

IPR

Handbook for Administration and Management of Intellectual Property

Policy, Procedures and Forms



राष्ट्रीय प्रौद्योगिकी संस्थान मेघालय

NATIONAL INSTITUTE OF TECHNOLOGY MEGHALAYA

1. PREAMBLE

National Institute of Technology Meghalaya, hereafter known as NIT Meghalaya, Institute or institute, through its vision document and through its mission statement is dedicated to research and to the extension and transfer of knowledge to the people of India in general. The institute recognizes its responsibility to produce and disseminate knowledge for the development of students, faculty and the public in general. Inherent in this responsibility is the need to encourage the production of creative and scholarly works and the development of new and useful materials, devices, processes, and other intellectual property, some of which may have potential commercial value. These activities contribute to the professional development of the individuals involved, enhance the reputation of the Institute, provide additional educational opportunities to students, and promote public welfare. NIT Meghalaya has a responsibility of bringing new knowledge into use by the general public. Such knowledge or technology often has commercial value and should be treated as a financial asset to be used, conserved and applied in such a way as to generate an appropriate financial return. Transfer of such information or technology through licensing satisfies both the above objectives, i.e., dissemination for use and realization of financial returns.

Technological and social developments in recent years have broadened the scope of information and technology that can have potential commercial value and, therefore, should be treated as assets subject to institute ownership and control. In addition to new machines, compositions of matter, and written materials which traditionally have been the subject of patents and copyrights. Computer software and video courses, etc. are now normal outcomes of the activities at NIT Meghalaya. Thus, a broad policy covering all aspects of intellectual property needs to be created to provide widespread protection to the inventors of such property.

Over the past decade, appreciation of the commercial value of intellectual property has grown both within the academic community and in the society at large. All concerns related to publication, confidentiality and ownership of intellectual property are now commonplace. The pace of modern science, resulting in new and useful inventions, initiated a need for a central policy in determining the course of the creation, protection, and commercialization of intellectual property at NIT Meghalaya. Therefore, a proper policy for the management of Intellectual Property (IP) is required to encourage creation and protection of intellectual property in NIT Meghalaya.

The IP policy applies to all employees and students of NIT Meghalaya, regular or contractual or full-time or part-time. Every member of the academic community, student, non-teaching and teaching staff alike, must be knowledgeable about intellectual property, both to protect their own rights and to respect the rights of others. The IP policy of NIT Meghalaya is thus intended to encourage a healthy atmosphere conducive to research and development through a generous system of rewards and

incentives for the creation of intellectual property, while at the same time giving proper consideration to the economic rights and responsibilities of the institute.

The strength of NIT Meghalaya lies in its faculty, students, technical and administrative staff. This document is intended to introduce, regulate, and organize issues related to intellectual property within the institute. It also reaffirms NIT Meghalaya's commitment to scientific endeavors, academic excellence and the dissemination of knowledge. This policy is intended to comprehensively spell out the responsibilities of the Institute and its employees and to establish a framework for ethical conduct.

2. THE INTELLECTUAL PROPERTY (IP) POLICY

The primary purpose of the IP policy of NIT Meghalaya is to establish appropriate principles for creation, protection, ownership and management of intellectual property created within the Institute or with the facilities so promised by the Institute or by any person, that is, the faculty, students, technical, administrative staff or any third-party involved in a project so working in the capacity of the employee or trainee. The objective is to provide an environment that encourages the development of inventions and other intellectual creations for the best interest of the public, the creator, and the sponsor, if any, and will permit the timely protection and disclosure of such intellectual property either by development and commercialization after securing available protection, by publication, or by both.

This policy is further intended to protect the respective interests of all participants by ensuring that the benefits of such property accrue to the public, to the inventor, to the Institute and to sponsors of specific research projects in varying degrees of protection, monetary return and recognition, as circumstances justify or require.

