

INTELLECTUAL PROPERTY RIGHTS POLICY



SANATAN DHARM COLLEGE,
MUZAFFARNAGAR

AFFILIATED TO MAA SHAKUMBHARI UNIVERSITY, SAHARANPUR



FROM THE PRINCIPAL'S DESK

I am elated to introduce our Intellectual Property Rights (IPR) Policy, which underscores our commitment to fostering innovation, creativity, and the protection of intellectual property within our college community.

Through this policy, we aim to create an environment that encourages and supports originality, innovation, and the creation of intellectual assets. It outlines the rights and responsibilities of students, faculty, and staff in relation to intellectual property and provides guidelines for the identification, protection, and utilization of intellectual property.

Our IPR Policy places a strong emphasis on fostering a culture of respect for intellectual property rights. It encourages the proper attribution of ideas, recognition of authorship, and compliance with copyright laws and licensing agreements. Furthermore, it highlights the importance of seeking appropriate legal protection for inventions, patents, trademarks, and copyrights when applicable. It provides mechanisms for the disclosure, evaluation, and commercialization of intellectual property generated within our college, promoting innovation and entrepreneurship.

Prof. Sudhir Kumar Pundir

PREAMBLE

Sanatan Dharm College, Muzaffarnagar (affiliated to Maa Shakumbhari University, Saharanpur, formerly affiliated with CCS University, Meerut) is one of the premier institutions of Western Uttar Pradesh. It is managed by a registered society viz. S. D. College Management Committee also runs several educational institutes. The college enjoys a glorious past, an impressive present, and a vision of a very bright future. 'March Forward' is not just a slogan here but a time-tested tradition. At present, several ambitious projects are on the cards and are likely to take shape in the near future like the Department of Biotechnology (DBT) star college scheme for strengthening the science departments of the college for the UG courses.

This institution was founded by Sri Omkar Prasad Bisaria in 1909. In 1915, it became the first govt.-aided High School in Distt. Muzaffarnagar. In 1949 it attained the status of a degree college. Since then, it has been making continuous progress and has risen to the level of a prestigious post-graduate college imparting education in almost all the streams of the three faculties of Arts, Science and Commerce. The college has also started running self-financed courses in B.Com., M.Sc. Home Science (Food & Nutrition), M.Sc. (clothing & textile), and B.P.Ed. Recently, B-VOC IT has been started as an employment-oriented UGC-approved course under NSQF scheme. A Centre of IGNOU (Indira Gandhi National Open University) New Delhi has already been established on the campus. At present, about 5000 students are on roll in the college. The campus is spread over 22.07 acres and comprises a sufficient number of lecture theatres, well-equipped laboratories, a vast multi-storied library, an administrative block, a large-sized auditorium, and the teachers' quarters. The majestic main gate and the bank are some of the other attractions located on the college campus.

The great height that S. D. College has touched and the spectacular progress it has recorded in various fields are the results of the selfless service and dedication of several luminaries. At present, affairs of the college are being managed by an Executive Committee consisting of 11 members devoted to the welfare and ongoing progress of the college headed by Sh. Somansh Prakash as President and Sh. Akhilesh Dutt is its Honorary Secretary & Manager.

NEED FOR IPR POLICY

Intellectual property is critical in offering a competitive advantage in terms of tangible aids such as innovations, designs, software, brands, and unique ideas. To achieve recognition or financial benefits, organizations must protect their creations. The reasoning for this IPR Policy stems from the need to raise awareness among this College's researchers, staff, and students regarding the value of IPRs as a marketable financial asset and economic instrument.

