

# **Karunya University**

Karunya Institute of Technology and Sciences  
(Declared as Deemed to be University under Sec. 3 of the UGC Act 1956)  
Karunya Nagar 641 114

## **INTELLECTUAL PROPERTY RIGHTS (IPR) POLICY**

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# INTELLECTUAL PROPERTY RIGHTS (IPR) POLICY KARUNYA UNIVERSITY, COIMBATORE.

## PREAMBLE

Karunya University encourages, facilitates, promotes and safeguards scientific investigations and research. The IPR policy of Karunya University provides guidelines for making patents to faculty members, students and those who work in industries.

IP policy of Karunya University aims to lay down the process for promotion and support to inventors at Karunya University for translating their creative works into IP.

This policy also aims to set forth guidelines for ownership of IP developed at Karunya University by Karunya University personnel, those directly or indirectly associated with Karunya University, either in-house or outsourced, seconded or sponsored unless specially covered by a policy to the contrary.

The IPR cell, KU shall address specific cases by using this IPR policy document as guidelines.

## OBJECTIVES:

- To promote Intellectual Property awareness among students, faculty members, non-teaching staff and researchers.
- To organize short term training programmes, seminars, workshops and conferences.
- To assist researchers to file patents of products, processes and inventions based on the research and development carried out by them.
- To assist inventors in following legal procedures related to commercialization and technology transfer.
- To promote IPR awareness among MSME (Micro, Small and Medium Enterprises) in and around Coimbatore region.

## DEFINITIONS:

The meaning of terms applied in this policy are as below:

- **Copyright** means the exclusive right granted by law for a certain period of time to an author to reproduce, print, publish and sell copies of his or her creative work.
- **Inventor** means any employee of Karunya University directly and/or indirectly associated and includes those who are regular faculty and staff members who are on probation, or on contract and those who are employed on temporary basis either in Karunya University and/or in projects and those who are researchers or students who are responsible for the invention of an intellectual property using the facilities of Karunya University.
- **Intellectual Property** denotes the specific legal rights which inventors and other IP holders may hold and exercise. Intellectual property includes Patents, Trademarks, Copyrights and Industrial Designs, each different in its scope, purpose and effects. IPR aims to exclude third parties from exploiting protected subject matter for a certain specified duration of time without explicit authorization from the rights holder.

IPR owners can use or disclose their inventions without fear of loss of control over their usage during the course of dissemination of their Inventions.

IP confers a bundle of exclusive rights in relation to the particular form or manner in which ideas/information are expressed/manifested in the following and related items.

- New and useful scientific and technical advancements in the form of innovation, inventions, products and processes, computer hardware and software, materials, biological varieties etc., which are patentable.
- Industrial and architectural designs, models, drawings, creative, artistic and literary works, teaching resource materials, generated records of research including thesis and dissertations which are copyrightable.
- Trademarks, service marks, logos etc.
- **Patent** means a patent granted under the provisions of the Indian Patents Act, 1970, and later as modified from time to time.

## **PATENTS**

### **Ownership of IP:**

Karunya University shall be the owner, with the inventors for all the intellectual property inventions, software designs and specimens developed by the faculty members, research scholars, students and those who make use of the resources of Karunya University.

If an IP has emerged as a result of an Institutional/Industrial consultancy, sponsored by Karunya University, the concerned industry and Karunya University shall own the IP. This however will not apply to those IP that are covered under specific MoUs where the action shall be carried out as per the provisions of the MoUs.

If the IP is a result of funds sponsored by an outside agency, then the IP will be shared between Karunya University and the sponsoring agency on case by case basis, as per MoU / Agreement between Karunya University and the outside agency.

A computer software may be patented, copyrighted, trademarked depending upon the IP content. A copyright software may be distributed for research and teaching purposes by its inventor after obtaining appropriate undertaking to the effect that it will not be used for commercial purpose nor will it be transferred to any other party without the explicit permission of Karunya University.