2.1 Objectives of the IP Policy: The major objectives of the IP policy of NIT Meghalaya are:

- To provide a suitable environment to the employees (whether contractual, part-time or full-time) and students of the institute for creation, protection, and commercialization of intellectual property and to incite innovation.
- To encourage research, scholarship, and a spirit of inquiry, with an aim to generate new knowledge.
- To facilitate the transfer of knowledge and technology to intending users to promote utilization of such resources for benefit of the society.
- To provide an administrative system to determine the commercial significance of discoveries and developments and to assist in bringing these into public use.
- To provide for an equitable distribution of economic gains resulting from new intellectual property among the developer, author, or inventor (the inventor), NIT Meghalaya, and, if applicable, the sponsor.
- Determine the true owner of the creation.

- To provide incentives to inventors in the form of personal development, professional recognition, and financial compensation.
- To safeguard, review and manage the intellectual property so that it may receive adequate and appropriate legal protection against unauthorized use.
- To encourage students at all levels to develop patentable technologies and to provide financial assistance from the institute to a reasonable extent.
- To create awareness on IPR through conducting seminars, conferences, invited talks and lectures, and training programs among the academic community.
- To create respect for other people's intellectual property among members of NIT Meghalaya community.

2.2 SCOPE OF THE IP POLICY

The IP Policy applies to inventions, industrial designs, copyrightable materials such as books, publications, electronic courseware, computer programs, electronic circuits, etc. or potentially patentable inventions, industrial designs, copyrightable materials such as books, publications, electronic courseware, computer programs, electronic circuits etc., protectable trademarks and trade secrets, which are developed or in the process of development using institute equipment, supplies, facilities, employee time, or trade secret information, or which relate directly to the institute's business, research or development. The Institute will encourage, recognize and protect all creative and scholarly works in form of patents, copyrights, industrial designs, trademarks and trade secret, as the case may be, developed by its employees/students as a result of their research or employment. NIT Meghalaya will protect the rights of the inventor regarding intellectual property created by him as per legal framework of the land. However, the Institute, as a corporate body, shall share this right with inventors – staff, student or guest, in a just and fair manner agreed upon initially by both the parties.

This Policy applies to all the employees of the Institute as defined in 3.3 and visitors using Institute facilities under the supervision of Institute staff and to all the students of the Institute including doctoral and Postdoctoral fellows. It covers all intellectual property conceived, first reduced to practice, written, or otherwise produced by all faculty, staff, and students of the Institute whether using Institute resources or not. It also covers intellectual property created by part time students, employees and visitors using Institute funds, facilities or other resources.

AMENDMENTS

Notwithstanding anything in this Policy, the IPC described may in exercise of its power amend by way of addition, variation or repeal any provision of this Policy in accordance with the procedure laid down in this Policy with the approval of Senate.

3. DEFINITIONS

- 3.1.** Intellectual Property (IP): For the purpose of this policy, “Intellectual Policy” is defined as the tangible or intangible results of research, development, teaching, or other intellectual activity. Intellectual property may include the following products:
- a) Patents on new and useful scientific or technical advancements by way of inventions, discoveries, processes, computer hardware and software, unique materials, machines, devices, instruments, apparatuses, circuits, plant varieties etc.
 - b) Improvement on the patents that belongs to the Institute.
 - c) Copyright in industrial and architectural design, models, engineering drawings, integrated circuit layout designs, computer software, animations and visualizations, information technology products and processes including hardware and software features, original innovative, creative or artistic works and their derivatives or adaptations, whether dramatic, musical, literary works, work of graphics or plastics art and cinematographic and animated films, teaching material for classroom and online courses such as courseware for distance education, original data and records of research, undisclosed and/or unpublished information etc.
 - d) Industrial design of any hardware, machinery, circuit-layout, etc. capable of being protected under the Designs Act.
 - e) Trademarks, service marks, logos, collective marks, certification marks, trade names etc.

The four categories stated above are not mutually exclusive; a given article of intellectual property may include aspects of all four categories.

