

**R & D POLICY
(c) INTELLECTUAL PROPERTY RIGHT POLICY**

Policy No: AI/AD/03	Version No: 04	Owner: Acharya Institutes	Page 1 of 21
Date of issue:01 Jan 2024	Review date: 01 Jan 2025	Applicability: Staff, Students and Researchers	

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1. Introduction

Staff, Students and Researchers of Acharya Institutes are engaged in Research & Development work of diverse nature. R & D lead to evolution of intellectual property (IP) in the form of patents, know-how, copyrights, designs, instruments, devices, processes, specimens, diagnostic kits and other inventions. Intellectual Property Rights (IPR) are legal protections granted to individuals or entities for their creations of the mind, such as inventions, literary and artistic works, and symbols, names, and images used in commerce. These rights are essential for fostering innovation and creativity, as they provide creators and innovators with exclusive rights to control and benefit from their intellectual creations. The primary types of IPR include patents (protecting inventions and innovations), copyrights (protecting literary and artistic works), trademarks (protecting brands and symbols), and trade secrets (protecting confidential business information). IPR laws vary from country to country and are designed to strike a balance between rewarding creators and promoting the dissemination of knowledge and culture. The IP may yield financial returns to the Acharya Institutes, and partially support the R & D.

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Policy Drafting & Review Committee	Managing Director Acharya Institutes	Head, Quality Assurance Acharya Institutes

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2. Purpose and Scope

To create awareness and provide guidance to Staff, Students and Researchers on the IP practices and also claim the incentives of the rules of Acharya Institutions on intellectual property rights and obligations within the frame work.

The Scope of IPR typically includes Patents, Copy Rights, Trademarks, Trade Secrets, Industrial Designs, Plant Variety Protection, Geographical Indications and Integrated Circuit Design (IC), Etc., IPR is crucial for fostering innovation, creativity, and economic development by providing legal mechanisms to incentivize individuals and companies to invest in the creation and development of intellectual property. It varies by jurisdiction and is subject to international agreements and treaties.

3. Policy Statement

An IPR outlines an organization approves to managing ownership, protection use and licensing, enforcement, collaborations, compliance, confidentiality, review and updates, training and awareness, dispute resolution, ethical considerations, international considerations and incentives.

4. Objectives

- i. Data Integrity: Ensure the accuracy and reliability of student academic records, preventing tampering or unauthorized alterations.
- ii. Accessibility: Provide a centralized and easily accessible location for authorizes users and to relevant students to verify academic credentials.
- iii. Efficiency: Streamline the process of requesting and verifying academic records, reducing administrative burden and turnaround times.
- iv. Security: Protect sensitive student information from data breaches and unauthorized access.
- v. Transparency: Promote transparency in educational systems by making academic records readily available for verification purposes.
- vi. Standardization: Establish consistent data formats and verification processes to simplify cross-institutional recognition of academic achievements.

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- vii. Research and Analytics: Facilitate data analysis and research in the education sector by providing a comprehensive dataset of academic records.
- viii. Incentives: To encourage and motivate faculties and students.

5. Procedure

a. Formation of a Committee:

- Selection of Members: Form a committee comprising experienced faculty members, legal experts, and administrative staff with knowledge in intellectual property laws and regulations.
- Roles and Responsibilities: Define the roles and responsibilities of committee members, specifying their duties related to intellectual property management, protection, and commercialization.

b. Policy Development:


- Drafting IP Policy: Develop a comprehensive Intellectual Property Policy outlining the guidelines for IP creation, ownership, protection, and commercialization.
- Approval: Present the drafted policy to the college governing body or relevant authorities for approval.

c. Awareness and Training:

- Workshops and Seminars: Conduct workshops, seminars, and training sessions to educate faculty, researchers, and students about intellectual property rights, patent filing procedures, copyrights, trademarks, etc.
- Collaborate with Experts: Invite experts in the field of intellectual property law to provide specialized training.

d. IPR Management:

- Innovation Disclosure: Establish a system for researchers and inventors to disclose their innovations and intellectual property to the IPR Cell.
- IP Evaluation: Evaluate the disclosed innovations to assess their novelty, potential commercial value, and patentability.