OBJECTIVES

The objectives of this Intellectual Property Right (IPR) Policy are to:

1. Make a beneficial environment in SD College for the development of IPs.
2. Provide a centralized reference system for all IP-related operations carried out on behalf of SD College both inside and outside the campus. Safeguard the inventor's intellectual property and provide incentives to the investors with fair IP management and culture.
3. Provide legal support, if needed/possible, to defend and preserve the SD College's intellectual property rights against infringement/unauthorized use.
4. Make sure that if the inventors decide to investigate the potential for IP commercialization, they must reveal this to the Institute and maintain the information's confidentiality while (and until) the application(s) for a patent is being handled.
5. Allow SD College to effectively implement such produced intellectual property for the gain of the creators, the College, and the country as a whole.

INTELLECTUAL PROPERTY(INDIA)

Intellectual property (IP) refers to mental creations such as inventions, literary and creative works, designs, and commercial symbols, names, and pictures.

Patents, copyright, and trademarks, for example, are legal mechanisms that allow people to get recognition or financial advantage from what they innovate or create. The IP system attempts to establish an environment in which creativity and innovation can flourish by striking the correct balance between the interests of innovators and the larger public interest.

Intellectual property Rights: means the rights derived from the IP e.g. Patents, registered designs, copyright, etc.

TYPES OF IP

The intellectual properties can be broadly listed as follows:

- **Patent:** is an exclusive right granted for an innovation, which can be a thing (like a product or a method) that offers a fresh approach to a problem or a new technical solution to it.
- **Copyright:** is a privilege granted to the creator of original sound recordings, cinematograph films, works of architecture, drama, music, and art.
- **Trade/Service Mark:** a mark that can be represented visually and can distinguish one person's goods or services from those of others. It can include the shape of the goods, their packaging, and a color combination.
- **Industrial Design:** means only those elements of shape, configuration, pattern, ornament, or composition of lines or colors applied to any object, whether in two dimensions, three dimensions, or both, by any industrial process or means, whether manual, mechanical, or chemical, separate or combined; it excludes any mode or principle of construction or anything that is merely mechanical.
- **Integrated Circuit Designs:** denotes the arrangement of transistors and other circuitry components of a semiconductor integrated circuit, including the lead wires that connect those components.
- **Biomedical and Biotechnology:** include recombinant products such as plasmid DNA, microbe, etc.
- **Geographical Indication:** Geographical indications (GIs) are intellectual property (IP) rights that serve to identify a product that originates from a specific geographical area and that has a quality, reputation, or other characteristics that are essentially attributable to its geographical origin.

IPR COMMITTEE

IPR management committee

After receiving proper approval from the college's Governing Council, the SD College, Muzaffarnagar IPR Management Committee is established to develop policies for adoption by the college and to carry out executive activities for their implementation through the intellectual property cell.

Committee Constitution:

Chief Proctor
Dean DSW
Dean Arts
Dean Commerce
Dean Science
Legal Advisor
Office Superintendent

POLICY STATEMENT

Among SD College's primary goals and objectives are teaching, research, and meeting social demands; as a result, the college is committed to advancing, safeguarding, managing, and commercialising intellectual property. It promotes the commercialization and exploitation of IP while upholding traditional academic principles and standards, which can give the SD College and the Inventors the right recognition and chances for money generation.



SCOPE

The SD College's teaching staff (permanent faculty and self-financing faculty), non-teaching staff (regular and contract employees), and external personnel involved in any activity of the SD College, including but not limited to, results of research, consulting, or continuing education programmes, shall be subject to the terms and conditions of this policy, which covers various classes of intellectual property, including patents, designs, trade marks/service marks, copyright, integrated circuits layout, trademarks, and trade secrets.