- 3.2. Fair use:** The term “Fair Use” refers to the amount of copying or usage that may be permitted for a copyrighted material so that it does not obstruct the progress of human knowledge or can be derived easily by a lay-man or is a factual statement. Limited portions of a work can be copied without the right holder’s permission for non-commercial and academic use, although the exact permissible percentage may have to be determined by the courts. In general, use of a small part of the work which does not hurt the present or potential market for that work is allowed under fair use, but there are many grey areas where the law has to be decided on a case-by-case basis. Fair use in the classroom during regular teaching is understood more liberally than that permissible in teaching for distance education through print or multimedia packages. This is because distance education packages are commercial products and hence permission has to be sought for the use of any intellectual property held by others. The possibility of fair use exists only in the case of copyright and does not apply to patents,

designs, trademarks including copyrighted logo.

- 3.3. Student:** A “Student” of the Institute is defined as any person admitted purely on academic and research activities on part-time/full time basis.
- 3.4. Employee:** An “Employee” of the Institute is defined as any person receiving compensation for service, or any person volunteering services for the benefit of the Institute. The uncompensated activities of students in furtherance of their education shall not be considered service within the meaning of this policy, even if such activities benefit the Institute. A scholarship, fellowship, assistantship or any other payment received by a student during the course of his studies does not classify him as an employee
- 3.5. Institute Personnel:** Part-time and full-time members of the faculty, technical, administrative or the supporting staff and all other agents and employees, and undergraduate, postgraduate students, doctoral and postdoctoral fellows of the Institute.
- 3.6. Inventions:** It is a general term which includes computer software, general instructional materials (including video tapes), novel machines, devices, compositions of matter (compounds, mixtures, genetically engineered cells, plants or animals), genetic forms, mask works, production processes, production methods, plant varieties, etc. Inventions will be considered as having been developed in the course of employment, study, research where conception and/ or development is in the individual’s subject area of principal competence in scholarly activities for which the individual of the institute is engaged.
- 3.7. Inventor:** Any person related to the Institute though a relationship which is in the form of a part-time or full-time member of the faculty, permanent or contractual staff, agent or employee, graduate or postgraduate student, doctoral or postdoctoral fellow of the Institute, who is involved, directly or indirectly, in the Invention as defined herein shall be deemed to be the Inventor for the purpose of this document.
- 3.8. Contributors:** Individuals or copyright owner submitting the contribution of all original works including but not limited to such as industrial and architectural designs, models, engineering drawings, integrated circuit layout designs; computer software, animations and visualizations, information technology products and processes including hardware and software features, original innovative or creative or artistic works and their derivatives or adaptations, whether dramatic, musical, literary works, works of graphic or plastic art and cinematographic and animated films, teaching material for classroom and online courses such as courseware for distance education, original data and records of research, and undisclosed and/or unpublished information, etc.

3.9. Work for Hire: Work for hire is defined for the purpose of this document as any work commissioned by the Institute. The ownership of the resulting intellectual property shall be assigned to the Institute through a written contract between the concerned parties.

4. IP MANAGEMENT PERSONNEL

4.1. IP Coordinator: Director NIT Meghalaya shall appoint a member of the faculty as IP-Coordinator who will be responsible for day-to-day administration of IPR issues and shall work under the guidance of the Dean (R&C). He will serve as the member-secretary of the Intellectual Property Committee. The IP Coordinator will be responsible for development and protection of intellectual properties of NIT Meghalaya and find avenues for possible commercialization. He has to ensure the use of licensed software and fair and just treatment of others' intellectual property by the Institute and its members.

4.2. Intellectual Property Committee (IPC): Director NIT Meghalaya shall appoint an Intellectual Property Committee (IPC) to help administer intellectual property and to make suitable recommendations to the Director for implementation. Dean (R&C) will serve as the Chairman, and IP Coordinator shall serve as the Secretary of the IPC. In addition to Dean (R & C) and IP Coordinator, the Director will nominate few more members and the number of the members should be in odd number from among the faculty of the Institute. The tenure of IPC shall be two years.

4.3. The IPC will assist various departments and centers of the Institute in all matters relating to intellectual property. It will help various departments to secure protection for intellectual property where appropriate. It will maintain central databases and files of patent applications, issued patents, trademarks and copyrights, licenses and agreements, coordinate with various departments in negotiating and preparing license and other agreements, review and approve all agreements relating to intellectual property. It will review causes of possible infringements on the Institute's intellectual property and take action as deemed necessary.