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- Patent Filing: Assist inventors in filing patents for inventions with commercial potential.
- Copy Right Filing: Assist the author to filing a copy right.
- Copyright and Trademark Registration: Help creators in registering copyrights for creative works and trademarks for branding purposes.

e. IP Commercialization:

- Market Research: Conduct market research to identify potential markets and industries interested in licensing or acquiring the college’s intellectual property.
- Licensing and Agreements: Negotiate licensing agreements with interested parties, ensuring terms are favourable for the college.
- Revenue Sharing: Establish a transparent revenue-sharing mechanism for income generated through licensing deals.

f. IP Protection and Enforcement:

- Monitoring and Enforcement: Monitor the market to identify potential infringements of college-owned intellectual property.
- Legal Actions: Take legal actions against infringing parties if necessary, ensuring the protection of the college’s intellectual property rights.

g. Documentation and Record Keeping:

- Maintain Records: Keep detailed records of all intellectual property disclosures, patent filings, licensing agreements, revenue generated, and legal actions taken.
- Confidentiality: Ensure confidentiality of disclosed inventions and sensitive information related to intellectual property.

h. Collaboration and Networking:

- Collaborate with Industries: Foster collaborations with industries and research organizations to enhance research and development activities.
- Participate in IP Events: Participate in intellectual property-related events, conferences, and seminars to stay updated with the latest trends and network with experts.

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i. Periodic Review and Improvement:

- ***Regular Evaluation:*** Periodically evaluate the effectiveness of the IPR Cell’s activities and make necessary improvements to the processes.
- ***Feedback Mechanism:*** Establish a feedback mechanism to gather input from inventors, faculty, and other stakeholders to improve the functioning of the IPR Cell.

j. IPR Registration Process:

- ***Patent Filing:*** Assist inventors in preparing and filing patent applications with the appropriate patent offices. This includes drafting patent specifications and claims.
- ***Copyright Registration:*** Facilitate the registration of copyrights for literary works, software, artistic creations, and other copyrightable materials.

Here are to be considered as exemptions:

- ***Academic Works:*** Often, the IPR policy acknowledges that academic works created by faculty, such as research papers, articles, and scholarly publications, are exempted from certain restrictions. Faculty members may retain copyright in their academic works to promote the dissemination of knowledge.
- ***Teaching Materials:*** Materials created by faculty for use in teaching, including lecture notes, presentations, and educational content, may be exempted from certain restrictions to support effective teaching methods and educational goals.
- ***Student Works:*** Policies may address the ownership and use of intellectual property created by students during their course of study. Student projects, theses, and other academic works may have specific considerations.
- ***Fair Use:*** The policy may incorporate the concept of "fair use," allowing for the use of copyrighted material for purposes such as criticism, comment, news reporting, teaching, scholarship, and research without the need for permission or licensing.
- ***Library and Archival Uses:*** Exemptions may be provided for the use of copyrighted materials in libraries and archives, allowing for activities such as preservation, research, and scholarship.

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- *Non-Commercial Research*: Exemptions may be granted for non-commercial research activities, facilitating the pursuit of academic research without unnecessary copyright restrictions.
- *Open Access Initiatives*: Policies might encourage or support open access initiatives, allowing for wider dissemination of research outputs and academic works.
- *Collaborative Research*: The policy may address intellectual property resulting from collaborative research efforts, outlining how ownership and use will be managed when multiple contributors are involved.
- *Public Domain Materials*: The policy may recognize the use of materials in the public domain as exempt from copyright restrictions.
- *Creative Commons Licensing*: Policies might encourage the use of Creative Commons licenses for certain works, allowing creators to specify the permissions granted to others.
- *Trademark Registration*: Aid in registering trademarks for college logos, names, and other branding elements.
- *Industrial Design Protection*: Assist in registering industrial designs for unique and aesthetically appealing product designs.

