INTELLECTUAL PROPERTY RIGHTS (IPR) POLICY

March 2025

Krantiguru Shyamji Krishna Verma Kachchh University, Mundra Road, Bhuj – 01, Kachchh-Gujarat, India

A State University established under Act No.5, 2003 By Government of Gujrat.

The IPR policy of KSKV Kachchh University is made inline with 2016 IPR policy of our country and also as per the changes made in the Global Perspectives.

1. PREFACE

Education is the basic requirement for the development of any region. The Govt. of Gujarat has taken a commendable decision to provide a separate University for the region of Kachchh to fulfill the demand of the people of Kachchh. The Krantiguru Shyamji Krishna Verma Kachchh University Act was published in the Govt. Gazette in March 2003.

All the ten colleges of Kachchh district previously affiliated to the Gujarat University, with the Notification No: GH/SH/5/KUG-2104-1648-Kh of Gujarat State affiliated to Kachchh University on 22-June-2004.

The eminent leader Shyamji Krishna Verma of Mandvi, Kachchh motivated the independence movement from outside India, whose name is being given to this University and now the University is known as "The Krantiguru Shyamji Krishna Verma Kachchh University".

The foundation stone was laid by Shri Narendra Modi Hon'ble Chief Minister Gujarat State for starting the construction work of Kachchh University Campus on Dt. 24/9/2004. The Construction work for the administrative blocks, four faculty blocks, Library, Computer Building, Guest House, Boys & Girls Hostel, with the budget estimates 35 crores funded by Gujarat State is going on the campus. The Krantiguru Shyamji Krishna Verma Kachchh University has started its administrative and academic activity at new developing campus from academic the year 2007-08.

University started with 10 colleges in 2004 having 28 colleges with more than 15000 students and nearly 200 teachers working in the faculties of Arts, Commerce, Science, Education, Law, Technology including Engineering and Pharmacy. The University is providing higher education as par with any other university of the state and India.

This Intellectual Property Rights (IPR) policy provides a comprehensive framework for the management, protection, and commercialization of intellectual property generated by faculty, staff, students, and collaborators at Krantiguru Shyamji Krishna Verma Kachchh University (hereinafter referred to as "the University"). This policy aims to foster innovation, safeguard intellectual property, ensure equitable distribution of benefits, and comply with applicable laws and regulations.

2. OBJECTIVES

The primary goal of this document is to explicitly light up the IPR policies and related administrative procedures followed by the University so that

a) **It Promotes the Creation of New Knowledge and Innovative Technologies** by fostering a culture that encourages faculty, staff, and students to engage in innovative and creative activities, provide resources and support to facilitate the generation of new ideas and technologies and recognize and reward innovative contributions through awards, incentives, and other forms of acknowledgment.

b) **It Protect the Intellectual Property Generated at the University by** ensuring that all intellectual property created within the University is adequately protected under relevant IP laws, preventing unauthorized use and exploitation, increasing awareness about the importance of IP protection among faculty, staff, and students through training and workshops and implementing robust processes for documenting, monitoring, and securing IP to prevent infringement and misappropriation.

c) **It Facilitates the Commercialization and Transfer of Technology** by evaluating the commercial potential of IP and identifying opportunities for technology transfer and commercialization, Building and maintaining relationships with industry partners, investors, and other stakeholders to facilitate the commercialization process and by generating revenue through licensing, sales, and other commercialization strategies, which can be reinvested into further research and development.

d) **It Provides Incentives and Recognition to Inventors and Creators** by establishing a transparent revenue-sharing mechanism that rewards inventors and creators for their contributions, recognizing IP achievements as part of the criteria for promotions, tenure, and other career advancement opportunities, and proving financial incentives such as bonuses, royalties, and grants to encourage ongoing innovation and creativity.

e) **It Enhances Collaborations with Industry and Other Institutions** by providing collaborative research projects that involve joint IP development with industry and other academic institutions, attracting funding from industry partners and government agencies by demonstrating a robust IP management framework and facilitating the exchange of knowledge and technology between the University and external partners, enhancing the institution's research capabilities.

f) **It can Ensure Compliance with National and International IP Laws and Regulations** by ensuring that all IP-related activities comply with national IP laws, such as the Patents Act, Copyright Act, and Trademark Act and also Align with international IP treaties and conventions, such as the TRIPS Agreement, to protect IP on a global scale while maintaining high ethical standards in all IP-related activities, ensuring fairness, transparency, and respect for the rights of all stakeholders.

g) **It Optimizes the Use of University** by ensuring effective and efficient allocation of resources for IP protection, management, and commercialization, developing and maintaining the necessary infrastructure, such as laboratories and technology transfer offices, to support IP activities and by investing in training and development programs to equip faculty, staff, and students with the skills needed for effective IP management.

h) **It Minimizes Conflicts and Disputes Related to IP by providing** clear guidelines on IP ownership, rights, and responsibilities to minimize conflicts among stakeholders, establishing fair and transparent mechanism for resolving IP-related disputes, ensuring timely and equitable outcomes and by fostering open communication among all parties involved in IP generation and management to prevent misunderstandings and conflicts.

i) **It Enhances the University's Reputation and Credibility** by strengthening the University's reputation as a leading institution for research and innovation by demonstrating a commitment to IP protection and commercialization, building credibility with external partners, funding agencies, and the broader academic community by adhering to best practices in IP management and by engaging with the public and industry to showcase the University's IP achievements and their impact on society and the economy.

Krantiguru Shyamji Krishna Verma Kachchh University aims to create a dynamic and supportive environment for innovation and intellectual property management, ultimately contributing to the advancement of knowledge and technology for the benefit of society.

3. DEFINITIONS

1) **Intellectual Property (IP)**: Intellectual Property refers to creations of the mind, such as inventions, literary and artistic works, designs, symbols, names, and images used in commerce. It has several categories-
   a) **Patents**: Legal rights granted for new inventions, providing exclusive rights to make, use, and sell the invention for a specified period.
   b) **Trademarks**: Symbols, logos, words, or phrases legally registered or established by use as representing a company or product.
   c) **Copyrights**: Legal rights protecting original works of authorship, such as literature, music, and art, giving the creator exclusive rights to use and distribute the work.
   d) **Design Rights**: Protection for the visual design of objects that are not purely utilitarian, including industrial designs and fashion designs.
   e) **Trade Secrets**: Information that is not generally known or reasonably ascertainable, by which a business can obtain an economic advantage over competitors or customers.
2) **Inventor/Creator**: Any individual or group of individuals who contribute to the creation of intellectual property. There are various roles which an individual can play:
   a) **Faculty**: Professors, lecturers, and other teaching staff involved in research and creative activities.
   b) **Students**: Individuals enrolled in undergraduate, postgraduate, or doctoral programs who generate IP as part of their academic work.
   c) **Staff**: Non-teaching employees of the University who contribute to the creation of IP through their professional activities.
   d) **Collaborators**: External partners who contribute to IP generation through joint research or projects with the University.
   e) **Principal Inventor**: The group leader or the person who have conceptualize the innovation and design the project.
3) **IPR Cell**: It is the dedicated office within the University responsible for overseeing all IP-related activities. It performs various functions like assessing the novelty, utility, and commercial potential of disclosed IP, managing the legal processes for securing IP rights, such as filing patents and registering trademarks, developing strategies for bringing IP to market, including licensing and partnerships and providing guidance and resources to

inventors/creators for IP management and protection. The member secretory of the IPR cell will manage the IPR related activities.

There will be two types of members in IPR Cell 1. Regular Members 2. Invited Members

"**Regular Members**" of the committee will be involved for all IPR cell related activities as stated in the policy herewith to develop effective IPR ecosystem of the KSKV Kachchh University.

"**Invited Members**" of the IPR cell and will be invited to meetings related to specific subjects concerning the respective faculty/discipline.

4) **Technology Transfer**: It refers to the process of transferring knowledge, technologies, or methodologies developed within the University to external entities for commercialization or further development. Mechanisms involved in technology transfer include:
   a) **Licensing**: Granting rights to external entities to use University-owned IP under defined conditions.
   b) **Spin-offs**: Creating new companies based on technologies developed at the University.
   c) **Collaborative Research**: Partnering with industry or other institutions to further develop and commercialize IP.
5) **Licensing Agreements**: These are Legal contracts granting permission to use IP under specific conditions, usually in exchange for financial or other considerations. There are different types of Licensing agreements, which are as follows:
   a) **Exclusive License**: Grants the licensee exclusive rights to use the IP, typically within a specified territory or field of use.
   b) **Non-exclusive License**: Allows multiple licensees to use the same IP, either simultaneously or within different territories/fields.
   c) **Sub-license**: Permits the licensee to grant sub-licenses to third parties under the terms of the original license.
   d) **Cross-license**: An agreement between two or more parties to grant mutual licenses to their respective IP.
6) **Revenue Sharing**: It is the distribution of income generated from the commercialization of IP among the stakeholders involved in its creation and management. The model includes:
   a) **Inventor(s)**: A specified percentage of the revenue is allocated to the individual(s) who created the IP.

