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Mohali

**Subject: Policy of Intellectual Property Rights.**

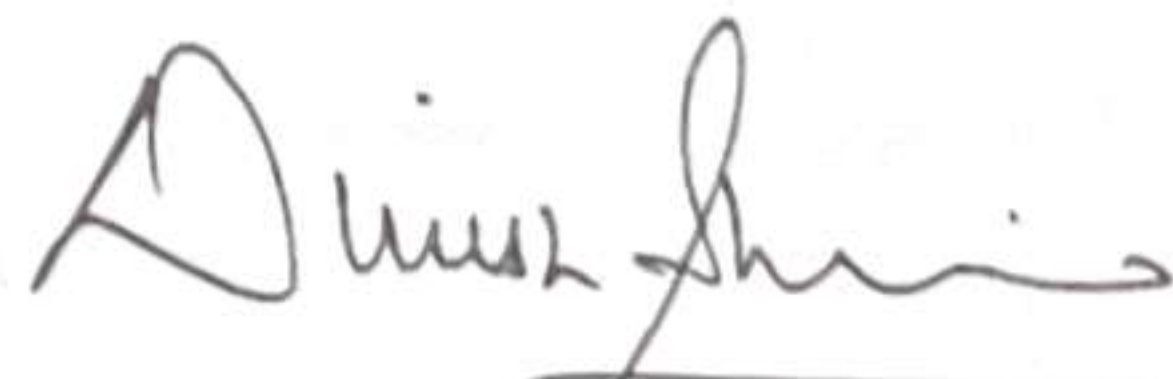
Sir/Madam,

Kindly find enclosed an attachment of Policy of Intellectual Property Rights of Rayat Bahra University, Mohali for your information and necessary action.

**Sd/-**  
**(Prof. (Dr.) Dinesh Sharma)**  
Registrar  
Rayat Bahra University  
Mohali

**Copy to:**

1. Hon'ble Chancellor, Rayat Bahra University, Mohali for kind information, please.
2. Worthy Vice-Chancellor, Rayat Bahra University, Mohali for kind information, please.

  
**(Prof. (Dr.) Dinesh Sharma)**  
Registrar  
Rayat Bahra University  
Mohali





## Intellectual Property Rights Policy

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Village & Post Office-Sahauran, Tehsil-Kharar, District-Mohali, -140104 (Punjab)

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## **1 Introduction**

Rayat Bahra University (RBU) recognizes the vital role of intellectual property (IP) in fostering innovation, driving research excellence, and contributing to societal development. As a dynamic hub of learning, creativity, and entrepreneurship, RBU is committed to nurturing a culture that values and protects intellectual creations while promoting their responsible use and dissemination. This Intellectual Property Rights (IPR) policy sets forth the principles, objectives, and guidelines that govern the identification, protection, and management of IP generated within the university community. By establishing clear frameworks for ownership, licensing, and technology transfer, this policy aims to support the transformative impact of RBU's research endeavors, facilitate collaborations with external partners, and ensure equitable access to the benefits of innovation for the betterment of society. Through collective adherence to these principles, RBU seeks to empower its faculty, students, and staff to unleash their creativity, drive economic growth, and advance knowledge for the betterment of humanity.

## **2. Applicability**

This IPR policy applies to all faculty, staff, students, and researchers affiliated with RBU.

## **3. Objectives of IPR Policy**

- To protect and ensure the preservation of IP developed at Rayat Bahra University, including inventions, research findings, software, creative works, and other inventions.
- To foster a culture of innovation, research, and excellence by providing support, encouragement, and resources for faculty, students, and staff to develop and commercialize intellectual creativity.
- To facilitate the easy transfer of technology and knowledge from RBU to society through effective licensing, commercialization and collaboration mechanisms with institutions and other stakeholders.



- To encourage entrepreneurship by fostering the acquisition and commercialization of new ideas and technologies by providing mentoring and funding opportunities.
- To ensure that all stakeholders equally benefit from the IP of RBU while adhering to relevant legal, regulatory, and ethical principles, to provide balanced and inclusive innovation.

## **4. Definitions**

### **4.1 Intellectual Property (IP)**

Intellectual property refers to intangible creations of the mind, such as inventions, literary and artistic works, designs, symbols, names, and images used in commerce. Law protects IP through patents, copyrights, trademarks, and other forms of IPR.

