

Dharmabad Shikshan Sanstha's

Lal Bahadur Shastri Mahavidyalaya, Dharmabad

Dist. Nanded- 431809



INTELLECTUAL PROPERTY RIGHTS POLICY

POLICY DOCUMENT ON INTELLECTUAL PROPERTY RIGHTS

The policy is constituted for all the departments in campus in accordance with the contemporary changes happening as stored in the Intellectual property Rights Act (Government of India). The policy almost at the protection, facilitation and upliftment of Intellectual Property that is generated during scientific research undertaken by the departments in the campus. Furthermore, the provisions of unbiased intercession between the various interests involved in the pursuit of knowledge as targeted.

Applicability:

- 1) The policy is applicable to all employees, faculty members, staff (Permanent and temporary) fellows, research and visiting scholars and students also associated with Lal Bahadur Shastri Mahavidyalaya, Dharmabad and include, but is unrestricted to those who are under the college payroll / receive assistance in the form of fellowships, scholarships, honorarium either from Lal Bahadur Shastri Mahavidyalaya, Dharmabad or from outside government and private institutions/ agencies.
- 2) Applicable various forms of intellectual property but is not limited to patent copyrights, trademark/ service mark.

Terms of Ownership:

- 1) An invention for which an intellectual property application is filled where in the Lal Bahadur Shastri Mahavidyalaya, Dharmabad resources like space, equipment and facilities are utilized and when the applicant(s) receive financial support towards professional and statutory fees for acquiring such intellectual property, the assignee of such intellectual property will be Lal Bahadur Shastri Mahavidyalaya, Dharmabad.
- 2) Individual(s) who obtains a patent or any other form of intellectual property or introduces an invention into public domain without use of resources from Lal Bahadur Shastri Mahavidyalaya, Dharmabad or outside their regular assigned duties during official hours under terms of their appointment with the college, and without substantial involvement by respective college personnel, shall retain full IP rights.

Copyrights:

- Any original work of intellectual nature is protected under copyright Act. It is an exclusive right given to the author/ creator of the original theoretical, literary, dramatic architectural, cinematographic and pedagogical work is copyright able under the relevant copyrights Act as amended time to time.
- As the exception, Lal Bahadur Shastri Mahavidyalaya, Dharmabad shall not claim ownership of copyrights on books and publications authored by the persons employed on regular / temporary basis or by its research or academic students for any of the academic programs.
- Lal Bahadur Shastri Mahavidyalaya, Dharmabad shall be the owner of copyright on proceedings (Hard copy or Soft Copy) of international, national, State level conferences/ seminars symposium, technical or academic gatherings.
- If Lal Bahadur Shastri Mahavidyalaya, Dharmabad foresees a gainful return from copyrights it may initiate steps to file and protect such copyrights and share the financial benefit with the inventor on terms and conditions of Lal Bahadur Shastri Mahavidyalaya, Dharmabad.
- When the copyrightable, pedagogical, scholarly, and other literary and artistic works, specified as copyrightable work under relevant copyrights act as amended from time to time by the government, which are created from Lal Bahadur Shastri Mahavidyalaya, Dharmabad the author shall retain ownership of their original work, while at the same time granting Lal Bahadur Shastri Mahavidyalaya, Dharmabad all implementers of its specifications full rights to revise, modify and create derivative works based on that original work, under college's own copyrights.
- Copyrights on books and publications authored by college personnel shall be in the name of the respective authors.

Inventions and Patent:

- It is an exclusive right granted for an invention, which is a product or a process that provides a new way of doing something or offers a new scientific or technical solution to a problem.
- Whenever there is any patent, which is obtained under research or a related activity between an external sponsor and Lal Bahadur Shastri Mahavidyalaya, Dharmabad then it is subject to agreement between the involved parties.

- Any patent which is obtained under research or related activity between an external sponsor and the Lal bahadur Shastri Mahavidyalaya, Dharmabad, then it is subject to the agreement between the involved parties.
- If such a patentable invention is developed at Lal Bahadur Shastri Mahavidyalaya, Dharmabad and qualifies for protection under the relevant Acts of government related to patent, then patent belongs to the college. It can be in the form of know-how solutions, processes, genetically engineered microorganisms, scientific or technology developments, business models and other forms as the need arises. The filing of a patent application shall be with the researcher as name inventor.
- In such instance or instances where the patent is owned by Lal Bahadur Shastri Mahavidyalaya, Dharmabad the inventor or inventors have the right on such form of intellectual properties till the time protection of such intellectual property is agreed upon by the college and inventor(s) or the life of such intellectual property according to relevant acts has expired. Lal Bahadur Shastri Mahavidyalaya, Dharmabad also reserves the right to initiate discussions on sale license or technology transfer of patents or other forms of intellectual property as the case may be and which are deemed suitable for such activity. In an event of successful outcome through sales/license or technology shall be as specified in the royalty sharing clause mentioned below.

Conflict of commitment & Interests:

- To manage and minimize conflict over intellectual property rights, all potentially patentable inventions created or discovered by faculty in the course of their college activities, or with use of college resources, must be disclosed to the college on a timely basis.
- The inventor(s) to the respective Head of Institutions, should disclose any conflict of interest.
- Lal Bahadur Shastri Mahavidyalaya, Dharmabad discourages its employees, faculty members, staff (Permanent and temporary), visiting scholars, fellows, research scholars and students against any legal recourse. In case of any disputes regarding the implementation of intellectual property policy, efforts shall be made to address to the concerns of the inventor(s) by developing and incorporating an arbitration mechanism and arrangement, or any other suitable

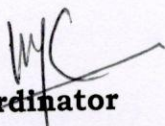
mechanism as agreed upon by the parties and arrive at an amicable solution. The decision taken in this regard by the competent authority of Lal Bahadur Shastri Mahavidyalaya, Dharmabad or through arbitration shall be final and binding to all the parties under dispute.

Infringement:

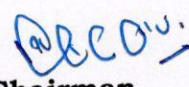
- Lal Bahadur Shastri Mahavidyalaya, Dharmabad shall retain to engage in or abstain from any lawsuit concerning patent and license infringements.
- Lal Bahadur Shastri Mahavidyalaya, Dharmabad shall ensure that faculty in the college have an insurance clause built into the agreement with the licensee(s) while transferring technology or copyrighted material to licensees.

Modus Operandi:

- All applications for patents should be dispatched to Head of Institution, irrespective of whether the inventions have resulted from the in-house research/project, or projects under sponsored activity. The Head of Institution must ensure that the foreseeable intellectual property under discussion is not revealed in public domain or discussed with people not connected with the research pertaining to intellectual property.
- The applications for patent or any other form of intellectual property shall be analyzed/inspected by the Research Advisory Committee of the college. The inventor(s) are required to make a brief presentation of their inventions to the Research Advisory Committee of the college. Based on the outcome reached through discussion by the CDC members with the Research Promotion Committee, reimbursement of application fees may be approved, leading to commencement of further processing of the application through the approved agency.
- If the inventor(s) decide to abandon or withdraw the application for a patent at any stage after filing of application, prior approval of the Research Advisory Committee is mandatory.


Coordinator
IQAC

Co-Ordinator, IQAC
Lal Bahadur Shastri Mahavidyalaya
Dharmabad, Dist. Nanded


Chairman
Research Advisory Committee


Principal

L.B.S. College, Dharmabad
PRINCIPAL
Lal Bahadur Shastri Mahavidyalaya
Dharmabad, Dist. Nanded