60 % of total revenue generated will be distributed among the inventors. Our of which **60%** given to Principal Inventor (PI) and rest will be distributed equally among all other inventors. The share given is as a token of appreciation/incentive to the inventors. Such incentive will further lead them to do better research which is translational in nature.

b) **Department**: A portion of the revenue is shared with the department or research group that supported the IP creation. **30 %** of total revenue generated will be given to concern department. The money shall be used for encouraging the research activities.

c) **University**: The remaining revenue is retained by the University for reinvestment into research and development activities. **10 %** of total revenue generated will be given to the university. The money shall be used for encouraging the research activities, IPR cell activities and also may be distributed to obligatory funding agency.

7) **Confidentiality Agreement**: It is a legal contract ensuring that information shared between parties is kept confidential and not disclosed to unauthorized individuals or entities. It safeguards sensitive information related to IP during collaborations, licensing negotiations, and other interactions and establishes trust between parties by ensuring that proprietary information is handled securely.

8) **Conflict of Interest:** A situation where an individual's personal interests might interfere with their professional responsibilities or decisions related to IP. For management of such a situation, individuals must disclose any potential conflicts of interest to the IPR Cell. Steps will be taken to manage and mitigate conflicts to ensure fair and unbiased decision-making.

9) **Patent**: A form of IP protection granting the inventor exclusive rights to an invention, typically for 20 years from the filing date. The criteria for a patent are as follows-

a) **Novelty**: The invention must be new and not previously known.

b) **Non-obviousness**: The invention must not be obvious to someone with knowledge and experience in the subject area.

c) **Utility**: The invention must be useful and have practical application.

10) **Copyright**: Protection granted to creators of original works of authorship, such as literature, music, and art, giving them exclusive rights to use and distribute their works. Generally lasts for the life of the author plus 60 years.

11) **Trade Secret**: Information that is valuable due to its secrecy and is subject to efforts to maintain its confidentiality. Examples of trade secrets are formulas, practices, processes, designs, instruments, patterns, or compilations of information.

4. SCOPE AND APPLICABILITY

This policy applies to all faculty, staff, students, and collaborators associated with the University, including those involved in research projects, consultancy services, and other IP-generating activities.

1) Scope

The scope of this Intellectual Property Rights (IPR) policy encompasses all intellectual property created within the context of the University's activities. This includes but is not limited to:

a) **Research and Development**: Intellectual property generated from research projects, whether funded internally or externally.

b) **Academic Work**: Innovations and creations resulting from teaching and learning activities, including theses, dissertations, and student projects.

c) **Collaborative Projects**: IP developed in partnership with external organizations, including other academic institutions, industry partners, and government bodies.

d) **Consultancy Services**: Intellectual property arising from consultancy and advisory services provided by University staff to external clients.

e) **Incubation and Entrepreneurship**: Innovations and technologies developed within the University's incubation centers and entrepreneurial initiatives.

2) Applicability

This policy applies to all individuals and groups associated with the University, including:

a) **Faculty**: All teaching and research staff, including full-time, part-time, adjunct, and visiting faculty members.

b) **Students**: Individuals enrolled in undergraduate, postgraduate, and doctoral programs, including those involved in research and innovation activities.

c) **Staff**: Non-teaching employees who contribute to the creation and management of intellectual property.

d) **Collaborators**: External partners, including researchers, organizations, and institutions that engage in joint research and development projects with the University.

e) **Visiting Scholars**: Researchers and academics from other institutions who are temporarily affiliated with the University and engage in IP-generating activities.

f) **Interns and Fellows**: Individuals working on research projects or internships at the University, including postdoctoral fellows and research assistants.

3) Activities Covered

The policy covers all activities that may lead to the creation of intellectual property, such as:

a) **Innovative Research**: Activities aimed at discovering new knowledge, techniques, processes, and products.

b) **Creative Works**: Production of artistic and literary works, including books, articles, music, and digital media.

c) **Technological Development**: Design and development of new technologies, software, and hardware.

d) **Product Development**: Creation of new products and processes that have potential commercial value.

e) **Educational Materials**: Development of teaching aids, instructional materials, and curriculum resources.

f) **Consultancy and Advisory**: Provision of expert advice and services to external clients, leading to the generation of IP.

4) Use of University Resources

The policy applies to IP created using University resources, which include but are not limited to:

a) **Facilities and Equipment**: Use of laboratories, research centers, libraries, and specialized equipment.

b) **Funding**: Financial support provided by the University, including grants, scholarships, and research funding.

c) **Administrative Support**: Use of University administrative services, including project management and legal support.

d) **Intellectual Environment**: The collaborative and intellectual environment provided by the University, fostering creativity and innovation.

5) Exclusions

The policy does not apply to:

a) **Independent Work**: IP created without significant use of University resources and outside the scope of employment or enrollment at the University.

b) **Personal Projects**: Innovations and creations developed by individuals on their own time and with their own resources, without any involvement of the University.

c) **Third-Party IP**: Intellectual property owned by third parties that is used or incorporated into University activities under appropriate licenses or agreements.

6) Compliance and Responsibilities

a) **Faculty and Staff**: Responsible for understanding and complying with the IPR policy, disclosing IP to the IPR Cell, and collaborating with the University in protecting and commercializing IP.

b) **Students**: Required to adhere to the policy when engaging in research and creative activities, and to disclose any IP generated as part of their academic work.

c) **Collaborators**: Must comply with the terms of agreements governing joint research and IP ownership, and work with the IPR Cell to ensure proper management of IP.

d) **IPR Cell**: Tasked with implementing the policy, providing support and guidance, and ensuring that all IP-related activities comply with legal and regulatory requirements.

5. OWNERSHIP OF IP

1) General Principles

a) **University Ownership**: Intellectual property (IP) created by faculty, staff, or students using significant University resources or as part of their employment or academic responsibilities is generally owned by the University. This includes IP developed through research projects, teaching activities, or any other work conducted within the scope of their association with the University.

b) **Creator Ownership**: In some cases, the creator(s) of the IP may own the IP, particularly when it is created without significant use of University resources and outside the scope of their employment or academic responsibilities.

c) In case any person being the employee/student/any research scholar/researcher of the university using university resources, registers any kind of intellectual property rights in his/her name or in any other manner which is detrimental to the interest of the university, shall be held responsible for all the legal consequences and such act shall be treated as punishable offense.

2) Faculty

a) **Employment Scope**: IP created by faculty members as part of their teaching, research, or administrative duties is owned by the University. This includes inventions, scholarly works, and educational materials developed using University resources.

b) **Independent Work**: Faculty members may own IP created independently of their University duties and without significant use of University resources. However, they must disclose such IP to the IPR Cell to determine ownership and potential conflicts of interest.

3) Students

a) **Academic Work**: IP generated by students as part of their coursework, research projects, theses, or dissertations is typically owned by the University, especially when significant University resources are used.

b) **Collaborative Projects**: When students participate in collaborative projects involving faculty or external partners, the ownership of IP will be determined based on the terms of the collaboration agreement.

c) **Personal Projects**: IP created by students independently and without significant use of University resources is owned by the students. Disclosure to the IPR Cell is still encouraged to verify the ownership status.

4) Staff

a) **Employment Scope**: IP created by staff members as part of their employment duties and using University resources is owned by the University. This includes innovations, technical solutions, and other creative works developed within the scope of their employment.

b) **Independent Work**: Staff members may own IP created independently of their employment duties and without significant use of University resources, subject to disclosure to the IPR Cell.

5) Collaborators and Visiting Scholars

a) **Joint Ownership**: IP developed in collaboration with external partners, including other academic institutions, industry, and government agencies, may be jointly owned by the University and the collaborators, based on the terms of the collaboration agreement.

b) **Visiting Scholars**: Visiting scholars must disclose any IP created during their tenure at the University. Ownership will be determined based on the use of University resources and the terms of their engagement.

6) Sponsored Research

a) **Funding Agreements**: IP generated from research funded by external sponsors (government, industry, or other organizations) will be owned as specified in the funding agreements. Typically, the University retains ownership, with certain usage rights granted to the sponsor.

b) **Government-Funded Research**: IP resulting from government-funded research projects may be subject to specific regulations and policies governing ownership, usage, and commercialization.

7) Intellectual Property Developed in Incubation Centers

a) **Start-ups and Spin-offs**: IP developed within the University's incubation centers or by start-ups and spin-offs will be owned according to the agreements established between the University and the respective entities. Typically, the University may retain an equity stake or other rights in the IP.

8) Revenue Sharing

a) **Distribution**: Revenue generated from the commercialization of University-owned IP will be shared among the creators, their departments, and the University according to a predefined formula (Topic 3. Sub-topic 6). This formula will be detailed in the IPR policy and aims to reward creators while supporting further research and innovation.

b) **Incentives**: The University will provide financial and non-financial incentives to encourage IP creation and commercialization. This may include a share of licensing income, bonuses, and recognition awards.