### **4.2 Intellectual Property Rights (IPR)**

IPR are legal rights that grant creators and owners exclusive rights to their intellectual creations, enabling them to control the use, reproduction, and distribution of their works for a specified period.

### **4.3 Invention**

An invention is a novel, useful, and non-obvious idea, process, or product that results from intellectual effort and can be protected under patent law. Inventions may include new technologies, processes, machines, compositions of matter, and improvements thereof.

### **4.4 Copyright**

Copyright is a form of IP protection that grants the creator of an original work exclusive rights to its use and distribution, typically for a limited period. Copyright protects literary, artistic, musical, and other creative works.

### **4.5 Patent**

A patent is a legal document granted by a government authority that gives the inventor exclusive rights to their invention for a specified period, typically 20 years from the filing date. Patents protect new and useful inventions, processes, methods, or compositions of matter.



## **4.6 Trademark**

A trademark is a recognizable sign, symbol, or expression that distinguishes the goods or services of one entity from those of others. Trademarks can be words, names, logos, slogans, or a combination thereof, and they are protected to prevent consumer confusion and unfair competition.

## **4.7 Trade Secrets**

A trade secret is confidential information, such as formulas, processes, methods, or techniques, that provides a competitive advantage to a business and is not generally known or readily ascertainable by others. Trade secrets are protected under IP law through secrecy measures.

## **4.8 Technology Transfer**

Technology transfer refers to the process of transferring scientific findings, knowledge, and technologies from research institutions, such as universities, to the commercial sector for further development, commercialization, and societal benefit.

## **4.9 Licensing**

Licensing is a legal agreement between the owner of IPR (licensor) and another party (licensee) that grants the licensee permission to use the IP in exchange for payment of royalties or other considerations, subject to specified terms and conditions.

## **4.10 Commercialization**

Commercialization is the process of transforming intellectual property assets (such as inventions, research findings, or technologies) into commercial products, services, or processes for sale in the marketplace, generating economic value and societal impact.

# **5. Ownership of Intellectual Property**

## **5.1 Patents**

In all applications filed by RBU, RBU shall be recognized as the sole owner of the IPR, as per the general interpretation of IP laws and principles. The individuals within RBU who contributed to the creation of the IP shall be acknowledged as the inventors of the IP. This acknowledgement ensures that the university maintains ownership rights over the IP while recognizing the contributions and expertise of the RBU personnel involved in its development.



## 5.2 Copyrights

### **5.2.1 Teaching and Instructional Materials**

RBU shall be the sole owner of the copyright on all teaching and instructional materials developed by its employees as part of any academic programs or activities at the university. However, authors shall retain the right to use such materials in their professional work.

### **5.2.2 Traditional Works of Authorship**

Books, articles, monographs, speeches, and other communications produced by staff members during research and teaching using university resources shall be owned by the respective faculty members.

### **5.2.3 Works Created using University Resources**

When university employees use RBU's resources to create copyrightable works, including software, the university may request a full or partial copyright assignment, depending on the extent of resource utilization.

### **5.2.4 Joint Ownership**

RBU shall be the joint owner of the copyright for works produced by non-university personnel associated with or engaged in any university activity with the intellectual contribution of RBU personnel.

### **5.2.5 Sponsored or Collaborative Activities**

Ownership of copyright in works produced during sponsored or collaborative activities shall be determined according to the terms and conditions specified in the governing contract or through mutual agreement with the sponsoring or collaborating agency.

## 6. Steps in Filing a Patent

- i. The inventor is required to disclose the innovation or invention to the IPR cell at RBU using the prescribed format (Annexure A), ensuring clear communication and adherence to procedural requirements.
- ii. The IPR cell at RBU forms a specialized committee comprising experts from relevant fields to conduct an initial assessment of the disclosed ideas, facilitating thorough evaluation and diverse perspectives on the innovation's potential.



