



**INSTITUTION'S
INNOVATION
COUNCIL**
(Ministry of Education Initiative)

IIMT
COLLEGE OF ENGINEERING
Greater Noida
— Aim For Excellence —



Intellectual Property Rights (IPR) Policy

**IIMT College of Engineering, Plot No. 20, Knowledge Park - III, Greater Noida - 201310
Uttar Pradesh, India**

INTRODUCTION

Intellectual Property Rights are exclusive legal rights over creations of the mind. IPR give the proprietor rights to exploit intellectual creation of the mind. IPRs are essential to fostering innovation to encourage inventiveness in various areas of research and development. It contributes to ensure profitability and better service to the society.

NATIONAL IPR POLICY

The National IPR policy was released by Department of Industrial Policy and Promotion (DIPP), Ministry of Commerce and Industry, Government of India on May 12, 2016. This policy brings about a vibrant intellectual policy ecosystem to leverage technology and innovation for growth and competitiveness.

(Ref: [https://dipp.gov.in/sites/default/files/National IPR Policy English.pdf](https://dipp.gov.in/sites/default/files/National_IPR_Policy_English.pdf))

PURPOSE AND OBJECTIVE

In compliance with National IPR Policy, IIMT College of Engineering, Greater Noida, Uttar Pradesh comes up with an IPR policy and the principal objectives of this policy are:

- To encourage creative and innovative research leading to the generation of new knowledge, ideas and inventions.
- To facilitate the transfer of IIMT College of Engineering developed research results and new knowledge of commerce and industry.
- To provide faculty members, staff and students of IIMT College of Engineering assistance in assessing the patentability and commercial potential of their inventions.
- To train faculty members, staff and students about provisional patent filing procedures in India as well as the procedure for filing the Applications under the Patent Cooperation Treaty
- To make faculty members, staff and students familiar with Patent filing forms (Form- 1,2 & 5)
- To make faculty members, staff and students aware about the various requirements/data to be provided for filling of such forms.

- To facilitate the filing of applications and licensing where prima facie the IIMT College of Engineering finds it patentable.

SCOPE OF THE POLICY

1. IPR cell shall guide and help the faculty members and students of IIMT College of Engineering in patentability assessment and to apply for various IPRs such as Invention(s), Designs, Integrated Circuit Layouts and other creative works.
2. The faculty members/students desirous of filing a patent or for any other IPR application would be given the necessary advice and guidance by the IPR cell.
3. An internal approval form (available at IPR cell) filled by the Principal Investigator (PI) wherein the names of the Inventors/Authors shall be mentioned, is to be signed by the PI and forwarded by the HOD for approval of the Chairman of IPR Cell.
4. Invention disclosure description (in invention disclosure format) is to be forwarded along with the duly signed approval form to the IPR cell for further action.
5. Invention disclosure/Patent/Trademark and similar documents are to be treated as confidential and would be maintained confidentially by the signing of a Non-Disclosure Agreement by the IPR Cell.
6. The IPR cell shall help the inventor in drafting the patent application/ or any other IPR application and filling of relevant forms.
7. The draft application along with the relevant forms shall then be forwarded to the concerned agency/authority by the IPR cell.
8. The IPR Cell shall correspond with the authority/agency and the inventors on IP matters.
9. The inventors would be required to cooperate with the IPR cell to expedite furnishing of information for timely actions since delay would mean payment of extra fee to the patent office.
10. Any work sought to be filed by a faculty member and or student(s) arising out of R&D work done at IIMT College of Engineering will be filed in joint names as inventors or authors while IIMT College of Engineering shall be the applicant and owner of Intellectual Property (IP).
11. After filing of the application for IP protection, the inventors shall inform the IPR cell of any further development, if any, in the related R & D work.
12. The IPR Cell and inventors in collaboration with Research & Development Cell shall work together for commercialization of the newly created knowledge.
13. **Ownership of IPR:** Ownership of any IPR (Patents, Designs, Copyrights, Circuit layouts) arising out of in-house or sponsored or collaborative research projects will rest with the IIMT College of

Engineering as a whole.

14. **Copyrights:** IIMT College of Engineering shall be the owner of all copyright works (books, articles, scholarly publications, thesis, dissertation, term papers and other documents) including software and all connected teaching materials created for teaching purposes by employees of IIMT College of Engineering. The ownership of copyright by IIMT College of Engineering will in no way deprive the claims of the creator/author to publish their contribution in a scholarly and intellectual way and they have authority to improve, publish and propagate their works.
15. **Patents:** IIMT College of Engineering shall be the owner for inventions where applicable, designs and integrated circuit layouts and patentable subject matter created by the creators who include faculty members, research scholars, students and those who make use of the resources of IIMT College of Engineering.
16. **Cost:** IIMT College of Engineering pay 100% of cost for filing and maintenance of IPR.
17. **Revenue sharing:** The IIMT College of Engineering and Inventors/researchers, all share in the revenue earned from the licensing of patents for their inventions. Under the Current Policy, the net earnings from the commercialization of IP owned by IIMT College of Engineering would be shared as follows:
40 % (Forty percent) of the total revenue (lump sum payment, royalty or any other form) occurring from the commercial exploitation of IPR owned by IIMT College of Engineering shall be credited to Inventors/creators and 60% (Sixty percent) of the revenue shall be credited to IIMT College of Engineering.
Co-inventors of IP shall sign at the time of disclosure, a Distribution of IP Earnings Agreement, which shall specify the percentage distribution of earning from IP to each co-inventor. The inventors may at any time by mutual consent revise the Distribution of IP Earnings Agreement. If any inventor has a significant part in the development of intellectual property, he/she should be given due credit and be mentioned in the Income Distribution Form.
18. **Infringements, Damages, Liability and Indemnity Insurance:** As a matter of policy, IIMT College of Engineering shall, in any contract between the licensee and IIMT College of Engineering, seek indemnity from any legal proceedings, including, without limitation manufacturing defects, production problems, design guarantee, up- gradation and debugging obligation. IIMT College of Engineering shall also ensure that IIMT College of Engineering personnel have an indemnity clause built-into the agreements with licensee(s) while transferring technology or copyrighted material to licensees. IIMT College of Engineering shall retain the right to engage or not in any litigation concerning patents and license infringements.
19. **Conflict of Interest:** The inventor(s) are required to disclose any conflict of interest or potential conflict of interest. If the inventors(s) and/ or their immediate family have a stake in a license or

potential license company, then they are required to disclose the stake they and/ or their immediate family have in the company.

A License or an assignment of rights of a patent to a company in which the inventors have a stake shall be subject to the approval of the Dean / Head (Research & Development) taking into consideration this fact.

20. **Dispute Resolution:** In case of any disputes between IIMT College of Engineering and the inventors regarding the implementation of the IP policy, the aggrieved party may appeal to the Director of IIMT College of Engineering. Efforts shall be made to address the concerns of the aggrieved party.
21. **Jurisdiction:** As a Policy, all agreements to be signed by IIMT College of Engineering will have the jurisdiction of the courts in Greater Noida, Uttar Pradesh, and shall be governed by appropriate laws in India.
22. These guidelines do not constitute legal advice. In case of any legal problem, an intellectual property lawyer may be consulted.



Prof.(Dr.) S.S. Tyagi
Director

Director
IIMT College of Engineering
Greater Noida