

INTELLECTUAL PROPERTY POLICY

OF

**K K WAGH INSTITUTE OF ENGINEERING AND REASERCH
HIRABAI HARIDAS VIDYANAGARI
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NASHIK 422003**



Intellectual Property Policy

1. Preamble

K. K. Wagh Institute of Engineering Education and Research, Nashik has, over the past three decades, been constantly endeavoring to train high-quality scientific and technical manpower and provide solutions to a variety of challenging technological problems that may arise in different fields, through its well qualified faculty and highly skilled supporting staff, with the goal of becoming one of the leading centers of teaching, research and extension in Engineering and Technology and totally committed to excel in every sphere of its activity. It has been constantly encouraging scholarship, research, academic excellence and innovation.

K. K. Wagh Institute of Engineering Education and Research, Nashik recognizes that intangible assets like inventions, copy right, know-how, designs and other creative and innovative products generated during the scientific and intellectual pursuits of its faculty and its students provide a competitive edge to the Institute. It, therefore, has formulated its intellectual property policy to provide guidance to its faculty, staff, students, research scholars and outside agencies on the practices and rules of the Institute regarding intellectual property rights (IPR) and obligations which include its ownership, commercial exploitation, technology-transfer and end confidentiality requirements. The policy is expected to promote a conducive environment for both curiosity-driven and market-driven research and development activities at the Institute and creation of original works of authorship.

It is to be stressed that this IPR policy is to be treated more as a guideline than a strict rule in the legal sense in view of the evolutionary scenario in the nations IPR policy and is, therefore, subject to changes if a need arises.

2. Purpose

The purpose of the IPR policy of KKWIEER is to:

- I. Facilitate, encourage, promote and safeguard scientific inquiry, research pursuits and the academic freedom of its faculty, researchers and students;
- II. Create an innovative culture which fosters the creation and development of IP at the Institute;
- III. Provide a clear understanding of the rights and responsibilities of the faculty, staff, and students and protect the interests of the Institute and its members;
- IV. Establish an IPR management policy and procedural guidelines for converting the knowledge generated in the Institute to wealth;
- V. Enable the Institute to make beneficial use of intellectual property(IP) so as to confer maximum benefit to the inventors, the Institute and the society at large and;

3. Objectives

The IPR policy of the Institute aims to:

- I. Facilitate protection and valorization of intellectual properties generated by its faculty, staff and students as a results of their intellectual and scientific pursuits at the Institute during the tenure of their employment/engagement at the Institute and thereby offer scope for wealth generation, alleviation of human sufferings and betterment of human life;
- II. To promote IPR awareness and culture among its faculty, staff and students;
- III. Provide a comprehensive single window reference system for all IPR related issues and;
- IV. Proactively create an environment for generating new knowledge through research and innovations compatible with the educational mission of the Institute;

4. Scope

This policy covers all rights arising from the intellectual property devised, created or generated by the faculty members, staff, students, research scholars (both internal and external categories), persons employed in sponsored research and consultancy projects and consultancy projects and visiting scientist/ professors/ research guides/ professionals who participate in teaching and research work being carried out at the Institute either on full-time basis or part-time basis, irrespective of the eligibility of these rights for registration. The IP arising from academic research includes patents, designs, copyright, know-how and undisclosed information.

5. Application

This policy as amended from time to time shall be deemed a part of the conditions of employment for every employee of the Institute and a part of the conditions of enrollment and attendance at the Institute for students, and shall be made available to staff prior to appointment, students on enrollment and to all existing staff and students. It is also the policy of the Institute that all potential creators who participate in a sponsored research project and/or make use of Institute-supported resources shall be informed of this policy and shall accept the principles of ownership of intellectual property as-stated in this policy unless an exception is approved in writing by the Institute.

6. Policy Statement

The Institute is committed to promoting, protecting, managing and commercializing Intellectual Property consistent with the recognition that among its primary objects and functions are teaching, research and meeting the needs of the community and society. It supports the commercialization and exploitation of IP, which can provide an additional source of revenue to the Institute and also accrue benefits to staff and students. At the same time, the Institute recognizes traditional academic values and expectations.