OWNERSHIP OF IP

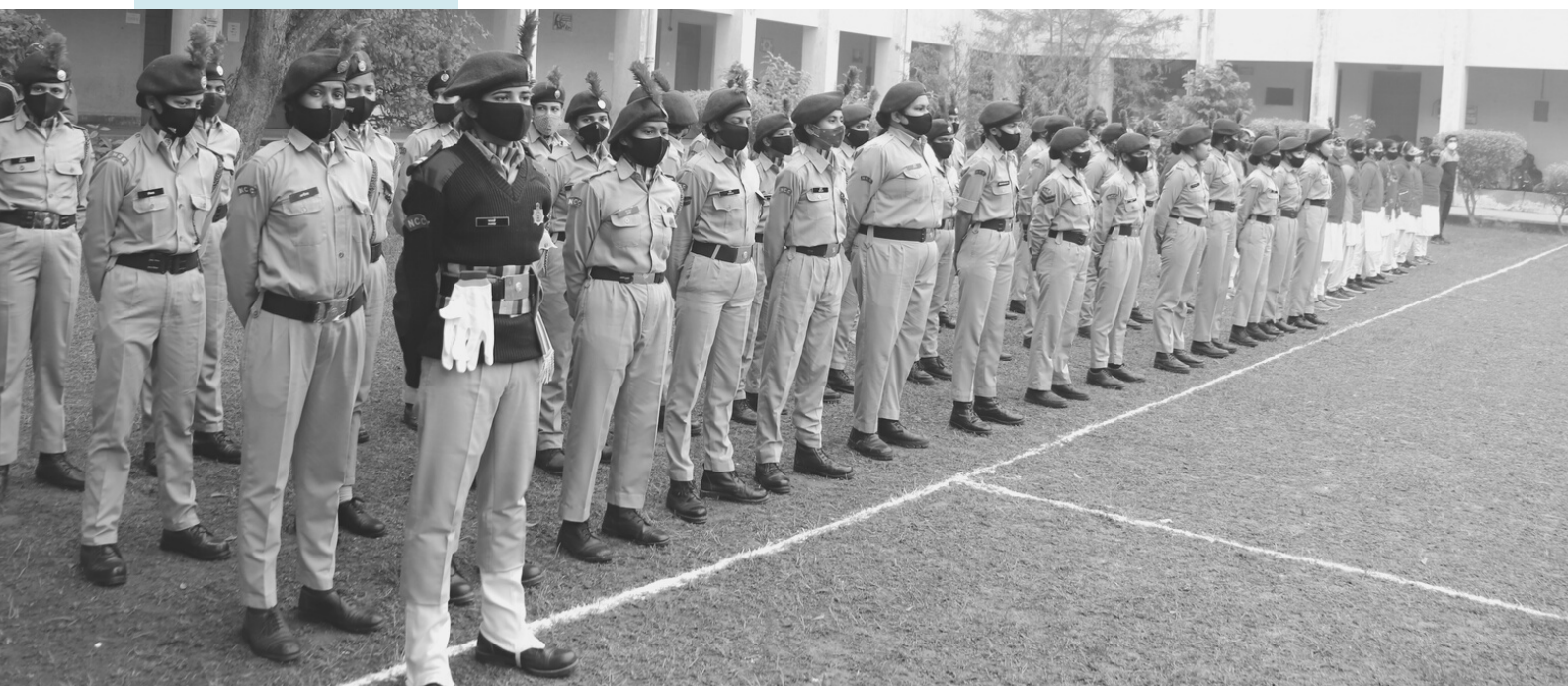
SD College shall have the copyright for all printed or digital versions of the proceedings from any international or domestic conferences, seminars, or technical gatherings that it sponsors.

Where and if an IP should be filed will be decided by the IPR Evaluation Committee. Once the Committee has decided to protect the creative work, a patent attorney and IPR advisor will be provided by the Committee to write the IP application. The necessary data must be provided by the inventor(s) to aid in the creation of the IP application. SD College is liable for the costs associated with creating and submitting an Indian IP application.

DISCLOSURE

When users of SD institution resources believe they have produced patentable or commercially viable intellectual property (IP), they must immediately notify the institution in writing through the appropriate method, along with all relevant documents, data, and information. Disclosure must be part of the IP protection procedure for claiming inventorship.