### **Internal evaluation of IP:**

Karunya University – IPR Cell will coordinate the activities of evaluating, protecting, licensing and managing the IP generated by Karunya University. It shall provide guidance to all Karunya University personnel and facilitate protection and deployment of intellectual property issues of ownership, confidentiality, suitable advice from experts, disclosure, patentability and transfer.

An invention will be patented only if it has commercial value and viability for production and marketing. Patentability will be decided by a patent attorney or through the legal opinion provided by an IP Analyst. An IPR committee consisting of the VC, Dean (Research), Director of the School, Director – IPR and other expert members shall decide the commercial value and related aspects on case by case basis. The committee shall also act to the best of its knowledge to avoid scientific misconduct in research and developmental activities of Karunya University.

**Publication Based on IP:**

For patentable IP, it is essential that the patent protection is filed for before the publication or disclosure of it in any other form of public domain. However, faculty members, research scholars, non-teaching staff and students can disseminate their creative work through publication for which they generally have freedom, subject to the provisions of Patent Act 1970. After the patent is granted, the inventor is encouraged to publish the work in the interest of general public.

**Patent filing process:**

For the inventions developed at Karunya University and the inventors who wish to protect the invention, it is mandatory that the inventor has to sign an agreement with the University and disclose the invention to IPR committee. All IP related information that is disclosed to Karunya University is confidential. Confidentiality shall be maintained till the dates stipulated in the agreement between the concerned parties.

Patent application that may arise out of projects/Research activities of Karunya University will be applied by the IPR cell of Karunya University. Expenses for filing a patent may be taken from the respective research grant. Organizations like NRDC (National Research and Development Council) may be approached for getting their services and financial assistance for patenting and for maintaining patents. In case, a patent is to be made through Karunya University funds, Rs. 3,750/- will be collected as a deposit from the inventor(s) and the filing process will commence. Karunya University shall bear the expenses related to Government fees, patent attorney fees, patent search fees and patent renewal fees. If the patent is granted, the deposit collected from the inventor(s) will be reimbursed to the inventor(s).

Soon after completing the complete specification protection, Karunya University through IPR committee shall decide on the protection of invention in foreign countries through conventional or PCT (Patent Cooperation Treaty) application.

**Patent fee:**

Karunya University will pay the patent fees for the first six years in all cases when the patent is taken by Karunya University. If it is a joint patent with sponsoring agency, then the patenting cost will be equally shared. If the other agency does not show interest in such process, Karunya University can either continue the patent by paying the fees or withdraw the application for the patent protection, at its discretions.

**Transfer of IP:**

Karunya University shall strive to identify potential licensee for the IP to which it has ownership. Generally, inventors are expected to assist the transfer of IP. Karunya University may contract IP to any of the technology management agency which manages the commercialization of IP. If exclusive rights of IP have not been assigned to the third party, inventors may enter into a contract with any potential licenses on their initiative maintaining confidentiality through Non Disclosure Agreement (NDA) with the concurrence of Karunya University.

**Revenue sharing:**

The revenue sharing arrangements are as below:

60% of the total revenue (lump sum, royalty or any other form) accruing from the commercialization of IP owned by Karunya University shall be credited to inventors. 40% of the revenue shall be credited to Karunya University.

Out of the Karunya University's share, 30% shall be transferred to the Department concerned towards encouraging research and development. 40% may be transferred to the University funds and 30% shall be transferred to IPR-Cell.

**COPYRIGHTS****Ownership of the copyright:**

Karunya University shall be the owner of all copyright works including software and all teaching materials designed and developed by employees of Karunya University.

Further, Karunya University shall also be the owner of copyrights of works produced, including software and all teaching materials developed by persons not directly associated with Karunya University, provided Karunya University has made its contribution in the form of any of the resources.

A copy of M.Phil./Ph.D theses works submitted to Karunya University may be made available to IPR-Cell by the Central Library and M.Tech Project Reports by Department Library. IPR cell shall attempt to explore the patentable rights if any in such theses by constituting suitable committees consisting of experts.

The ownership of copyright by Karunya University will in no way deprive the claims of the author to publish his/her contribution in a scholarly and intellectual way and they have authority to improve, publish and propagate their works.