9) Disclosure and Assignment

a) **Mandatory Disclosure**: All faculty, staff, students, and collaborators must disclose any potential IP to the IPR Cell as soon as it is created. This ensures proper evaluation, protection, and management of the IP.

b) **Assignment**: Creators of IP that is owned by the University will be required to assign their rights to the University, formalizing the transfer of ownership. This assignment will be executed through standard agreements provided by the IPR Cell.

10) Conflict Resolution

a) **Dispute Resolution**: In case of any disputes regarding IP ownership, the matter will be referred to the IPR Cell. If necessary, an independent committee may be formed to resolve the dispute fairly and transparently.

b) **Appeals**: Individuals have the right to appeal decisions related to IP ownership. Appeals will be reviewed by a higher authority within the University, ensuring an unbiased and thorough examination of the case.

6. DISCLOSURE AND REPORTING

1) Importance of Disclosure

a) **Timely Identification**: Prompt disclosure of intellectual property (IP) is essential for identifying, protecting, and managing innovations and creations effectively.

b) **Legal Protection**: Early disclosure helps in securing legal protection, such as patents and copyrights, which may have strict timelines and procedural requirements.

c) **Commercialization Opportunities**: Timely reporting facilitates the evaluation of commercialization potential and the development of strategies for bringing IP to market.

2) Who Should Disclose

a) **Faculty**: All teaching and research staff must disclose any IP generated as part of their employment duties or with the use of University resources.

b) **Students**: Undergraduate, postgraduate, and doctoral students must disclose IP created through coursework, research projects, theses, dissertations, and other academic activities.

c) **Staff**: Non-teaching employees involved in creating IP as part of their professional activities must disclose their innovations.

d) **Collaborators and Visiting Scholars**: External partners and visiting scholars engaged in IP-generating activities at the University must disclose any IP developed during their association with the University.

3) What Should Be Disclosed

a) **Inventions**: New and useful processes, machines, compositions of matter, or improvements to existing technologies.

b) **Creative Works**: Original literary, artistic, and musical works, including software, instructional materials, and multimedia products.

c) **Designs**: New and original ornamental designs for articles of manufacture.

d) **Trade Secrets**: Confidential business information, such as formulas, practices, and processes, that provides a competitive advantage.

e) **Any Other IP**: Any other forms of intellectual property as defined by the IPR policy, including trademarks and integrated circuit designs.

4) Disclosure Process

a) **Initial Disclosure**: Creators must submit a written disclosure to the IPR Cell using the standard disclosure form provided by the University. This form should include:

- **Description of the IP**: Detailed explanation of the innovation or creation, including technical specifications, diagrams, and any relevant data.
- **Contributors**: Names and roles of all individuals involved in the creation of the IP.
- **Funding Sources**: Information about any funding or resources used, including grants, sponsorships, and institutional support.
- **Date of Creation**: The date when the IP was conceived or reduced to practice.
- **Prior Art**: Any known existing technologies, works, or prior art related to the IP.
- **Potential Applications**: Possible applications and commercial potential of the IP.
- **Non-Disclosure Agreement (NDA)**: Must be signed before disclosing the IP related work to any of the external agency for protecting the idea.
- Different forms based on type of IPR (as mentioned in section 3 of policy) require, need to fill to disclose the invention for better search of prior art and to create IP related documents.

b) **Evaluation**: Upon receiving the disclosure, the IPR Cell will:

- **Assess Novelty**: Evaluate the novelty and originality of the IP to determine its eligibility for protection.
- **Determine Ownership**: Review the use of University resources and the scope of employment to establish ownership.
- **Assess Commercial Potential**: Analyze the market potential and commercial viability of the IP.

c) **Confidentiality**: The IPR Cell will maintain confidentiality of all disclosures to protect the IP from premature public disclosure and potential loss of rights.

5) Post-Disclosure Actions

a) **Protection Strategy**: Based on the evaluation, the IPR Cell will develop a strategy for protecting the IP, which may include:
   - **Patent Filing**: Preparing and filing patent applications with relevant authorities.
   - **Copyright Registration**: Registering copyrights for eligible creative works.
   - **Trademark Registration**: Securing trademarks for distinctive symbols, logos, or brand names.
   - **Trade Secret Protection**: Implementing measures to protect confidential information as trade secrets.

b) **Commercialization Plan**: The IPR Cell will work with the creators to develop a commercialization plan, which may involve:
   - **Licensing**: Identifying potential licensees and negotiating licensing agreements.
   - **Startup Support**: Assisting in the formation of spin-off companies to bring the IP to market.
   - **Collaborative Ventures**: Partnering with industry or other institutions for further development and commercialization.

6) Ongoing Reporting and Compliance

a) **Progress Reports**: Creators should submit periodic progress reports to the IPR Cell, detailing advancements in the development, protection, and commercialization of the IP.

b) **Record Keeping**: The IPR Cell will maintain comprehensive records of all disclosures, evaluations, protection measures, and commercialization activities.

c) **Compliance Monitoring**: The IPR Cell will monitor compliance with the IPR policy and ensure that all stakeholders adhere to their disclosure and reporting obligations.

7) Incentives and Recognition

a) **Recognition**: Creators who disclose IP in a timely and comprehensive manner will be recognized for their contributions to innovation and knowledge creation.

b) **Incentives**: The University may offer financial incentives, such as a share of licensing revenue or bonuses, to encourage proactive disclosure and engagement in IP activities.

8) Conflict Resolution

a) **Dispute Resolution**: Any disputes related to disclosure, evaluation, or ownership of IP will be addressed by the IPR Cell. If necessary, an independent committee may be formed to resolve the conflict.

b) **Appeals Process**: Creators have the right to appeal decisions made by the IPR Cell. Appeals will be reviewed by a higher authority within the University to ensure fairness and transparency.

7. EVALUATION AND PROTECTION

1) Evaluation Process

The evaluation of disclosed intellectual property (IP) is a crucial step to determine its potential for protection and commercialization. The process involves the following stages:

a) **Initial Review**:

- **Completeness Check**: The IPR Cell reviews the disclosure form to ensure all necessary information has been provided. Incomplete disclosures may be returned to the creators for additional information.
- **Confidentiality Agreement**: To protect the IP, all parties involved in the evaluation process, including external consultants if any, will sign a confidentiality agreement.

b) **Technical Assessment**:

- **Novelty and Originality**: The IPR Cell assesses whether the IP is novel and original, comparing it against existing technologies, publications, and prior art.
- **Technical Merit**: Evaluation of the technical soundness and feasibility of the IP. This may involve input from subject matter experts within the University or external consultants.
- **Documentation Review**: Examination of all supporting documentation, including research data, technical drawings, prototypes, and experimental results.

c) **Market Analysis**:

- **Commercial Potential**: Analysis of the market potential for the IP, including potential applications, target markets, and competitive landscape.
- **Market Needs**: Identification of market needs and how the IP addresses these needs.

- **Economic Viability**: Assessment of the economic viability, including potential costs, benefits, and return on investment.

d) **Legal Assessment**:

- **IP Rights**: Determination of the appropriate type of IP rights (patents, copyrights, trademarks, trade secrets) to protect the innovation.
- **Freedom to Operate**: Analysis to ensure that commercializing the IP will not infringe on existing patents or other IP rights.

2) Protection Strategy

Once the IP has been evaluated, the IPR Cell will develop a comprehensive protection strategy tailored to the specific type of IP:

a) **Patents**:

- **Patentability Search**: Conduct a thorough search to ensure the IP meets the criteria for patentability: novelty, non-obviousness, and industrial applicability.
- **Patent Drafting**: Drafting a detailed patent application that clearly describes the invention and its potential applications. This includes claims that define the scope of the invention.
- **Filing**: Filing the patent application with relevant national or international patent offices. The University may choose to file initially in India and later pursue international protection through mechanisms like the Patent Cooperation Treaty (PCT).

b) **Copyrights**:

- **Registration**: Registering creative works, such as software, literary works, and artistic creations, with the appropriate copyright office to secure legal protection.
- **Documentation**: Ensuring all works are properly documented, including drafts, final versions, and any associated materials.

c) **Trademarks**:

- **Search and Clearance**: Conducting a trademark search to ensure the proposed mark is unique and not already in use.
- **Filing**: Registering the trademark with national or international trademark offices to protect brand names, logos, and slogans.

d) **Trade Secrets**:

- **Confidentiality Measures**: Implementing measures to maintain the confidentiality of trade secrets, including non-disclosure agreements (NDAs), restricted access, and secure storage.
- **Documentation**: Proper documentation of trade secrets to establish their existence and ownership.

e) **Design Rights**:

- **Registration**: Registering industrial designs to protect the unique visual features of products, such as shape, configuration, and surface ornamentation.