The disclosure of the nature, specifics, and other information pertaining to the intellectual property is required, along with the identification of all individuals who make up the inventor(s), a statement of whether the inventor believes they are the true owners of the intellectual property disclosed, and a justification for that belief. When various inventors made unique contributions to different system components, each inventor and their work must be acknowledged and treated separately. When sponsored and/or collaborative work are involved, the contract's clauses requiring the disclosure of creative work are put into effect. The revealed invention's rights must be disclosed by the inventor(s) to the college.



CONFIDENTIALITY

All college employees and outside personnel involved with any SD College activity must treat any IP-related information that has been disclosed to, whose rights have been assigned to, or whose rights are retained by the SD College personnel as confidential. This obligation must last until the date specified by the applicable contract, if any, between the parties, unless the information in question is already known to the public.

POWERS TO AMEND IPR POLICY

All college employees and outside personnel involved with any SD College activity must treat any IP-related information that has been disclosed to, whose rights have been assigned to, or whose rights are retained by the SD College personnel as confidential. This obligation must last until the date specified by the applicable contract, if any, between the parties, unless the information in question is already known to the public.

IP Infringement

If any intellectual property rights are violated or infringed upon by SD faculty, students, project staff, supporting staff, visitors, or any other third party, such as when a patent is violated, SD College shall establish an appropriate administrative body, which shall first investigate the matter and shall make recommendations to the Principal / Person Authorized, for resolution of such violation or infringement.

IP TECHNOLOGY TRANSFER AND STARTUP

If any intellectual property rights are violated or infringed upon by SD faculty, students, project staff, supporting staff, visitors, or any other third party, such as when a patent is violated, SD College shall establish an appropriate administrative body, which shall first investigate the matter and shall make recommendations to the Principal / Person Authorised, for resolution of such violation or infringement.

The IP Cell will seek for potential licensees for SD COLLEGE's intellectual property. The Organization/Industry that has funded the collaborative effort will have the first right to commercially utilise and exploit any Intellectual Products that come from it, regardless of whether they have been formally protected by patent(s). Even if the Intellectual Products are co-owned, this is true. The licencing to commercially exploit shall be subject to payment of royalties and a technology transfer fee from the first date of such commercial exploitation for a period to be mutually agreed upon.

The SD COLLEGE is responsible for paying the entire filing fee for an IPR, including consultant fees. The filing costs will be split evenly or could be selected by the funding agency if the intellectual property is created with a sponsoring/funding agency. In the event that the other agency is uninterested in such a procedure, SD COLLEGE will have the option of either continuing by paying the fees for the duration of the patent protection or withdrawing the application altogether.

The IPR fees for the first seven years in all cases, if the IP/patent is applied through SD COLLEGE, will be borne by the SD COLLEGE.

REVENUE SHARING

The technology transfer fee and any subsequent royalties from the commercial exploitation of IP would be split fairly between the inventor(s) and the SD COLLEGE. This ratio is now 50:50.

PUBLICATION BASED ON IP

For intellectual property that is patentable, it is crucial that the patent application be submitted before it is published or made public in any other way.

CONFLICT OF INTEREST

A conflict of interest or prospective conflict of interest must be disclosed by the inventor(s). The inventor(s) must disclose any financial interests they may have in a licensee or potential licensee company, as well as any financial interests they may have in their immediate families.

A license or assignment of patent rights to a business in which the inventors own stock must have the IPR committee's permission while taking this into account.

LEGAL JURISDICTION

As a general rule, any contracts that the college enters into and any disputes that result from them will be subject to the jurisdiction of the Court of Adjudication in Coimbatore and will be governed by the relevant Rules/Laws of India.

IPR FILING PROCESS

For intellectual property that is patentable, it is crucial that the patent application be submitted before it is published or made public in any other way.

- i. The inventor(s) must complete and ensure the prior-art search in the free database before submitting the invention disclosure form and copyright disclosure form to the IPR Cell.
- ii. IPR Cell will request a presentation before the Evaluation Committee in item number two.
- iii. The qualified application will be taken into consideration for IPR filing through IPR Cell after examination.