6. Roles and Responsibilities

a. Patent Registration:

- *Innovation Evaluation*: Evaluate innovations and research outputs from faculty, researchers, and students to identify patentable inventions.
- *Patent Searches*: Conduct thorough patent searches to assess the novelty and patentability of the inventions.
- *Patent Drafting*: Assist inventors in drafting detailed and accurate patent applications, including specifications, claims, and drawings.
- *Filing and Prosecution*: File patent applications with the appropriate patent offices and handle prosecution procedures, including responding to office actions and examiner queries.
- **Strategic Leadership:**

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- **Policy Development:** Lead the development, implementation, and revision of university-wide intellectual property policies and guidelines.
- **Strategic Planning:** Develop long-term strategies for the university’s intellectual property management, including protection, commercialization, and enforcement.
- b. IPR Cell Management:**
 - **Team Leadership:** Supervise and lead the IPR Cell team, ensuring efficient coordination and collaboration among team members.
 - **Resource Allocation:** Allocate resources, including budget, staff, and technology, to support the activities of the IPR Cell effectively.
- c. Stakeholder Engagement:**
 - **Internal Collaboration:** Foster collaboration with faculty, researchers, students, and administrative staff to promote intellectual property awareness and encourage innovation.
 - **External Partnerships:** Establish partnerships with industry, research organizations, and legal experts to enhance the university's intellectual property capabilities.
- d. Intellectual Property Protection:**
 - **Guidance:** Provide guidance to faculty, researchers, and students regarding the protection of their intellectual property, including patents, copyrights, trademarks, and trade secrets.
 - **Quality Control:** Ensure the quality and accuracy of patent applications and other intellectual property filings submitted by the university.
- e. Commercialization and Licensing:**
 - **Market Analysis:** Oversee market research to identify potential markets and commercialization opportunities for university inventions and innovations.
 - **Licensing Negotiations:** Lead negotiations for licensing agreements, ensuring favorable terms for the university while promoting technology transfer.
- f. Enforcement and Legal Affairs:**
 - **Infringement Protection:** Oversee the monitoring of intellectual property rights, taking legal actions against infringing parties when necessary.

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- **Legal Compliance:** Ensure compliance with intellectual property laws, regulations, and international treaties related to patents, copyrights, trademarks, and other forms of intellectual property.

g. Awareness and Education:

- **Awareness Programs:** Organize seminars, workshops, and training sessions to create awareness about intellectual property rights, patent filing processes, and innovation among university stakeholders.
- **Educational Initiatives:** Implement educational initiatives to promote a culture of intellectual property awareness and respect for intellectual property rights within the university community.

h. IPR Policy Advocacy:

- **Policy Advocacy:** Advocate for favourable intellectual property policies at the university, regional, and national levels to support innovation and protect intellectual property rights.
- **Policy Dissemination:** Ensure that university intellectual property policies are effectively communicated to all stakeholders and are well-understood.

i. Performance Evaluation and Reporting:

- **Monitoring and Evaluation:** Establish key performance indicators (KPIs) to evaluate the effectiveness of the IPR Cell's activities and regularly assess its performance.
- **Reporting:** Prepare comprehensive reports on the IPR Cell's activities, achievements, challenges, and future plans for university administration and governing bodies.

j. Ethical Considerations:

- **Ethical Oversight:** Ensure ethical considerations are integrated into the intellectual property management process, particularly concerning research integrity, plagiarism, and fair use of intellectual property.

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k. Continuous Improvement:

- **Feedback Mechanism:** Establish a feedback mechanism to gather input from stakeholders and use this feedback to continuously improve the services and programs offered by the IPR Cell.
- **Stay Updated:** Keep abreast of the latest developments in intellectual property laws, technology transfer mechanisms, and industry trends to enhance the university's intellectual property management strategies.

l. Incentives:

The following guidelines apply to the submission and processing of application for incentives:

- A researcher/applicant shall submit an Application Form (Annexure 5) along with certified copy of the grant, to be submitted to IPR Head.
- The above process needs to be communicated to R & D Head, then to Management and Finance.
- In case if patent/copy right is filed individually/outside the IPR cell are eligible for incentives.