3) Maintenance and Enforcement

a) **IP Portfolio Management**: The IPR Cell will maintain an updated portfolio of all IP assets owned by the University. This includes tracking deadlines for renewals, payments of maintenance fees, and monitoring the status of IP applications.

b) **Legal Enforcement**:

- **Infringement Monitoring**: Regular monitoring for potential infringements of the University's IP rights. This includes watching the market and industry publications for unauthorized use.
- **Enforcement Actions**: Taking legal actions against infringers, which may include cease-and-desist letters, negotiations, and litigation if necessary.

c) **Education and Training**:

- **Workshops and Seminars**: Conducting regular workshops and seminars for faculty, staff, and students to educate them about IP protection, commercialization, and the importance of disclosure.
- **Guidance Materials**: Providing access to resources and guidance materials to help creators understand the IP process and their responsibilities.

4) Collaboration with External Entities

a) **Partnerships**: The IPR Cell may collaborate with external entities, such as law firms, patent agents, and industry partners, to assist with the protection and commercialization of IP.

b) **Funding and Grants**: Seeking funding opportunities and grants to support the costs associated with IP protection, including filing fees, legal fees, and market research.

5) Incentives for Disclosure and Protection

a) **Recognition**: Acknowledging and rewarding creators who actively participate in the IP process and contribute to the University's IP portfolio.

b) **Financial Incentives**: Providing financial incentives, such as a share of revenue generated from IP commercialization, to motivate faculty, staff, and students to disclose and protect their IP.

8. COMMERCIALIZATION AND LICENSING

1) Commercialization Strategy

The commercialization of intellectual property (IP) is essential for transforming research and innovation into practical applications and generating revenue for the University. The strategy includes:

a) **Market Research**:

- **Market Needs**: Identifying the needs of the market and potential customers to tailor the commercialization strategy.
- **Competitive Analysis**: Assessing the competitive landscape to understand the positioning of the IP relative to existing products and technologies.
- **Economic Viability**: Evaluating the economic potential of the IP, including market size, growth potential, and revenue projections.

b) **Commercialization Pathways**:

- **Licensing**: Licensing the IP to existing companies that have the resources and expertise to bring the innovation to market.
- **Start-ups and Spin-offs**: Supporting the creation of new start-up companies or spin-offs based on the IP, especially when the IP represents a significant breakthrough or market opportunity.
- **Collaborative Ventures**: Forming partnerships with industry, government, and other academic institutions to jointly develop and commercialize the IP.

2) Licensing Process

Licensing is a key mechanism for transferring technology and generating revenue from IP. The process involves:

a) **Types of Licenses**:

- **Exclusive License**: Grants the licensee exclusive rights to use the IP within a specific field or territory, often with higher financial returns and more significant commitments from the licensee.
- **Non-Exclusive License**: Allows multiple licensees to use the IP, increasing dissemination and potentially generating cumulative revenue.
- **Sub-Licensing**: Permits the licensee to grant sub-licenses to third parties, expanding the reach and utilization of the IP.

b) **License Agreement Terms**:

- **Scope of Rights**: Clearly defining the rights granted, including the field of use, geographical territory, and duration of the license.
- **Financial Terms**: Establishing the financial terms, such as upfront fees, milestone payments, royalties, and equity stakes.
- **Performance Obligations**: Setting performance obligations and milestones that the licensee must meet to maintain the license.
- **Reporting and Audits**: Requiring regular reporting on the commercialization progress and financial performance, with provisions for audits to ensure compliance.

c) **Negotiation and Execution**:

- **Identifying Potential Licensees**: Actively seeking and identifying potential licensees who have the capabilities and resources to commercialize the IP.
- **Negotiation**: Engaging in negotiations to reach mutually beneficial terms that maximize the value of the IP for both the University and the licensee.
- **Legal Review**: Conducting a thorough legal review of the license agreement to ensure it complies with applicable laws and protects the University's interests.
- **Execution**: Finalizing and executing the license agreement, followed by the formal transfer of rights to the licensee.

3) Technology Transfer Office (TTO)

The Technology Transfer Office (TTO) plays a pivotal role in the commercialization process:

a) **Function**: The TTO is responsible for managing the commercialization of IP, including evaluation, protection, marketing, and licensing.

b) **Support Services**: Providing support services to creators, including market research, business development, legal advice, and negotiation assistance.

c) **Marketing IP**: Actively marketing the University's IP portfolio to potential licensees, industry partners, and investors through various channels, such as technology showcases, industry conferences, and online platforms.

d) **Training and Education**: Offering training and education programs to faculty, staff, and students on IP commercialization, entrepreneurship, and technology transfer.

4) Revenue Distribution

Revenue generated from the commercialization of IP will be distributed according to the University's revenue-sharing policy (Topic 3. Sub-topic 6):

a) **Creators**: A portion of the revenue will be allocated to the creators of the IP, providing financial incentives and recognizing their contributions.

b) **Departments**: Departments or research units involved in the creation of the IP will receive a share of the revenue to support further research and innovation.

c) **University**: The remaining revenue will be allocated to the University to support its mission, including funding for research, education, and infrastructure development.

5) Monitoring and Compliance

a) **Licensee Monitoring**: The TTO will monitor the performance of licensees to ensure they comply with the terms of the license agreement and are making progress towards commercialization.

b) **Enforcement**: Taking necessary actions to enforce the terms of the license agreement, including addressing breaches and resolving disputes.

c) **Amendments and Renewals**: Managing amendments and renewals of license agreements to adapt to changing circumstances and maximize the value of the IP.

6) Types of Licensing

Licensing strategies can vary based on the nature of the IP and the commercialization objectives:

a) **Field-Specific Licensing**: Granting licenses that are limited to specific fields of use, allowing for multiple licenses across different applications.

b) **Territorial Licensing**: Issuing licenses that are restricted to certain geographical regions, enabling global distribution while maintaining control over regional markets.

c) **Time-Limited Licensing**: Providing licenses for a fixed period, after which the rights revert to the University for potential re-licensing.

7) Global Standards and Best Practices

The University will adhere to global standards and best practices in IP commercialization and licensing:

a) **International Agreements**: Complying with international agreements and treaties related to IP, such as the World Intellectual Property Organization (WIPO) agreements.

b) **Ethical Standards**: Ensuring ethical standards in all licensing activities, including transparency, fairness, and respect for the rights of all parties.

c) **Sustainable Development**: Promoting sustainable development and social responsibility by considering the broader impact of IP commercialization on society and the environment.

8) Challenges and Risk Management

Addressing potential challenges and risks associated with IP commercialization and licensing:

a) **Market Risks**: Assessing and mitigating market risks, including changes in demand, competition, and regulatory environments.

b) **Financial Risks**: Managing financial risks through careful negotiation of financial terms and performance obligations.

c) **Legal Risks**: Ensuring robust legal protection and enforcement mechanisms to safeguard the University's IP rights.

9. IPR Cell

The Intellectual Property Rights (IPR) Cell at Krantiguru Shyamji Krishna Verma Kachchh University serves as the central body responsible for managing and overseeing all activities related to intellectual property within the University. The IPR Cell plays a critical role in fostering innovation, protecting intellectual property, and facilitating its commercialization.

1) Structure of the IPR Cell

a) **Composition**:

- **Chairperson**: A senior academic or administrative leader, often the Vice-Chancellor or a designated Dean/Head, who oversees the IPR Cell.
- **Member Secretory:** A person who will look after the IPR related activities and co-ordinate will all other members and manage the all IPR activities in the

university. Often the senior researcher based on their academic merits viz. publications, citations and patent/design hold.

- **Members**: A multidisciplinary team comprising faculty members from various departments, legal experts, industry liaisons, and administrative staff. There will be two types of members in IPR Cell 1. Regular Members 2. Invited Members

  "**Regular Members**" of the committee will be involved for all IPR cell related activities as stated in the policy herewith to develop effective IPR ecosystem of the KSKV Kachchh University.

  "**Invited Members**" of the IPR cell and will be invited to meetings related to specific subjects concerning the respective faculty/discipline.
- **Advisors**: External experts in IP law, patent agents, industry representatives, and alumni who provide specialized knowledge and guidance.

b) **Sub-Committees**:

- **Evaluation Committee**: Responsible for assessing the novelty, technical merit, and commercial potential of disclosed IP.
- **Protection Committee**: Focuses on strategizing and implementing IP protection measures, including filing patents, trademarks, and copyrights.
- **Commercialization Committee**: Deals with licensing, market analysis, and commercialization strategies.

2. Functions of the IPR Cell

a) **Awareness and Education**:

- **Workshops and Seminars**: Organizing regular workshops, seminars, and training sessions to educate faculty, students, and staff about IP rights, protection mechanisms, and commercialization opportunities.
- **Guidelines and Manuals**: Providing comprehensive guidelines, manuals, and online resources to assist inventors in understanding the IP process and their roles.

b) **IP Disclosure and Management**:

- **Disclosure Process**: Establishing a systematic process for the disclosure of inventions and creative works. This includes providing standardized forms and maintaining confidentiality.