The legal interests of the Institute and its staff, faculty and students in any intellectual property, except traditional scholarly works, shall be determined by the IPC in accordance with the policy enumerated under items.

5. POLICY

5.1. General Policy

5.1.1. The intellectual property policy shall apply to all persons employed by NIT Meghalaya – full-

time and part-time faculty, visiting faculty, scientists employed by NIT Meghalaya, as well as technical and administrative staff. It also applies to undergraduate, postgraduate and doctoral students as well as postdoctoral fellows and visiting scientists.

- 5.1.2.** This policy shall apply to all kinds of intellectual property (including, but not limited to, any invention, discovery, trademark, copyright, trade secret, technology, scientific or technological development, research data and computer software) regardless of whether the intellectual property is subject to protection under patent, trademark, copyright, or any other law. The institute will encourage and recognize the inventor of intellectual property and protect the ownership for the creators.
- 5.1.3.** The Institute will work towards protection through legal means of all creations of scholarly and educational materials, inventions, products, processes, art works, musical compositions and dramatic and non-dramatic literary works related to the author's academic or professional field, regardless of the medium of expression. All such intellectual property shall be jointly owned by the inventor/author and NIT Meghalaya.
- 5.1.4.** NIT Meghalaya shall have sole ownership of all intellectual property created by an employee who was hired specifically to work on a target product or process (or other intellectual property) or was commissioned by the institute or a component of the institute for the specific objective leading to creation of the intellectual property. The institute will assert its ownership of all intellectual property developed/invented/created by the outside agencies commissioned by the Institute for the specific purpose.
- 5.1.5.** The intellectual property generated from research projects sponsored by government/ non-government agencies will be owned by the creator(s), the Principal Investigator or Chief Consultant, the Institute and the sponsoring agency. The sponsoring agency will bear 50% of the protection cost or forgo the rights to the intellectual property. In case the project was accepted by the Institute under terms different from that stated herein, the terms agreed to shall prevail.

5.2. Intellectual Property Rights and Obligations

- 5.2.1.** Intellectual property generated by a full-time employee or a full-time student of the Institute is the joint property of the inventor and the Institute whether Institute resources are used or not. If an Institute employee or a full-time student creates intellectual property while working in another organization, it will be jointly owned by the creator, NIT Meghalaya and the host institution or on the terms so agreed. In case of part-time employees or students or visiting professionals, intellectual property generated by use of Institute facilities and/or support only come under joint ownership of the Institute and the inventor.

5.2.2. Any of the employee (part time or full time)/student/Research Associate/Research Assistant/Fellow (Doctoral/Post-Doctoral)/Hired Employee (For specific work) develop/invent/created any Intellectual Property then first disclose before the I.P.C before disclosing to any outside agency (before publishing publicly). The I.P.C is the sole authority to determine whether the developed/invented/created Intellectual Property(s) is/are required any protection under the appropriate laws.

5.2.3. When a request from the inventor is received, the IPC shall decide how, when, and where the intellectual property is to be protected. It will proceed either through its own efforts or through those of an appropriate Government or private firm or attorney to obtain protection and manage the intellectual property. Outside counsel services may be contracted with the consent of the Director. If the IPC does not find the property appropriate for protection by the Institute, the inventor becomes the sole owner of the property and is at liberty to apply for protection under national laws. NIT Meghalaya will issue a letter foregoing its claim to the property in future.

A decision by the institute to seek patent or other available protection for intellectual property shall not obligate NIT Meghalaya to pursue such protection internationally. The institute's decision relating to the geographical scope and duration of such protection shall be final. If the inventor intends to seek protection internationally or through Patent Cooperation Treaty (PCT) application, the institute will permit the inventor to proceed on his own or with the help of other individuals or agencies. However, in case of joint-ownership, permission will be required from all owner.

5.3 Royalty Income Sharing

5.3.1 In case the Institute succeeds in commercialization of intellectual property for the creator and licenses rights to third parties in consultation with the creator(s), the revenue generated through royalty payments will be equitably shared among the creators and the Institute.