Roles and responsibilities of Applicants

a. Understanding the Process:

- **Research:** Conduct preliminary research to ensure the novelty and uniqueness of the invention, creative work, or brand name before filing for intellectual property protection.
- **Consultation:** Seek advice from intellectual property professionals or attorneys to understand the legal requirements, processes, and potential outcomes associated with the chosen type of intellectual property protection.

b. Completing Application Requirements:

- **Document Preparation:** Prepare accurate and detailed documents required for the application process, including patent specifications, copyright samples, trademark designs, or any other necessary materials.

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- **Filing Application:** Submit the application along with the required fees and documents to the respective intellectual property office. Ensure that the application is complete and filed within the specified deadlines.
- c. Communication and Cooperation:**
 - **Response to Office Actions:** Respond promptly and effectively to any queries or objections raised by the intellectual property office during the examination process. This may require clarifications, amendments, or additional documentation.
 - **Cooperation with Attorneys:** If represented by an attorney, maintain open communication and cooperate fully to enable the attorney to represent the applicant's interests effectively.
- d. Protection of Rights:**
 - **Enforcement:** Monitor the market for potential infringements of the intellectual property rights and take legal action, if necessary, to enforce these rights.
 - **Renewals:** Stay aware of renewal deadlines and pay the necessary fees to keep the intellectual property rights in force. Failure to renew within the specified timeframes can lead to the loss of protection.
- e. Ethical and Legal Considerations:**
 - **Disclosure:** Disclose all relevant information to the intellectual property office transparently and honestly. Failure to disclose pertinent information might lead to the rejection or invalidation of the intellectual property rights.
 - **Avoid Plagiarism:** Ensure that the intellectual property being claimed is original work and does not infringe on existing patents, copyrights, or trademarks. Plagiarism or infringement can lead to legal consequences.
- f. Commercialization and Licensing:**
 - **Commercialization Strategies:** Develop strategies for commercializing the intellectual property, which may include manufacturing, marketing, or licensing agreements.

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- Licensing Agreements: If desired, negotiate and enter into licensing agreements with third parties. Ensure that these agreements protect the interests of both the applicant and the licensee.

g. Continuous Monitoring and Improvement:

- Market Changes: Stay informed about market trends, technological advancements, and changes in regulations that might affect the intellectual property rights.
- Continuous Improvement: Learn from the application process and, if necessary, refine future applications based on feedback and experiences from previous filings.

h. Documentation and Record-Keeping:

- Maintain Records: Keep detailed records of the application process, correspondence with intellectual property offices, office actions, responses, and any other relevant documents.
- Confidentiality: Maintain confidentiality and discretion regarding sensitive information related to the intellectual property, especially during the application process.

7. Consequences and Compliance

Consequences of Non-Compliance:

- Loss of Rights: Failure to follow proper procedures might result in the loss of intellectual property rights. For instance, not renewing patents or trademarks on time can lead to their expiration.
- Infringement Claims: Non-compliance may inadvertently lead to the infringement of others' intellectual property rights, resulting in legal actions, fines, and damages.
- Legal Battles: Individuals or businesses failing to protect their intellectual property properly might find themselves embroiled in legal battles, defending their rights against infringers.
- Damage to Reputation: Not protecting intellectual property can harm a company's reputation. Customers and partners may lose confidence in a business that cannot safeguard its innovations and creations.

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- Missed Opportunities: Lack of proper protection may deter potential investors or collaborators who seek assurance through intellectual property rights.
- Economic Loss: Infringement cases, legal fees, and potential damages can cause significant economic losses for individuals and businesses.