- **Evaluation**: Conducting thorough evaluations of disclosed IP to determine its patentability, market potential, and strategic value.
- **Record Keeping**: Maintaining detailed records of all disclosures, evaluations, protection measures, and commercialization activities.

c) **IP Protection**:

- **Patenting**: Assisting inventors in drafting, filing, and prosecuting patent applications. This includes conducting prior art searches, preparing patent documents, and liaising with patent offices.
- **Copyrights and Trademarks**: Facilitating the registration of copyrights for creative works and trademarks for distinctive symbols and brands.
- **Trade Secrets**: Implementing measures to protect confidential business information and trade secrets.

d) **Commercialization and Licensing**:

- **Market Research**: Conducting market research to identify potential applications and commercial opportunities for the IP.
- **Licensing Agreements**: Negotiating and drafting licensing agreements with third parties, ensuring terms that maximize benefits for the University and inventors.
- **Startup Support**: Providing support for the creation of startups and spin-off companies, including business planning, mentoring, and access to incubators.

e) **Collaboration and Networking**:

- **Industry Partnerships**: Building and maintaining relationships with industry partners, investors, and other academic institutions to foster collaboration and technology transfer.
- **Technology Showcases**: Organizing technology showcases, pitch events, and innovation fairs to highlight the University's IP portfolio and attract potential licensees and investors.

f) **Policy Development and Compliance**:

- **IPR Policy Formulation**: Developing and periodically updating the University's IPR policy to reflect current laws, regulations, and best practices.

- **Compliance Monitoring**: Ensuring compliance with the IPR policy and relevant legal requirements, including monitoring the use of IP and addressing any breaches.

3) Support Services Provided by the IPR Cell

a) **Advisory Services**: Offering advisory services to faculty, students, and staff on IP-related matters, including legal advice, protection strategies, and commercialization pathways.

b) **Financial Assistance**: Providing financial assistance or facilitating access to funding for IP protection, such as covering the costs of patent filing and maintenance fees.

c) **Mentorship and Training**: Offering mentorship and training programs to help inventors and entrepreneurs develop their ideas, prepare for market entry, and navigate the commercialization process.

4) Reporting and Accountability

a) **Annual Reports**: Publishing annual reports detailing the activities, achievements, and financial performance of the IPR Cell. This includes metrics such as the number of disclosures, patents filed, licenses executed, and revenue generated.

b) **Performance Metrics**: Establishing performance metrics to evaluate the effectiveness of the IPR Cell's activities and identify areas for improvement.

c) **Stakeholder Engagement**: Engaging with stakeholders, including faculty, students, industry partners, and government agencies, to gather feedback and improve the IPR Cell's operations.

5) Challenges and Solutions

a) **Awareness and Participation**: Increasing awareness and participation in IP activities among the University community through targeted outreach and incentives.

b) **Resource Constraints**: Addressing resource constraints by securing funding, leveraging external partnerships, and optimizing internal processes.

c) **Market Dynamics**: Adapting to changing market dynamics and technological advancements by staying informed about industry trends and continuously updating strategies.

6) Goals and Vision

a) **Innovation Culture**: Cultivating a culture of innovation and entrepreneurship within the University, encouraging creativity and the pursuit of new ideas.
b) **Economic Impact**: Enhancing the economic impact of the University's research by translating IP into commercial products and services that benefit society.
c) **Global Leadership**: Establishing the University as a leader in IP management and technology transfer on a national and global scale.

10. TECHNOLOGY TRANSFER OFFICE (TTO)

The Technology Transfer Office (TTO) at Krantiguru Shyamji Krishna Verma Kachchh University is a dedicated unit established to facilitate the transfer of knowledge and technology from the University to industry and the wider community. The TTO plays a crucial role in managing the commercialization of intellectual property (IP) created at the University, fostering innovation, and promoting collaboration with external partners.

1) Structure of the TTO

a) **Director**: The TTO is led by a Director who oversees its operations and reports to the University's senior management.
b) **Staff**: The TTO team includes technology transfer managers, patent attorneys, business development officers, legal advisors, and administrative support staff.
c) **Advisory Board**: An advisory board comprising industry experts, venture capitalists, entrepreneurs, and academics provides strategic guidance and support.

2) Functions and Responsibilities

a) **IP Management**:
    - **Identification and Evaluation**: Identifying and evaluating inventions and creative works with potential commercial value. This involves conducting prior art searches, market analysis, and feasibility studies.
    - **Protection**: Assisting inventors in securing IP protection, including filing patents, copyrights, trademarks, and maintaining trade secrets.
    - **Portfolio Management**: Managing the University's IP portfolio, including tracking IP status, maintenance fees, and renewal deadlines.
b) **Commercialization**:

- **Marketing IP**: Promoting the University's IP portfolio to potential licensees, investors, and industry partners through various channels such as online platforms, technology showcases, and industry conferences.
- **Licensing**: Negotiating and executing licensing agreements with external entities. This includes exclusive and non-exclusive licenses, sub-licenses, and technology transfer agreements.
- **Startup Support**: Supporting the creation and growth of startups and spin-off companies based on University IP. This includes providing mentorship, business planning, access to funding, and incubation services.

c) **Collaboration and Partnerships**:

- **Industry Engagement**: Building and maintaining relationships with industry partners, research institutions, government agencies, and other stakeholders to facilitate collaboration and technology transfer.
- **Sponsored Research**: Facilitating sponsored research agreements and collaborative projects that align with the University's strengths and industry needs.
- **Public-Private Partnerships**: Establishing and managing public-private partnerships to leverage resources, expertise, and funding for technology development and commercialization.

d) **Education and Outreach**:

- **Training Programs**: Organizing workshops, seminars, and training sessions on IP management, commercialization, entrepreneurship, and technology transfer for faculty, students, and staff.
- **Mentorship**: Providing one-on-one mentorship and support to inventors and entrepreneurs throughout the commercialization process.
- **Awareness Campaigns**: Raising awareness about the importance of IP protection and commercialization within the University community.

e) **Legal and Compliance**:

- **Legal Support**: Offering legal advice and support on IP-related matters, including drafting and reviewing contracts, licensing agreements, and confidentiality agreements.

- **Regulatory Compliance**: Ensuring compliance with relevant laws, regulations, and University policies related to IP and technology transfer.
- **Dispute Resolution**: Addressing and resolving disputes related to IP ownership, licensing agreements, and other commercialization activities.

3) Processes and Procedures

a) **Invention Disclosure**:

- **Submission**: Establishing a standardized process for inventors to disclose their inventions to the TTO, including online submission forms and confidentiality agreements.
- **Evaluation**: Conducting a thorough evaluation of disclosed inventions to determine their commercial potential, patentability, and strategic value.

b) **IP Protection**:

- **Patents**: Assisting inventors in preparing and filing patent applications, including drafting claims, responding to office actions, and managing international patent filings.
- **Trademarks and Copyrights**: Facilitating the registration of trademarks and copyrights for distinctive brands, logos, software, publications, and other creative works.
- **Trade Secrets**: Implementing measures to protect trade secrets and confidential information, including non-disclosure agreements (NDAs) and internal security protocols.

c) **Commercialization Pathways**:

- **Licensing Strategy**: Developing and implementing licensing strategies that maximize the value of University IP, including identifying potential licensees and negotiating favorable terms.
- **Startup Incubation**: Providing support for startup formation, including business development services, access to incubator facilities, and connections to investors and mentors.
- **Technology Development**: Supporting further development and prototyping of technologies to enhance their market readiness and commercial appeal.

d) **Revenue Distribution**:

- **Revenue Sharing**: Establishing and managing a revenue-sharing model that allocates income from IP commercialization to inventors, departments, and the University. It will be done as mentioned above in Topic 3, Sub-topic 6.
- **Incentives**: Creating incentive programs to encourage innovation and participation in commercialization activities, including financial rewards and recognition.

4) Performance Metrics and Reporting

a) **Key Performance Indicators (KPIs)**:
   - **Disclosures**: Number of invention disclosures received and processed.
   - **IP Filings**: Number of patents, trademarks, and copyrights filed and granted.
   - **Licensing Agreements**: Number and value of licensing agreements executed.
   - **Revenue**: Income generated from licensing, royalties, and other commercialization activities.
   - **Startups**: Number of startups and spin-offs created and their success rates.

b) **Annual Reporting**:
   - **Transparency**: Publishing annual reports that detail the activities, achievements, and financial performance of the TTO.
   - **Stakeholder Engagement**: Engaging with stakeholders, including faculty, students, industry partners, and government agencies, to gather feedback and improve TTO operations.

5) Challenges and Solutions

a) **Awareness and Participation**: Increasing awareness and participation in IP and commercialization activities through targeted outreach, education, and incentives.

b) **Resource Constraints**: Addressing resource constraints by securing funding, leveraging external partnerships, and optimizing internal processes.

c) **Market Dynamics**: Adapting to changing market dynamics and technological advancements by staying informed about industry trends and continuously updating strategies.