Inventor(s) – 60%

Institute – 40%

In case of multiple inventors of an IP, all the inventors will decide among themselves how to share the proceeds of an intellectual property. If they fail to arrive at a consensus, the IPC will analyze all available information and make a recommendation to the Director. The decision of the Director shall be binding and final.

If there are other legitimate claimants to the IP, they will be grouped either under “inventors” or “Institute”. While sponsoring or supporting organization will get their share of the proceeds from “Institute” share, individuals (including visiting professionals) who contributed to the

invention will receive their share from that of the inventors.

5.4 Ownership of Intellectual Property in Certain Circumstances

5.4.1 Where research has been sponsored by a private industry/ foundation or government agency and no prior agreement exists on sharing of intellectual property, licensing of patents shall be negotiated between the sponsor and NIT Meghalaya.

5.4.2 The intellectual property policies and guidelines of NIT Meghalaya are subject to, and thus amended and superseded by the specific terms pertaining to intellectual property rights included in Central or State grants and contracts, or grants and contracts with NGO's or private sponsors.

5.4.3 If the intellectual property has been generated as a work-for-hire, the employee or agency will retain the moral right to be identified as the inventor/creator of the intellectual property but right of commercialization rests only with NIT Meghalaya.

5.5 Ownership of Intellectual Property Generated by students

5.5.1 The student and his/her supervisor(s) will jointly have the ownership of copyright in the thesis / dissertation / project report written by a student, which he or she submits as partial fulfillment of the requirements for an academic degree.

However, the student will grant a non-exclusive, non-transferable royalty-free license to the institute to use, in the course of non-commercial academic activity, the records and data generated in the course of his research. Furthermore, it is possible that the research that the student carries out as part of the program of study may result in the generation of intellectual property other than the text of the thesis. Supervisors should advise students during the course of their work that certain kind of research may lead to the generation/invention of intellectual property which will require protection of its commercial value through confidentiality, for which the student will have to forgo publication during the period of sealing of a patent. Care should be taken at all stages to see that no conflict of interest arises between the student's academic activities and his or her generation of intellectual property. The copyright of the thesis in which this intellectual property is described or outlined will remain with the student while the institute will restrict access to the thesis for a limited period depending on commercial value as decided by the IPC. The institute will try to obtain a patent for the invention on behalf of the student and benefit-sharing mechanism will be abided by as proposed in section 5.3.1.

If a student is employed to assist in execution of a sponsored project or programme, the intellectual property rights originating from his contribution to the project will be governed by the terms of the contract between the institute and the sponsoring agency.

5.5.3 If the intellectual property has been generated as a work-for-hire, the student will retain the moral right to be identified as the creator of the intellectual property, but right of commercialization rests with the Institute.

5.6 Disclosure and Confidentiality.

5.6.1 At an appropriate stage in the development of an invention, the inventor shall make a written disclosure of the concepts to the IPC, providing all such particulars as are vital to judge its commercial prospects. The IPC shall promptly acknowledge, in writing, its receipt of the disclosure and the date of receipt. The inventor shall send one copy of his proposed manuscript, prior to submission of thesis, to the IPC.

5.6.2 All the departments in the Institute will be bound by the non-disclosure and confidentiality terms to be clearly spelled in a separate document. Each department is under obligation to file their R&D manuscripts, if any, on time to time basis, with the IPC. It is expressly understood by the departments that any information which relates to any Invention should be treated as Intellectual Property and therefore is not to be divulged without the prior consent of the IPC.

5.6.3 The Inventor who has communicated with the IPC under Clause 5.6.1 shall refrain from publishing, reading, dissipating, circulating or disclosing the conception in any form whatsoever, since non-disclosure is one of the most important qualifications for intellectual property protection. The inventor may disclose such conception, upon a prior written permission from the IPC, once an application for a patent, trademark or copyright or design has been made on the conditions described herein and the commercial rights in the conception are secured to the Institute.

5.7 Commercialization.

5.7.1 For purposes of protection and commercialization of intellectual property on behalf of the Institute, patent, trademark or copyright coverage may be sought, or the property may be treated as proprietary information, technical know-how, or trade secret.