Compliance with IPR Procedures:

- Understanding Laws: Stay informed about the intellectual property laws and regulations applicable in the relevant jurisdiction. Different countries have different rules regarding patents, copyrights, trademarks, etc.
- Timely Filings: File patent applications, trademark registrations, and copyrights promptly. Timely filings are crucial to establishing priority and ensuring legal protection.
- Quality Documentation: Maintain accurate records and documentation related to intellectual property. Detailed records help in resolving disputes and validating ownership claims.
- Regular Renewals: Renew patents, trademarks, and copyrights as required by law. Renewals are essential to maintaining the validity of intellectual property rights.
- Monitoring and Enforcement: Regularly monitor the market for potential infringements. Promptly take legal action against infringers to protect rights and deter future violations.
- Confidentiality Agreements: Use confidentiality agreements (non-disclosure agreements) when sharing sensitive information with employees, contractors, or partners to prevent unauthorized disclosure of inventions or trade secrets.
- Employee Training: Educate employees about intellectual property policies and the importance of safeguarding sensitive information.
- Collaborative Research Agreements: Establish clear intellectual property clauses in research agreements to delineate the ownership of innovations resulting from collaborative efforts.
- Global Protection: If operating internationally, consider protecting intellectual property in key markets to prevent infringement in regions critical to business interests.
- Regular Audits: Conduct periodic internal audits of intellectual property assets to ensure compliance and identify areas that need attention.

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8. Change History

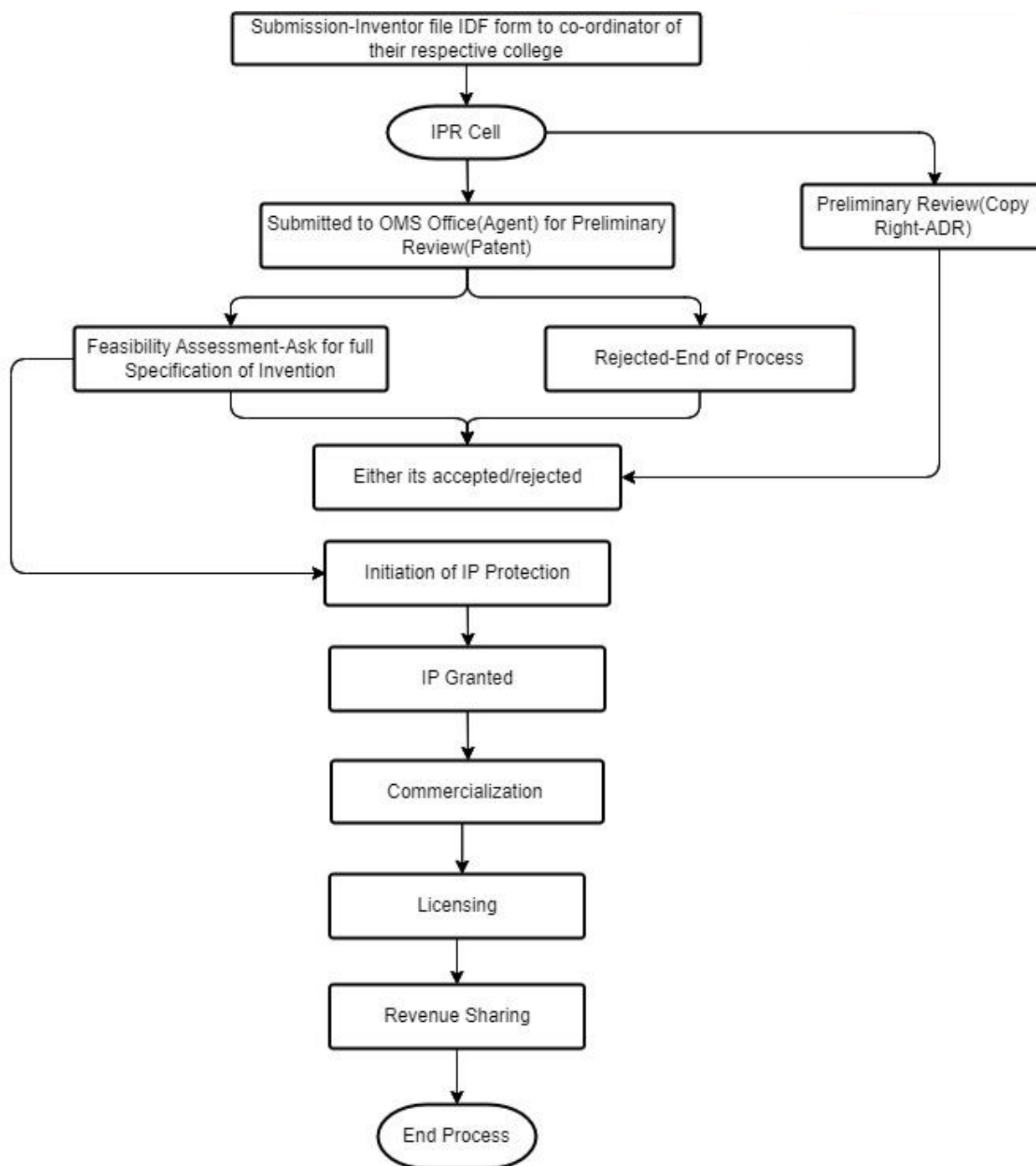
Version no.	Effective Date	Significant Changes	Previous Version no.