6) Vision and Goals

a) **Innovation Ecosystem**: Creating a vibrant innovation ecosystem within the University that fosters creativity, entrepreneurship, and the commercialization of research.

b) **Economic and Social Impact**: Enhancing the economic and social impact of the University's research by translating IP into commercial products and services that benefit society.

c) **Global Leadership**: Establishing the University as a leader in technology transfer and IP management on a national and global scale.

11. DISPUTE RESOLUTION

The dispute resolution mechanism at Krantiguru Shyamji Krishna Verma Kachchh University is designed to address conflicts that may arise in relation to intellectual property (IP) ownership, inventorship, commercialization, and other IP-related matters. This section outlines the procedures and processes for resolving disputes fairly, efficiently, and in accordance with legal and ethical standards.

1) Types of Disputes Covered

a) **Ownership and Inventorship Disputes**: Conflicts regarding the ownership of IP and the identification of inventors or creators.

b) **Commercialization Disputes**: Disagreements over the terms of licensing agreements, revenue sharing, or other commercialization activities.

c) **IP Management Disputes**: Conflicts related to the management, protection, or enforcement of IP rights.

d) **Policy Interpretation Disputes**: Issues arising from the interpretation or application of the University's IPR policy.

2) Dispute Resolution Process

a) **Initial Resolution Attempts**:

- **Informal Discussion**: Encourage parties involved in a dispute to first attempt to resolve their differences through informal discussions and negotiations. The IPR Cell can facilitate these discussions by providing mediation support.
- **Mediation**: If informal discussions do not resolve the dispute, mediation may be sought. A neutral mediator from within or outside the University can be appointed to help the parties reach a mutually acceptable resolution.

b) **Formal Resolution Mechanisms**:

- **Filing a Complaint**: If informal resolution attempts fail, the aggrieved party can file a formal complaint with the IPR Cell. The complaint should be in writing and

include a detailed description of the dispute, relevant facts, and any supporting documentation.

- **Review by IPR Cell**: Upon receiving a formal complaint, the IPR Cell will review the case, gather additional information if necessary, and assess the validity of the claims. The Cell will aim to resolve the dispute through further mediation and negotiation.

c) **Dispute Resolution Committee**:

- **Formation**: If the IPR Cell is unable to resolve the dispute, the matter will be referred to a Dispute Resolution Committee. The Committee will be composed of:
  - **Chairperson**: A senior academic or administrative leader, often the Vice-Chancellor or a designated Dean.
  - **Members**: Representatives from the IPR Cell, legal experts, and relevant faculty members.
  - **External Experts**: When necessary, external experts in IP law or the specific field of the dispute may be included.
- **Hearings**: The Committee will conduct hearings where both parties can present their cases, submit evidence, and respond to questions. The hearings will be conducted in a fair and impartial manner.

d) **Decision Making**:

- **Deliberation**: After the hearings, the Committee will deliberate on the evidence and arguments presented.
- **Decision**: The Committee will issue a written decision, including findings of fact, conclusions, and any recommended actions or remedies. The decision will be communicated to both parties.

e) **Appeals**:

- **Appeal Process**: If either party is dissatisfied with the Committee's decision, they may appeal to a higher authority within the University, such as the Vice-Chancellor or a designated appeals board.
- **Final Decision**: The appeal will be reviewed, and a final decision will be made. This decision will be binding on all parties.

3) Remedies and Enforcement

a) **Remedies**: The Dispute Resolution Committee may recommend various remedies, including but not limited to:
    - **Reassignment of IP Ownership**: Adjusting the ownership or inventorship of the disputed IP.
    - **Amendment of Agreements**: Modifying the terms of licensing or commercialization agreements.
    - **Financial Compensation**: Awarding financial compensation for damages or losses incurred due to the dispute.
    - **Disciplinary Actions**: Recommending disciplinary actions against individuals found to have acted in bad faith or violated University policies.

b) **Enforcement**: The University will ensure the enforcement of the Committee's decisions and remedies. This includes taking necessary legal actions if required to uphold the resolution.

4) Confidentiality and Integrity

a) **Confidentiality**: All dispute resolution proceedings will be conducted with strict confidentiality to protect the privacy and rights of the parties involved. Information disclosed during the process will not be shared outside the proceedings without consent.

b) **Integrity**: The University is committed to maintaining the integrity of the dispute resolution process. All parties are expected to participate in good faith, provide truthful information, and adhere to the principles of fairness and justice.

5) Preventive Measures

a) **Education and Training**: Regularly conduct workshops and training sessions on IP management and dispute resolution to educate faculty, students, and staff about their rights and responsibilities.

b) **Clear Policies**: Maintain clear and comprehensive IPR policies that provide guidance on IP ownership, disclosure, commercialization, and dispute resolution.

c) **Proactive Engagement**: Encourage proactive engagement and communication among inventors, the IPR Cell, and industry partners to prevent disputes from arising.

12. AMENDMENTS

The **Amendments** section of the Intellectual Property Rights (IPR) policy outlines the procedures for revising and updating the policy in response to changes in the legal,

technological, and institutional environment. This section ensures that the IPR policy remains relevant, effective, and aligned with national and international standards while adapting to the evolving needs of the University and its stakeholders.

This policy may be amended from time to time to reflect changes in laws, regulations, or University priorities. Amendments will be approved by the University's governing body and communicated to all stakeholders.

1) Need for Amendments

Amendments to the IPR policy may be required due to various reasons, including but not limited to:

a) **Changes in Legislation**: As national and international IP laws evolve, the University must ensure that its IPR policy complies with new legal provisions, regulations, and treaties.

b) **Technological Advancements**: Advances in technology may necessitate updates to the policy, particularly in areas such as patenting processes, digital IP, software, and biotechnology innovations.

c) **Institutional Changes**: The University may need to revise the policy to reflect changes in its structure, research focus, or administrative practices, such as the establishment of new research centers or initiatives.

d) **Industry Developments**: The changing dynamics of industries and markets may require the University to adapt its approach to IP commercialization, partnerships, and licensing to remain competitive and responsive.

e) **Stakeholder Feedback**: Input from faculty, students, industry partners, and other stakeholders may highlight areas where the policy needs clarification or improvement.

f) **Best Practices**: Updates may be made to incorporate emerging best practices in IP management, commercialization, and technology transfer, ensuring that the University remains a leader in innovation and IP management.

2) Procedure for Amendments

Amendments to the IPR policy shall follow a structured and transparent process to ensure that all relevant stakeholders are consulted, and changes are made in a fair and organized manner.

a) **Review Process**:

- The **IPR Cell** will periodically review the IPR policy to identify areas that may need revision or updating. The review will be based on current legal frameworks, industry trends, technological developments, and feedback from stakeholders.
- The **Legal Advisory Committee**, consisting of legal experts and IP practitioners, will assist in reviewing the policy's compliance with existing laws and regulations. This ensures that any amendments made align with national and international IP standards.

b) **Proposed Amendments**:

- Once the review is completed, the IPR Cell will draft proposed amendments, including justifications for each change. These proposals may involve modifications to specific sections of the policy or the addition of new provisions to address emerging issues.
- The **Draft Amendments** will be circulated to key University departments, faculty, administrative bodies, and external stakeholders for feedback. This allows for broad input and ensures that the policy revisions address the needs and concerns of all parties involved.

c) **Stakeholder Consultation**:

- A consultation process will be initiated to gather feedback from stakeholders such as:
  - **University Faculty**: Faculty members involved in research and innovation will provide insights on how the proposed amendments impact academic and research activities.
  - **Students and Researchers**: Students, particularly those involved in research and innovation, will be consulted to understand how changes might affect their contributions to IP development.
  - **Industry Partners**: External industry collaborators, potential licensees, and technology partners will be consulted to ensure that the policy amendments are aligned with commercial and industry trends.
  - **Legal Experts**: IP law experts will review the proposed amendments to ensure they comply with the latest legal developments and best practices in IP management.

d) **Approval Process**:

- After stakeholder feedback is gathered, the **IPR Cell** will finalize the proposed amendments and submit them for approval. The approval will typically follow a hierarchical process:
  - **Internal Review**: The amendments will be reviewed by senior administrative authorities, including the Vice-Chancellor, Deans, and other University officials.
  - **University Governing Body**: The final amendments will be presented to the University's governing body or board for approval. This body may include members from the University's legal, academic, and administrative leadership.
- **Approval and Implementation**: Once approved, the amendments will be formally adopted, and the updated IPR policy will be communicated to all relevant stakeholders, including faculty, staff, students, and external partners. The amended policy will replace the previous version and will take effect immediately or at a specified date.

3) Communication of Amendments

a) **Internal Communication**:

- The updated IPR policy, with the amendments incorporated, will be communicated through various internal channels such as email, University intranet, or official memos.
- **Workshops and Seminars**: The IPR Cell will organize workshops and seminars to educate faculty, students, and staff about the amendments and how they will impact IP management, commercialization, and related activities.

b) **External Communication**:

- The revised policy will also be communicated to external stakeholders, including industry partners, collaborators, and licensees, through formal letters or meetings. This ensures transparency and that external partners are aware of any changes that may affect ongoing or future collaborations.
- **Website Updates**: The updated IPR policy will be published on the University's official website, ensuring public access to the most recent version of the policy.