- iii. This designated committee initiates an in-depth evaluation process to determine the novelty, patentability, and potential commercial value of the invention, leveraging the collective expertise and insights of its members.
- iv. If the idea is deemed novel and promising, it is forwarded to the RBU patent attorney for a detailed analysis of its patentability criteria
- v. The patent attorney performs a comprehensive assessment, evaluating factors such as novelty, non-obviousness, and industrial applicability based on prior art search results and providing critical insights to inform subsequent decision-making.
- vi. The designated committee collaboratively decides whether to proceed with patent filing, considering factors like the invention's novelty and commercial potential.
- vii. The patent attorney will draft a patent application based on the invention disclosure if the committee decides to proceed with patent filing. Subsequently, the patent attorney will file the patent and notify the IPR cell, acknowledging receipt of the patent filing.

Note: Throughout the process, the IPR cell may prompt the inventor to develop a prototype at any stage of patent filing, promoting proactive validation of the invention's feasibility and practicality to enhance its commercialization potential.

## **7. Cost of Filing**

RBU will cover 100% of the filing charges for national patent filings, with no financial contribution required from students or faculty members.

## **8. Commercialization/Technology Transfer**

After successfully filing or granting the patent (IP), RBU will begin the process of commercialization, which involves strategically leveraging the IP for maximum impact and benefit. This entails exploring various avenues, such as licensing agreements with interested parties, assigning rights to potential partners, or employing other innovative methods deemed appropriate by the university. Each approach will be carefully considered to ensure alignment with RBU's overarching goals and mission, aiming to facilitate the widespread dissemination and utilization of the patented technology for the betterment of society. Through diligent planning and execution, RBU seeks to optimize the commercial potential of its IP portfolio, ultimately contributing to innovation-driven growth and societal advancement.



## **9. Income Distribution**

Rayat Bahra University will determine the distribution of net income from IP commercialization after adjusting for relevant expenditures. The university IPR policy gives 50% of commercial rights to the inventor and the remaining portion to the university, ensuring fair recognition and incentivizing continued innovation within the university community.

## **10. Dispute Resolution**

In case of any dispute or matter concerning the IPR policy, the grieving party may appeal to IPR Cell. IPR cell shall constitute a committee, and the verdict of the committee shall be final and binding.

## **11. Legal Jurisdiction**

Disputes or any matter concerning this policy are subject to the exclusive jurisdiction of the courts of SAS Nagar, Punjab, India, and shall be governed by the appropriate laws of India.

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## Appendix A

### APPLICATION FORM TO COMPLETE TECHNICAL INFORMATION FOR PATENT FILING

1. Title of Invention:

2. Particulars of Inventor (s) in CAPITALS:

S.NO	Name	Department	Designation
1.			
2.			
3.			
4.			
5.			
6.			

3. Corresponding Inventor's Address:

S.NO	Name	Address/State	Email id	Mobile No.
1.				
2.				
3.				
4.				
5.				
6.				

4. Have you conducted Patent Search? Yes / No (if yes, attach the patent search report)

5. Brief abstract of invention (In about 500 words):

6. Existing state -of-the-art: (Brief background of the existing knowledge.)

7. Drawbacks in existing state -of-the-art & how the drawbacks have been overcome by your Invention:

S no	Existing state of art	Drawbacks in existing state of art	Overcome
1.			
2.			



8. Objectives of the invention:

9. Novel features of the invention:

10. Advantages of the present invention.

11. Detailed description of the invention (The detailed description should be accompanied with Diagrams, drawings with Proper Legends and must be related to the description): on A4 Sheet. All the description of the drawing with numbering must mentioned in the detail.

12. Technical features and Elements of the invention.

13. Mention the Differences in invention and prior art (Patent and NPL in the search report).

Following are difference from the prior art:

S.no	Name of the prior art	Key features of prior art	Key features of our invention
1			

14. Problem that your invention addresses

15. Provide any additional material (such as photographs, reports, publications, and references to texts or other information material) which may be helpful to an understanding of the invention identify and indicate the specific relevance of each.

16. Drawings (If Any)

17. Briefly state when and how you first conceived this idea?



18. Have you sold, offered for sale, publicly used or published anything related to this invention? If yes, please briefly explain the dates and circumstances. List those individuals to whom you have revealed your invention. Were non disclosure documents signed prior to disclosure in each case? Please state any deadlines of which you may be aware for filing an application on this invention.

19. a) Have you constructed a prototype? Yes/No

(b) Has it been tested/used? Yes/No

c) Do you have records or log books documenting the conception/development of your invention? Yes/No