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9. Flow Chart



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10. Annexures

ANNEXURE-1

(Invention Disclosure Form)

1. Proposed title of the invention:
2. Proposed abstract of the invention:
3. Key words:
4. What are the present technologies that exist in the field of your invention and what are the limitations of the same? (Present state of Art)
 - Background of the present Invention
5. What problems does the invention address and how your Invention is able to overcome the limitations/ problems of the existing technologies?
6. Detailed Explanation of the Invention along with working examples.
7. Kindly provide an elaborated description of each and every aspect of the invention (product and/or process) in great detail.
8. What are the aspects of your disclosure that you want to claim/monopolize?
Proposed claims:
9. Have you conducted novelty/inventiveness search for your invention? If yes, what are the databases /references used by you? What are the search results?
10. References (if any)
11. Inventors Details (Full Names, Nationality and Addresses)
12. Applicant Details (Full Names, Nationality and Addresses)

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ANNEXURE-2

(Copy Right Form)

STATEMENT OF PARTICULARS

1.	Signature of the Applicant required in the following format as the same has to be uploaded online while filing the application Signature File type: <ul style="list-style-type: none"> • jpg and jpeg format. • File size Less than 512 KB. 	Signature on plain white paper using blue ink and send the picture of the signature in the format mentioned.
2.	Name, Address and Nationality of the Applicant	Name: Nationality: Indian Address:
3.	Nature of the applicant's interest in the copyright of the work	Owner/Author
4.	Class and description of the work (description of the work within 200 characters)	<i>Provide Type of Work and Description here</i>
5.	Title of the work	
6.	Language of the work	
7.	Name, address and nationality of the author and, if the author is deceased, the date of his decease	Name: Nationality: Indian Address:
8.	Whether work is Published or Unpublished	

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9.	Year and country of first publication and name, address and nationality of the publishers	
10.	Years and countries of subsequent publications, if any, and names, addresses and nationalities of the publisher	
11.	Names, address and nationalities of the owners of the various rights comprising the copyright in the work and the extent of rights held by each, together with particulars of assignment and licences, if any	Name: Nationality: Indian Address:
12.	Names, addresses and nationalities of other persons, if any, authorized to assign or license the rights comprising the copyright.	
13.	If the work is an “artistic work”, the location of the original work, including name, address and nationality of the person in possession of the work. (In the case of an architectural work, the year of completion of the work should also be shown)	
14.	If the work is an ‘artistic work’ which is used or is capable of being used in relation to any goods or services, the application shall include a certificate from the	

