Visiting Faculty
- All students/Research Scholars
- Visiting Scientists/Visiting Scholars
- All employees

EXCLUSIONS

There are no exclusions from this policy.

This policy shall not be interpreted to limit the VCE's ability to meet its obligations for deliverables under any contract, grant, or other arrangement with third-parties, including sponsored research agreements, license agreements and the like. The VCE shall coordinate reporting requirements and other obligations to research sponsors regarding VCE Intellectual Property developed under a research contract or grant.

RESPONSIBILITIES

Inventors/authors:

- a. Duly record the details of the research work and associated data in a Research Notebook as per the guidelines provided by Dean (R&D), VCE. Duly record the source of any extraneous material obtained

from an external source during the course of the research/project/teaching material (accurate citations for the source to be provided).

- b. Prior to making any public disclosures of the research work through publications in Journals/books, presentations in Conferences/Workshops, etc., including to a third party, the inventors/researchers should get the permission of the Principal routing the request through Dean (R&D) VCE. To that end, all necessary documents, data, background material, etc as required by the Principal and Dean (R&D), VCE should be furnished by the inventors/researches.

If the research work has elements of new approaches, results that can be patentable, the researchers should submit such aspects of their work through the Invention Disclosure Form to the Dean (R&D), VCE and maintain.

- a. Confidentially of such work till a decision is received from the Dean (R&D), VCE Center towards filling or not filling of patent on such work.
- b. In collaborative research work with another institution/third party, inform Dean (R&D), VCE of such work, and maintain clear records of such work.
- c. Be aware that the IP Policy is binding on them during their association with VCE.

Director R&D, VCE:

- a. Owns the implementation and administration of the IP Policy.
- b. Ensures that the IP Policy is communicated to all faculty/students/third parties associated with VCE.
- c. Create standard procedures for submission of ideas/inventions, for review of the Disclosures, for billing and other necessary operating procedures.
- d. Conduct timely reviews of the submitted invention Disclosures if needed and take the necessary next steps for getting the patent applications filled for the approved disclosures.
- e. Conduct periodic meetings of the Steering Committee to inform about the activities of the Centre and take any directions.
- f. Build the R&D Centre as a self-sustaining unit in the long run using the Commercialization funds.
- g. Create awareness and appreciation of IP amongst the faculty and students of VCE.

Administrations/Accounts:

- a. Support the activities of the VCE R&D specifically communication of the Policy, creating awareness and disseminating funds in a timely manner towards filling of patent applications.

The Principal:

Provide support and guidance to Direction, R&D VCE in implementing its activities, communicate the Policy to HODs and assert its importance in different interactions with faculty and students.