4) Monitoring and Review

a) **Ongoing Monitoring**: After the amendments are implemented, the IPR Cell will continue to monitor the policy's effectiveness in practice. This will involve tracking IP-related activities, seeking feedback from stakeholders, and ensuring that the revised policy is being adhered to across the University.

b) **Periodic Review**: The University will conduct periodic reviews of the IPR policy at regular intervals (e.g., every 2–3 years) to ensure that it remains up-to-date and relevant in the face of changing legal, technological, and institutional landscapes. This review process will be structured similarly to the initial policy development process, with input from stakeholders and a comprehensive analysis of current trends and issues in IP management.

5) Documentation of Amendments

a) **Record-Keeping**: Detailed records will be maintained of all amendments made to the IPR policy, including the original version, the text of amendments, and the dates of approval. These records will be archived for reference and to ensure transparency in the policy amendment process.

b) **Version Control**: Each updated version of the policy will be labeled with a version number and date to distinguish it from previous iterations. This helps maintain clarity regarding which version of the policy is currently in effect.

6) Effectiveness of Amendments

a) **Evaluation**: The IPR Cell will evaluate the impact of the amendments over time. If any provisions of the amended policy are found to be ineffective or problematic, further revisions may be proposed to address those issues.

b) **Feedback Mechanism**: The University will establish a continuous feedback mechanism where stakeholders can suggest additional amendments or modifications based on their experiences and observations regarding the implementation of the policy.

By establishing a clear and transparent process for amending the IPR policy, Krantiguru Shyamji Krishna Verma Kachchh University ensures that its policy remains adaptive and responsive to evolving legal, technological, and institutional needs, fostering a dynamic environment for innovation and IP management.

13. TYPES OF LICENSING

Licensing is a fundamental aspect of intellectual property (IP) commercialization, allowing the holder of IP to permit others to use their creations under specific conditions. The Krantiguru Shyamji Krishna Verma Kachchh University (KSKVKU) may engage in various types of licensing agreements to maximize the value of its IP assets while fostering innovation, research collaboration, and economic development. The University's licensing strategy will be guided by the nature of the IP, the objectives of the University, and the commercial or academic interests of the licensee.

Licensing types can generally be classified into **exclusive**, **non-exclusive**, **sole**, and **co-exclusive**, with further distinctions based on territory, field of use, and other specific terms. The following sections detail these types:

1) Exclusive Licensing

An **exclusive license** grants the licensee the sole right to use, manufacture, sell, or distribute the IP in a specified field of use or territory. This means that the licensor (in this case, the University) agrees not to grant any other licenses to third parties in the same area. Exclusive licenses are typically granted when the licensee is willing to make significant investments in the development, marketing, or commercialization of the IP, as they are given the exclusive rights to exploit the IP.

a) **Characteristics**:
   - **Sole Rights**: The licensee has the exclusive right to use the IP, and no other third party (including the University) can use or license the same IP in the designated field or region.
   - **Commercialization Focus**: Exclusive licenses are often used for strategic partnerships where the University wants to collaborate closely with a specific partner who will invest in developing the IP into a commercial product.
   - **Higher Royalties or Upfront Payments**: In return for the exclusivity, the University may negotiate higher royalty rates or upfront payments from the licensee.
   - **Example**: A biotechnology company is granted an exclusive license to manufacture and sell a patent owned by the University in the pharmaceutical industry.

b) **Pros**:

- Greater commitment and investment from the licensee, as they have exclusive rights to the IP.
- Potential for larger financial returns for the University.

c) **Cons**:

- The University loses the ability to license the IP to other parties in the same field or region.
- Risk that the licensee may not fully commercialize the IP as expected.

2) Non-Exclusive Licensing

A **non-exclusive license** allows the licensee to use, manufacture, or distribute the IP, but the University retains the right to license the same IP to other parties. This type of license is typically used when the University wants to promote broader use of its IP across various sectors or when it seeks to retain more control over the commercialization process.

a) **Characteristics**:

- **Multiple Licensees**: The University can grant non-exclusive licenses to multiple parties, increasing the overall reach and impact of the IP.
- **Flexibility**: Non-exclusive licenses offer greater flexibility for the University to manage multiple relationships and explore different applications of the IP.
- **Lower Royalties**: Non-exclusive licenses typically involve lower royalties or financial commitments from the licensees compared to exclusive licenses.

b) **Pros**:

- The University retains the right to license the IP to others, maximizing its potential for broad use.
- Provides flexibility and the ability to reach multiple markets or partners.

c) **Cons**:

- Licensees may be less motivated to invest heavily in commercialization, as they do not have exclusive rights.
- The IP may be exploited in multiple competing markets, potentially leading to fragmented commercialization.

3) Sole Licensing

A **sole license** grants the licensee the right to use the IP to the exclusion of all others, except the licensor (the University). This means that while the licensee has the exclusive right to commercialize the IP, the University retains the right to use the IP as well, typically for academic or research purposes.

a) **Characteristics**:
   - **Exclusivity for Licensee**: The licensee has the right to exploit the IP in a given field or region, with the exception that the University retains its right to use the IP for its internal research, teaching, or non-commercial purposes.
   - **Shared Use**: The University does not grant additional licenses to other entities, ensuring that the licensee is the only commercial entity using the IP.
   - **Balanced Rights**: The University and the licensee both have rights to the IP, but their uses are typically limited to distinct areas.

b) **Pros**:
   - The licensee is assured that no other commercial entity can use the same IP in the licensed field, which can encourage significant investment.
   - The University retains the right to use the IP for its educational or non-commercial purposes.

c) **Cons**:
   - The University may not receive as high financial returns as it would from an exclusive license.
   - The licensee may feel less secure than with an exclusive license, knowing that the University retains rights to use the IP.

4) Co-Exclusive Licensing

A **co-exclusive license** grants a limited number of licensees the right to use the IP exclusively within a specified field or territory, but there are multiple licensees within that set. For example, the University may grant co-exclusive licenses to two or more companies to commercialize the IP within different geographic regions or industry sectors.

a) **Characteristics**:
   - **Limited Exclusivity**: Co-exclusive licenses are exclusive within certain constraints, such as geographic boundaries, field of use, or market segment.

- **Multiple Partners**: Unlike exclusive licenses, the University can grant similar rights to a select group of licensees.
- **Balanced Investment**: Co-exclusive licenses often encourage cooperation and sharing of resources between licensees in complementary markets.

b) **Pros**:

- The University can leverage multiple partners and gain wider market penetration without granting full exclusivity.
- Encourages collaboration among multiple entities, which can result in shared resources and knowledge.

c) **Cons**:

- The licensees do not have the complete security of an exclusive license, which may result in lower financial commitment.
- Potential for conflict between co-exclusive licensees, especially if their interests or markets overlap.

5) Sub-Licensing

Sub-licensing is an arrangement in which the licensee (the primary licensee) is granted the right to license the IP to third parties. This is typically an option in exclusive or co-exclusive licensing agreements where the primary licensee needs to sublicense the IP to reach additional markets or regions.

a) **Characteristics**:

- **Expansion of Market Reach**: The primary licensee can expand the commercialization of the IP beyond their initial scope.
- **Additional Revenue**: Sub-licensing arrangements may generate additional revenue for the University, as sub-licensing fees are often negotiated alongside primary licensing deals.

b) **Pros**:

- Increased market penetration through the licensee's network.
- Additional revenue for the University.

c) **Cons**:

- Potential for loss of control over the IP if sub-licenses are granted without adequate oversight.

- Complexity in managing multiple sub-license agreements.

6) Field-of-Use Licensing

In **field-of-use licensing**, the licensee is granted rights to use the IP only in specific fields, industries, or applications. This type of licensing ensures that the University can license the same IP to different entities in different sectors or for different applications.

a) **Characteristics**:
   - **Specific Application Areas**: The license is restricted to a particular application or market (e.g., a specific industry such as medical devices, agriculture, or renewable energy).
   - **Multiple Markets**: The University can license the same IP to different companies for different applications, maximizing its commercial potential.

b) **Pros**:
   - The University can maximize the use of its IP in various sectors, increasing the potential for revenue and market impact.
   - Licensees benefit from specialized rights tailored to their market needs.

c) **Cons**:
   - The licensee may not be able to fully exploit the IP across other markets, which can limit their ability to capitalize on the IP.

The type of licensing agreement chosen depends on several factors, including the nature of the IP, the University's strategic goals, the market potential, and the interests of potential licensees. By choosing the right licensing model, Krantiguru Shyamji Krishna Verma Kachchh University can effectively balance the need to protect its intellectual property, generate revenue, and foster innovation in partnership with industry and other collaborators.

