

Intellectual Property Policy of Avinashilingam Institute for Home Science and Higher Education for Women, Coimbatore 43

Preface

An institutional IP policy is a formally-adopted document, which:

- clarifies the ownership of and right to use the IP resulting from the institution's own or collaborative R&D activities
- sets out the rules of the institution on how to accurately identify, evaluate, protect and manage IP for its further development, usually through some form of commercialization
- provides a transparent framework for cooperation with third parties and provides guidelines on the sharing of economic benefits arising from the commercialization of IP

Without a formal document regulating the ownership and use of IP rights, the different stakeholders in a university/PRI (professors, researchers, students, visiting researchers, etc.) and commercialization partners (industrial sponsors, consultants, non-profit organizations, SMEs, or governments) would have no guidance on how to make decisions concerning IP.

Various stakeholders contribute in one way or another to the generation and dissemination of innovations, inventions and research findings or teaching materials. Stakeholders each have their own interests and expectations, which are not always fully aligned. (http://www.wipo.int/about-ip/en/universities_research/ip_policies/)

Objectives of IP Policy

- Promote scientific research and technological development
- Encourage researchers to consider the possible opportunities for exploiting an invention so as to increase the potential flow of benefits to society
- Provide an environment that supports and encourages innovation and development
- Protect the legitimate rights of faculty and scholars/students with regard to their intellectual and creative/novel outcomes
- Ensure compliance with applicable national laws and regulations
- To lay down a transparent administration system for the ownership and control of intellectual properties and sharing of revenues

Terminology

Intellectual Property (IP)

Intellectual property refers to creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce.

Intellectual property (IP) is a category of property that includes intangible creations of the human intellect, and primarily encompasses copyrights, patents, and trademarks. It also includes other types of rights, such as trade secrets, publicity rights, moral rights and rights against unfair competition.

Intellectual Property Rights (IPR)

Intellectual property rights are the rights given to persons over the creations of their minds. They usually give the creator an exclusive right over the use of his/her creation for a certain period of time.

Creator/Inventor

Creator means any employee of Avinashilingam Institute for Home Science and Higher Education for Women, Coimbatore who are regular faculty and staff members or in projects and those who are researchers or students who are responsible for the creation/invention of an intellectual property using the facilities/resources of Avinashilingam Institute for Home Science and Higher Education for Women Coimbatore

Resources

Resources means any form of funds, facilities or resources, including equipment, consumables and human resources provided by the Institution either in a direct or indirect way.

Ownership

Ownership in law involves determining who has certain rights and duties over the property.

Patent

A patent is a set of exclusive rights granted by a sovereign state or intergovernmental organization to an inventor or assignee for a limited period of time in exchange for detailed public disclosure of an invention. An invention is a solution to a specific technological problem and is a product or a process.

Copyright

Copyright is a legal right that grants the creator of an original work exclusive right for its use and distribution. This is usually only for a limited time. The exclusive rights are not absolute but

limited by limitations and exceptions to copyright law, including fair use. A major limitation on copyright is that copyright protects only the original expression of ideas, and not the underlying ideas themselves.

Trademark

A trademark, trade mark, or trade-mark is a recognizable sign, design, or expression which identifies products or services of a particular source from those of others, although trademarks used to identify services are usually called service marks.

Geographical Indicators

A geographical indication (GI) is a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin. In order to function as a GI, a sign must identify a product as originating in a given place.

Intellectual Property Policy of Avinashilingam Institute for Home Science and Higher Education for Women, Coimbatore

- Avinashilingam Institute for Home Science and Higher Education for Women, Coimbatore shall be the owner of all the intellectual property-inventions, products, processes and software designs created by the creators/inventor
- Avinashilingam Institute for Home Science and Higher Education for Women, Coimbatore shall be the owner of all copyright work including software and teaching material designed creators/inventor
- An Inventor includes the contributing faculty/research scholars/students who have created the IP and who have used the resources of the Avinashilingam Institute for Home Science and Higher Education for Women for the purpose
- An inventor of Avinashilingam Institute for Home Science and Higher Education for Women applying for intellectual property rights should seek due administrative permission and submit the application in the name of the Institution with the Registrar as the Applicant
- The application for IPR will be assessed by a team of experts for its innovativeness/novelty prior to submission to the Patent Office
- If an intellectual property has emerged as a result of an Institutional/Industrial consultancy, sponsored to Avinashilingam Institute for Home Science and Higher Education for Women, Coimbatore, the concerned industry and Avinashilingam Institute for Home Science and Higher Education for Women, Coimbatore shall own the IP.
- For those IP that are covered under specific MoU's the action shall be carried out as per the provisions of the MoU's.

- If the IP is the outcome of funds sponsored by an outside agency, then the IP will be shared between Avinashilingam Institute for Home Science and Higher Education for Women, Coimbatore and the sponsoring agency on case by case basis, as per MoU/Agreement/Undertaking between Avinashilingam Institute for Home Science and Higher Education for Women, Coimbatore and the outside agency.
- Revenue Sharing: Revenue generated by commercial exploitation of IP owned by the Institution will be shared on 50-50 basis. Fifty percent of the total revenue accrued shall be credited to the creators and fifty percent shall be credited to the Institution