5.7.2 As mentioned in 5.2.2 the I.P.C is the sole authority to determine whether the Institute has a legal interest in the commercialization of the Intellectual Property. However, the Institute is not legally bound to accept all recommendation for commercialized of each intellectual property . It shall be in the sole discretion of the Director on advice of the IPC to determine commercialization of the property. The inventor(s) cannot claim commercialization right even after decision taken by the IPC.

5.7.3 Subject to any associated agreement and with appropriate approval from the sponsor, Institute may waive its rights to specified intellectual property in favor of the inventor so as to enable the inventor to seek funding or other support for the purpose of commercialization, or the Institute assessment doesn't favor IP protection. Such waiver of ownership in favor of the inventor(s) can be considered- (a) if it is established that such ownership of the inventor would be essential to enable dissemination of benefits of the invention to the society, or (b) if Institute decides not to pursue the protection of IP within a period of six months of complete disclosure by the inventor to the Institute. The decision to pursue or not to pursue should be communicated to the inventor within a period of three months of complete disclosure by the inventor to the Institute. In all cases, unless explicitly agreed to, the Institute shall normally retain a perpetual, royalty- free license to use the intellectual property and any corresponding IP for research and educational purposes.

5.7.4 In seeking and developing commercialization of intellectual property, the Institute shall be guided by the following principles:

- (a) A primary objective and responsibility of the Institute shall be to assure that the products of its intellectual activity are brought into the widest possible use for the general benefit of society.
- (b) Intellectual property should be treated as an asset and an appropriate return should be sought.
- (c) Active participation of the inventor in all commercialization efforts shall be sought.

5.8 Electronic and Distance Education Materials

All original works submitted by the contributors for the purpose of electronic and/or distance education course development shall remain the property of the concerned contributors and the Institute.

5.8.1 The Institute has the right to use the course (including all related materials) developed by the faculty member and/or other employees involved in the development of a distance learning and/or e-learning course for the Institute's own educational, research, and other purposes without any additional compensation to the faculty member or any other employee who is an author of the course. Academic departments determine which courses will be offered and who will teach these courses.

5.8.2 If the course and/or related materials are licensed, sold, or otherwise conveyed to a third party, the personnel receive specific compensation, the inventor of the courseware is entitled to a fair share of the proceeds, the exact amount being determined by the IPC.

5.8.3 As to revisions and updates of a distance learning course, the faculty member(s) or other employee(s) who are the authors of the course will have the primary responsibility for revising and updating the course and related materials as long as he/she/they are employed by the Institute. If a faculty member (or other employee) who is an author is no longer employed by the Institute or is unable to revise and update the course as needed (as determined by the department), the material may be revised and updated by other Institute faculty members and other employees.

5.8.4 While developing the instruction materials in educational multimedia, digital imaging, and distance learning mode, faculty members are advised to avoid copyright infringement.

5.9 Implementation of Intellectual Property Policies.

5.9.1 The IPC shall prepare and distribute to the various departments copies of this document and other recommendations as may be considered appropriate for the implementation of the provisions of intellectual property policies and guidelines adopted by NIT Meghalaya.

5.9.2 The policies set forth herein constitute an understanding which is binding on Institute faculty, staff, and students as a condition of their participation in Institute research, teaching, and service programmes.

6. Procedures for Management of Intellectual Property

6.1 Creating IP Awareness

The IPC will take a proactive approach for generation and protection of intellectual property in the Institute. The committee shall identify all intellectual property developed in the Institute through review of UG, PG and doctoral projects, inviting ideas from students and faculty, and by all other means of collecting information. If it judges that there is a reasonable chance for successful commercialization of an invention, it shall (1) advise the inventor on the steps to be taken for protecting the ownership rights to the property, and (2) refer the matter to the Director with clear recommendations for appropriate course of action on the part of the Institute. On persuasion of the IPC, or on his own initiative, the inventor(s) will place a formal proposal before the IPC with details of the invention or other IP product. The IPC will examine the proposal taking help of internal or external experts, if necessary. The inventor(s) may be required to make a demonstration of the product or process, or give a presentation before the Committee.