14. LOCAL AND GLOBAL STANDARDS:

Adherence to **local** and **global standards** in intellectual property (IP) management is crucial for ensuring that Krantiguru Shyamji Krishna Verma Kachchh University (KSKVKU) remains compliant with national and international laws, fosters effective innovation, and maximizes the commercialization potential of its intellectual property assets. By aligning its IPR policy with recognized standards, the University not only secures the protection of its innovations but also

enhances its reputation as a globally competitive institution that contributes to advancing knowledge and technology.

This section outlines the key aspects of local and global standards that KSKVKU will follow in the management, protection, and commercialization of its intellectual property.

1) Local Standards

Local standards refer to the legal frameworks, policies, and regulations governing intellectual property rights within India. These standards are set by national authorities, including the Government of India, the Indian Patent Office, and other relevant bodies. Compliance with local standards ensures that the University's IPR activities align with the country's laws, protect Indian innovation, and contribute to the national economy.

a) **Indian IP Laws**:

- **The Patents Act, 1970**: Governs the granting of patents in India, protecting inventions and innovations across all technological domains.
- **The Copyright Act, 1957**: Governs the protection of literary, artistic, musical, and dramatic works, ensuring that creators' rights are recognized and enforced.
- **The Trade Marks Act, 1999**: Protects trademarks, service marks, and other distinguishing signs that identify the source of goods or services.
- **The Designs Act, 2000**: Protects the visual design of objects and products, ensuring that novel and original designs are safeguarded.
- **The Geographical Indications of Goods (Registration and Protection) Act, 1999**: Protects geographical indications related to goods originating from specific regions and associated with particular qualities, reputation, or characteristics.
- **The Protection of Plant Varieties and Farmers' Rights Act, 2001**: Provides protection for new plant varieties, farmer-bred varieties, and their associated rights.
- **The Information Technology Act, 2000**: Addresses issues related to cybercrime, e-commerce, and protection of digital intellectual property.

b) **Government Schemes and Initiatives**:

- **Start-up India Initiative**: Promotes innovation and entrepreneurship by offering a favorable environment for IP creation, protection, and commercialization, particularly for start-ups.

- **National IPR Policy (2016)**: A strategic policy document developed by the Government of India that outlines the vision, mission, and objectives for the development of the national IPR regime. The policy emphasizes creating awareness about the value of IP, strengthening IP infrastructure, and promoting innovation.
- **Patent Facilitation Centres**: Established by the Government of India to help researchers and start-ups with patent applications and commercialization.

c) **Indian IP Authorities**:

- **The Controller General of Patents, Designs, and Trademarks**: Oversees the administration of patents, designs, and trademarks in India.
- **The Copyright Office**: The authority for registering and protecting copyrights in India.
- **The Geographical Indications Registry**: Manages the registration and protection of geographical indications in India.
- **The Department for Promotion of Industry and Internal Trade (DPIIT)**: Responsible for promoting and regulating IP policies and practices within India.

d) **Compliance with Local Standards**:

- **Patent Filing and Protection**: KSKVKU will file patents with the Indian Patent Office to ensure inventions developed at the University are protected under Indian law. The University will adhere to all procedural requirements set by the Patent Office, including novelty, inventiveness, and industrial applicability criteria.
- **Trademark and Copyright Registration**: For IP such as logos, research papers, software, and other creative works, the University will follow the registration process defined under the **Trademarks Act** and **Copyright Act**.
- **Dispute Resolution**: In case of IP infringement or disputes, the University will rely on the local legal system, including the **Intellectual Property Appellate Board (IPAB)** and Indian courts, to resolve conflicts.

2) Global Standards

Global standards refer to international conventions, treaties, and agreements that shape the global landscape for intellectual property protection. Compliance with these standards ensures that KSKVKU's IP is protected not only in India but also in other jurisdictions around the world.

By aligning with international best practices, the University ensures its innovations can be commercialized globally, supporting international collaboration, and enhancing its global reputation.

a) **International Treaties and Conventions**:
   - **The World Intellectual Property Organization (WIPO)**: An agency of the United Nations that promotes the protection of IP across the world. KSKVKU will align its IPR management practices with WIPO's standards and guidelines.
   - **The Paris Convention for the Protection of Industrial Property (1883)**: Provides a framework for the protection of patents, trademarks, and industrial designs internationally. It enables priority filing in multiple countries based on the first filing in one country.
   - **The Patent Cooperation Treaty (PCT)**: Facilitates international patent applications, allowing inventors to file a single patent application that can be recognized in multiple countries.
   - **The Berne Convention for the Protection of Literary and Artistic Works (1886)**: Ensures the protection of creative works (e.g., books, art, music) in member countries, allowing copyright owners to exercise their rights globally.
   - **The TRIPS Agreement (Trade-Related Aspects of Intellectual Property Rights)**: A World Trade Organization (WTO) agreement that sets minimum standards for the protection of IP rights across member countries, including patents, copyrights, trademarks, and trade secrets.

b) **Global IP Systems**:
   - **European Patent Office (EPO)**: A regional patent office that allows for the grant of European patents in multiple member countries with a single application.
   - **The United States Patent and Trademark Office (USPTO)**: The authority responsible for granting patents and trademarks in the U.S. If KSKVKU wishes to commercialize its IP in the U.S., it must comply with USPTO regulations.
   - **The World Trade Organization (WTO)**: Involved in ensuring that member countries comply with international trade rules regarding IP, especially under the TRIPS Agreement.

c) **International IP Practices**:

- **IP Valuation and Licensing Standards**: Global standards for IP licensing agreements, such as the **International Chamber of Commerce (ICC)** guidelines, will inform the University's approach to licensing and commercialization. These standards ensure that the University's IP licensing practices are competitive and aligned with global norms.
- **Technology Transfer and Collaboration**: KSKVKU will follow best practices for technology transfer as outlined by international organizations such as **WIPO** and the **European Union's Technology Transfer Offices (TTOs)**. These practices include standardized agreements for IP ownership, sharing of royalties, and commercialization strategies.

d) **Global IP Enforcement**:

- **International Enforcement Mechanisms**: KSKVKU will ensure its IP is protected against infringement in other countries by leveraging international enforcement mechanisms. For example, KSKVKU can seek protection through WIPO's **Alternative Dispute Resolution (ADR)** system for global IP disputes or use **Customs Enforcement** to stop the export or import of counterfeit goods.
- **Border Measures**: Under international trade agreements, countries may adopt border measures to prevent the importation and exportation of goods that infringe IP rights. KSKVKU can use these mechanisms to protect its patents, trademarks, and designs in international markets.

e) **Collaboration with International Research Institutions**:

- **Joint Ventures and Research Partnerships**: KSKVKU will enter into research partnerships with global universities and research institutions while adhering to international IP norms. In these collaborations, clear agreements on ownership, protection, and commercialization of jointly developed IP will be based on mutual respect for global IP standards.
- **Compliance with Global Ethical Standards**: As global awareness grows regarding the ethical implications of research and innovation, KSKVKU will ensure its IP policy aligns with international ethical standards in research, such as those set by the **Organization for Economic Co-operation and Development (OECD)** and **WIPO**.

3) Aligning Local and Global Standards

KSKVKU will adopt a **dual-compliance approach**, ensuring that both **local** and **global** IP standards are met for each IP asset. The policy will take into consideration the global nature of IP and the University's research ambitions while complying with Indian law and national regulations. The following steps will be taken to align local and global standards:

a) **Harmonization of Policy**: The IPR policy will reflect both Indian regulations and international best practices. The University will align its IP strategies and commercialization efforts with recognized international standards, ensuring smooth entry into global markets.

b) **IP Filing Strategy**: KSKVKU will establish an IP filing strategy that includes international patent filings (e.g., through the PCT) and the appropriate copyright, trademark, and design protections under international conventions.

c) **Global Market Considerations**: The University will consider the international market potential for its innovations, ensuring that IP rights are enforced and licensing agreements are structured to meet the requirements of foreign markets and jurisdictions.

d) **Training and Capacity Building**: The University will provide training to its researchers, faculty, and staff on both local and global IP laws to foster a deeper understanding of the requirements for securing IP protection both in India and internationally.

A Corpus Fund for IPR cell need to be created and section 8 company to be incorporated for the purpose of joint collaboration agreement and for overall effective management of the intellectual property assets and intellectual property rights of the university.

It should be the policy of the university that those who are involved in creative activities/research activities in different departments should not be engage in any kind of administrative or routine work in order to utilize the maximum time of such resource person for creative ideas and for the development of Intellectual property.

By adhering to both local and global standards in intellectual property management, Krantiguru Shyamji Krishna Verma Kachchh University ensures that its innovations are protected, its research is recognized globally, and its contributions to the advancement of knowledge are widely disseminated. These efforts will enable the University to remain competitive, foster international collaboration, and drive the commercialization of IP for societal and economic benefit.

Amendment in IPR policy shall be made from time to time on the basis of either changes on law or as per dynamics in the field of Science and Technology (S & T) and process of commercialization of Technology.

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