



ਪੰਜਾਬ ਕੇਂਦਰੀਯ ਵਿਸ਼ਵਵਿਦਯਾਲਯ/ਪੰਜਾਬ ਕੇਂਦਰੀ ਯੂਨੀਵਰਸਿਟੀ  
**Central University of Punjab**  
A Central University established by an Act of Parliament

# Policy for Intellectual Property Rights

# **PREAMBLE**

The Central University of Punjab is committed to research and innovate to create new knowledge for which it provides encouraging environment to faculty and researchers. Therefore, in order to safeguard the Intellectual Property of the university, the University is adopting this Intellectual Property Policy (hereinafter referred to as the “Policy”)

## Definitions

**Intellectual Property (IP)** Property generated out of the intellectual effort of the creator and it includes patents, copyrights, trademarks, industrial designs, service marks, logos and any other form. It shall cover all the intellectual property generated at the University since its inception in 2009.

**Creator (s)** The faculty, staff and other persons employed by the University whether full or part-time; visiting faculty and researchers; and any other persons, including students, who create intellectual property using University resources.

**University- Supported Resources** shall include all facilities, equipment, funds and intellectual property already owned by the University

**Technology transfer activities** shall include assignments, disclosure, licensing or any other activity which results in financial gain to the University.

## Creation of Intellectual Property

- i) During the course of research or as a specific project in order to earn a degree, a diploma or a certificate course in the University.
- ii) University assignment either from an external agency or by its own decision assign.
- iii) An external agency may enter into a specific agreement with the University or its researchers to develop some specific intellectual property.

## Ownership of Intellectual Property

### **i. General statement of ownership:**

Intellectual Property (in both tangible and intangible forms) created by the use of University facilities or University-supported resources shall be owned by the University. The University shall be the applicant for the registration of IPRs.

In case of Patents, the university shall be the applicant and the creators shall be the inventors. Any copyrightable work generated as a work for hire will belong to the university as per the terms of the contract. Intellectual Property Rights of which the university is the co-owner shall be managed by the Intellectual Property Cell of the university as per provisions of this policy.

## **ii.Share of University and creators:**

- a. The moral rights associated with Intellectual property shall always remain with the inventor. These include right to prevent usage of the Intellectual property in such a way that it harms the reputation of the creator.
- b. Royalty accruing or any type of payment from the commercialization of University owned intellectual property will be shared between the University and the creator as per schedule I.

## **Exceptions to the General Statement of Ownership**

The University will not own the right of Intellectual Property in the following situations:

- i. Books, articles, monographs, lectures, speeches and other communications produced by the staff in the course of research and teaching in the University.
- ii. All copyrights in term papers, research papers, thesis and dissertations written by a student to earn a degree shall belong shall belong jointly to the student and supervisor(s).
- iii. All Intellectual Property developed by the creator without the use of University resources.

## **Responsibilities of the University**

The University administration shall:

- i) At its discretion assign management including registration of intellectual property, negotiations, assignment and licensing for commercial use of such intellectual property in which it has stake/share.
- ii) Educate faculty members, staff and students regarding University's intellectual property, provide support to creators to obtain legal protection in which University has its stake/share, facilitate the transfer of such Intellectual property for commercialization, and share income derived from such Intellectual Property through IPR Cell.
- iii) Provide legal support as it deems necessary and desirable for the enforcement of its intellectual property and to defend the interest of the University against third party claims on intellectual property in which university has its stake/share.

## **Responsibilities of the Creators of Intellectual Property**

The creator of the intellectual property shall

- i) Make disclosure in a thorough and timely manner of all inventions, discoveries and other works that can constitute Intellectual property and in which University has stake/share as described in this policy.
- ii) Provide such assistance as may be necessary throughout the assignment process to protect and transfer of Intellectual property.
- iii) Provide all records and documents that are necessary to the protection of the Intellectual Property.
- iv) Abide by the agreements made in respect of the sponsored research and licensing.
- v) Have further responsibility to properly consider, disclose and manage any conflicts of interest arising in the ownership of Intellectual Property in which the University has stake/share.

## **Administration of Intellectual Property**

- i) Intellectual Property generated through University projects or sponsored projects will be governed by the terms of agreement between the University and the sponsor.
- ii) Handling of the rights of Intellectual Property generated during the course of the externally funded projects shall be governed by the terms of contract between the funding agency of the project and the University.

## **Intellectual Property Rights Cell (IPR Cell)**

- i) There shall be an Intellectual Property Rights Cell (IPR Cell) notified by the University.
- ii) The IPR Cell shall be responsible for the management of the Intellectual Property in which the University has stake/share, technology transfer activities and for the implementation of the Intellectual Property Rights Policy. The IPR cell shall also look after the registration, protection management, budget and division of intellectual property income between creators, University and external funding agency if any. The IPR Cell shall make recommendations to the competent authority that will be final authority to decide on its sharing among stake holders.

iii) The IPR Cell shall lay down the procedure for conduct of its business and meetings of the IPR Cell shall be convened by the Chairman.

iv) The University shall provide adequate space, funds and secretarial staff for the smooth functioning of the cell.

## **Dispute Resolution**

Any disputed issue related to the intellectual property or the interpretation of this policy, shall be decided as follows;

i) The matter can be resolved by calling a joint meeting with all the members of the IPR Cell, creator, funding agency if the Intellectual property has been created by using its resources or any third party.

ii) Any dispute that cannot be resolved with the assistance of the IPR Cell shall be referred to a tribunal of arbitration at the instance of the competent authority of the university or at the request of the creator or any third party. The tribunal shall consist of one member appointed by the Vice-Chancellor, one member nominated by the aggrieved party and a legal expert from or outside the University.

## **Right to Regulate Policy**

Intellectual Property Rights Cell shall have the responsibility for interpreting the IPR policy, resolving disputes concerning its interpretation and application of IPR Policy.

## **Amendments**

The University reserves the right to amend the policy at any time as required.

## **The University Logo and Anthem**

The logo and Anthem of the university is the exclusive property of the university. No person can utilize the logo and anthem of the university for any commercial purpose without prior permission of the competent authority.

## Revenue Generation

The revenue generated from the Intellectual Property and technology transfer activities shall be distributed as follows;

i) When University is the creator, the income from commercial economic use of Intellectual property shall be shared amongst the University, research team members or creators and support staff as 60%, 35% and 5% respectively.

ii) When the individual researcher or a team of researchers is the creator and has used substantial university resources, the revenue shall be shared amongst the individual researcher/team of researcher, the University and support staff as 60%, 35% and 5%, respectively.

iii) When the creation is the result of funded research, the sharing of income from commercial use shall be as per the agreement with the funding agency. In case there are no guidelines from funding agency, revenue generated from the IP shall be as per clause. (ii) mentioned above.

iv) When the creation is the result of sponsored research by a company, industry or commercial undertaking other than the government funding agencies, the income receivable from the commercial use shall be as provided in the licensing agreement with that company, industry or commercial undertaking.

v) The shares as mentioned above shall be determined after deducting the direct expenses if any from the total income received by the University.

For any query, please contact:  
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