In some instances, the IPC may find that an invention has not been developed to an extent where a decision can be made on patentability or commercialization. In such cases, it will request the inventor to provide additional information or data that might help in making a decision, or advise the inventor to report back to the IPC after the discovery is brought to a more advanced stage.

In close consultation and collaboration with the inventor, the IPC shall determine the appropriate method of protection of the property and, where appropriate, obtain such protection. The process for licensing, selling, or otherwise conveying intellectual property will not involve the use of sealed bids. All costs associated with these actions shall be borne by the Institute, except that such costs shall be offset against future income. When a technology or other invention or intellectual property is commercialized, the net income from such commercialization will be distributed among the inventor(s), the Institute and other stake holders. The IPC will guide the Institute on the distribution formula.

IPC in coordination with Deputy/Assistant Registrar (Admin) will ensure that every faculty member/technical staff signs the undertaking form no. NITMGH/IP/1 at the time of joining.

- At the time of registration for Autumn Semester, each student must sign and submit a declaration in form no. NITMGH/IP/3 to IP Coordinator.
- All departments will provide financial support in a fruitful means to all student projects with possible commercial outcome.
- The institute will provide additional funds with higher outlay for project works with a commercial potential, wherever necessary.
- The IPC will bring out brochures/newsletters and make necessary announcements in various media for creating awareness among academic community in regards to advancements on technology, patentable and commercial technologies, IP laws and amendments and legal aspects related to IP.
- The IPC will conduct seminars, workshops, talks by eminent scientists and practitioners on IP related issues, and shall organize student groups to create greater participation.
- At the time of submission of thesis, each student must sign and submit a declaration in form no. NITMGH/IP/4 to IP Coordinator.

6.1 Proposals for patent application

6.2.1 Faculty members, technical staff and students interested to protect their intellectual creations under IP law of the land may apply to IP Coordinator using the Invention and Technology Disclosure Form (Form No. NITMGH/IP/5).

6.2.2 IP Coordinator will draw the attention of IPC members in a meeting for evaluating the IP substance for possible protection within two weeks. If the members agree to file for protection, the IPC will approach appropriate Government, private and legal entities to go forward with protection of the IP with due recommendation from Director.

6.2.3 The expenditures for protection of IP substance will be borne by the Institute from its non-plan “administrative expenses” head.

6.2.4 If the IP substance is not fully developed for possible protection, IPC will guide the inventors where to improve it. IPC may also give guidance on drafting the Patent forms etc. even with provisional specifications.

6.2.5 The Institute shall bear all the charges for patent search while filling up the patent form.

6.2.6 If the patent is granted, it becomes the joint property of the inventor and the Institute.

6.2.7 The Institute has the prerogative of finding a suitable partner for commercialization of the patents for first two years from the date of grant of the patent.

6.2.8 After two years, the inventor may choose a suitable partner for commercialization of intellectual property created by him/her. However, benefit sharing mechanism will be adhered to as per Clause no. 5.3.1. The inventor, before going for technology transfer on his own, must seek the permission of IPC. The IPC should strive to dispose of the matter within two weeks.

6.3 Archiving theses containing Intellectual Property with commercial potential

6.3.1 Theses submitted by the students may have potential IP substance. It should be protected and commercialized for greater interest of humanity. Therefore, the students must come forward and the supervisors must motivate the students to work on patentable technologies. The student submitting a thesis must give a declaration in the Form no. NITMGH/IP/4.

6.3.2 The IPC will examine all the theses and find the suitability of protection of IP created by the students.

6.3.3 The Institute will also try for potential commercialization when a patent is granted. However, the Institute has the prerogative of commercializing only for the first two years from the date

of grant of patent. The revenue sharing mechanism will be adopted as per Clause 5.3.1.

6.3.4 If the Institute does not show any interest for patenting an invention contained in a thesis, the student may go for protection with formal information to the Institute. In such case, the thesis is protected and not disclosed to anyone for a period of one year after such a request is received from the student but limited to 2 years from the date of submission of the thesis.

6.3.5 All the students at the time of registration for autumn semester (start of project semester) will fill up the
Form no. NITMGH/IP/3 for initiating work on patentable technologies.