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	Registrar of Trade Marks in terms of the proviso to sub-section (1) of section 45 of the Copyright Act, 1957.]	
15.	If the work is an “artistic work” whether it is registered under the Designs Act 2000. If yes give details.	
16.	If the work is an “artistic work” capable of being registered as a design under the Designs Act 2000, whether it has been applied to an article through an industrial process and, if yes, the number of times it is reproduced.	
17.	Remarks, if any	

STATEMENT OF FURTHER PARTICULARS

(For Literary, including Software, Dramatic, Musical and Artistic Works only)

1.	Is the work to be registered	
(a)	An original work?	Yes
(b)	Translation of a work in the public domain?	N.A.
(c)	A translation of a work in which copyright subsists?	N.A.
(d)	An adaptation of a work in the public domain?	N.A.
(e)	An adaptation of a work in which copyright subsists?	N.A.
2.	If the work is a translation or adaptation of a work in which copyright subsists:	N.A.

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(a) Title of the original work.	N.A.
(b) Language of the original work.	N.A.
(c) Name, address and nationality of the author of the original work and, if the author is deceased, the date of his decease.	N.A.
(d) Name, address and nationality of the publisher, if any, of the original work.	N.A.
(e) Particulars of the authorization for a translation or adaptation including the name, address and nationality of the party authorizing.	N.A.
3. Remarks, if any.	

Annexure-3

Application for Design

FORM 21 [THE DESIGNS ACT, 2000]

GENERAL POWER OF AUTHORITY

(See section 43)

In connection with designs filed for registration in the name of

NAME OF APPLICANT, an Indian University having its registered office at **ADDRESS OF APPLICANT**, **NAME OF APPLICANT**, an Indian citizen having its residence at **ADDRESS OF APPLICANT**. We hereby authorize Mrs. Pooja, Registered Patent Agent (IN/PA/1838) of Innove Intellects, A-102, Sector-9, New Vijay Nagar, Ghaziabad, Uttar Pradesh-201009 India to act as our Agents and to receive all notices, requisitions and communications until further notice.

We here by revoke the previous authority, if any, given by us in this matter.

Dated this _____

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Policy Drafting & Review Committee	Managing Director Acharya Institutes	Head, Quality Assurance Acharya Institutes

ACHARYA INSTITUTES

Acharya Dr. Sarvepalli Radhakrishnan Road, Soladevanahalli, Bengaluru -560 107, India



R & D POLICY

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Policy No: AI/AD/03	Version No: 04	Owner: Acharya Institutes	Page 20 of 21
Date of issue:01 Jan 2024	Review date: 01 Jan 2025	Applicability: Staff, Students and Researchers	

Industrial Design Number: _____

Signature.....

Name: NAME OF APPLICANT

Signature.....

Name: NAME OF APPLICANT

To

The Controller of Designs,

The Patent Office,

Kolkata

ANNEXURE-4

(Registration)

Indian Patent Publication	Indian Patent Grant Publication	Copy Right Publication	Patent Design Publication
8000	10000	2000	6000

ANNEXURE-5

(Incentives)

Author	Indian Patent	Foreign Patent	Indian Patent Grant	Foreign Patent Grant	Copy Right	Patent Design
I	5000	6000	5000	7000	1000	3000
II	4500	5400	4500	6300	1000	2700
III	4000	4800	4000	5600	1000	2400
IV	3500	4200	3500	4900	1000	2100
V	3000	3600	3000	4200	1000	1800

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ANNEXURE-6

(Incentives Form)

From: Name: Dept: College: Mobile: Email:	To, The Management Acharya Institutes, Bangalore
--	--

Dear Sir/Madam,

I hereby request you to kindly grant the incentives for _____ work for the year _____. The certificate of _____ is closed.

Signature of Applicant

Head of the Dept: _____
Signature

Principal: _____
Signature

IPR Head: _____
Signature

Signature

ADR: _____
Signature

Management: _____

Signature

Finance Department: _____

Signature

Remark if any:

Prepared by and reviewed by	Approved by	Cleared for issue
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Policy Drafting & Review Committee	Managing Director Acharya Institutes	Head, Quality Assurance Acharya Institutes