7. Types of IP

The intellectual properties can be broadly listed as:

- a) Patents
- b) Copyrights
- c) Trade/Service marks
- d) Industrial designs
- e) IC layout designs
- f) New plant variety and Biotechnology inventions
- g) Traditional knowledge and Geographical Indications

8. Ownership of Intellectual property

- a. In all the applications filed by the Institute for the ownership of intellectual property rights, the persons who have directly contributed intellectual inputs shall be mentioned as inventors or creators

II. Copyrights

- a) The Institute shall be the owner of the copyright on all teaching and instructional materials developed by the employees of the Institute as a part of any of the academic programs of activities at the Institute. However, the author shall have the right to use the material in his/her professional work.
- b) Books, articles, monographs, speeches and other communications produced by the staff members in the course of research and teaching using Institute resources will be outside the purview of this clause. The Institute recognizes faculty ownership of copyright in such traditional works of authorship.
- c) In case of thesis/dissertation/project report written by a student, the ownership of copyright shall rest jointly with the student and his/her guide. However, in such cases, the Institute may demand assignment of the ownership of the copyright in full. Where the Institute does not demand such assignment or where the copyright has not been assigned to the Institute, the Institute will be entitled to a non-exclusive, non-transferable license to use the work within the Institute for non-commercial educational and research purposes, and to possess a limited number of copies for such purposes.

III. Institute- Supported Research

All rights in respect of the intellectual property generated out of investigations carried out at the Institute making use of the Institute's resources shall vest in and be the absolute property of the Institute except in cases where such investigations are carried out either jointly with other institutions and agencies or under sponsorship by an outside agency

The guideline for sharing the net earnings generated from the commercialization of Institute-owned intellectual property will be taken in slabs as follows:

Case	Net earnings	% Share	
		Inventor(s)	Institute
1	For the first slab of 100 Lakhs	60	40
2	For the next slab of 100 Lakhs	50	50
3	For amount more than 200 Lakhs	40	60

IPR Committee:

IPR Committee consists of Institute IPR Coordinator appointed by head of institute and one coordinator from each department.


The current role of IPR Committee

Includes the following, which may be revised from time to time

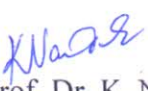
- a. Organization of IP awareness programs at KKWIEER, Nashik;
- b. Organizing IPR meetings of department coordinators and train them for various IPR activities;
- c. Regularly review IP cases (filed/granted applications) for maintenance / discontinuation.
- d. To assist faculty/students/project staff/ supporting staff/visitors in all IPR application activities.
- e. Liason with different patent agencies for updates in patent laws from time to time.
- f. Assistance of a IPR Consultancy (GMGC, Pune) with whom KKWIEER has signed Memorandum of Association may be taken from time to time for activities coming within the purview of this IP Policy;
- g. Liason with Alumni and past employees who have obtained patents/ copyright in various fields.
- h. Guidance for patent agent examination and other such certification exams/ courses.
- i. Initial review of IPR application shall be done at department level by department coordinator in consultation with respective head of department and final review will be done by Institute IPR coordinator.
- j. Digital signature and corresponding computer facility with appropriate installed components shall be provided by Institute IPR coordinator.
- k. The actual e-filling procedure shall be carried out by respective department coordinator.
- l. Follow-up shall be done by the department coordinator as well as institute coordinator.
- m. Staff member shall be permitted to work with patent agents/ experts in case of challenging/ revoking patents already granted to other agencies.

Role of Institute:

- a. The inventor(s) shall conduct IP searches, study the present state of art while drafting of the IP application.
- b. The inventor shall bear all costs of drafting and filing an Indian IP application (Form 1 fees: Rs. 1600/- or whatever is applicable).
- c. The institute shall bear the **early publication charges** (Form 2 fees: Rs. 2500/-) and Examination charges (Form 18 fees: Rs. 4000/- or whatever is applicable) of an Indian IP application.
- d. In case of domestic and international patents, institute shall bear 50% of filing and prosecution charges.
- e. Institute shall publicize the success and felicitate the concerned student/ staff member who obtained any form of IPR.


Dr. Sunita A. Patil (Ugale)
Institute IPR Coordinator




Prof. Dr. K. N. Nandurkar
Principal