



# चौधरी महादेव प्रसाद महाविद्यालय C. M. P. DEGREE COLLEGE

(A Constituent P.G. College, University of Allahabad)

Under the Strengthening Component of DBT Star College Scheme

Website: [www.cmpcollege.ac.in](http://www.cmpcollege.ac.in)



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## INTELLECTUAL PROPERTY RIGHTS (IPR) POLICY

### Introduction:

The Intellectual Property Rights (IPR) policy of Chaudhary Mahadeo Prasad Degree College, Prayagraj endeavours to facilitate the protection and upliftment of intellectual property created by the college and offer scope for ingenuity and commercialization. It targets the provision of unbiased intercession among the various interests involved. This IPR Policy intends to promote an eco-system which is conducive to the development of diverse varieties of research and innovation within the college.

### Applicability

- The policy on intellectual property rights (IPR) is applicable to employees, faculty members, staff (permanent and temporary), research scholars, research associates and students associated with C.M.P. Degree College in any manner whatsoever.
- Various forms of Intellectual property under this policy include, but does not limit to patent, copyright, trademark.

### Ownership of Intellectual Property

Any creation for which an intellectual property application is filled where in the college resources like space, equipment and facilities are utilized and when the applicant(s) receive financial support towards professional and statutory fees for acquiring such intellectual property, the assignee of such intellectual property will be C.M.P. Degree College, Prayagraj. However, Individual(s) who obtains a patent or any other form of intellectual property or introduces an invention into public domain without use of resources from the college or outside their regular assigned duties during official hours under terms of their appointment with the college, and without substantial involvement of college personnel, shall retain full IP rights.

### Copyright

- For any copyrightable, pedagogical, scholarly, and other literary and artistic works, specified as copyrightable work under relevant Copyrights Act as amended from time to time by the government, which are created for C.M.P. Degree College, the author



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shall retain ownership of his/her original work, while at the same time shall grant CMP Degree College full rights to revise, modify, and create derivative works based on that original work, under the C.M.P. Degree College's own copyright.

- ii. If the college foresees a gainful return from copyright, it may initiate steps to file and protect such copyrights and share the financial rewards with the inventor on terms and conditions of the college in absence of any express agreement in this regard between the inventor and the college.
- iii. Copyrights on books and publications authored by C.M.P. Degree College personnel shall be in the name of the respective authors.

## Patents & Inventions

- i. An idea when manifested in tangible form is patentable, provided it fulfil(s) the below criteria for patentability:
  - a) Non-obviousness (the invention should be non-obvious to the person skilled in the art)
  - b) Utility (it should be commercially applicable) and
  - c) Novelty (invention may relate to a new product or an improvement of an existing one or a new process of manufacturing and existing or a new product).
- ii. If such a patentable invention is developed at C.M.P. Degree College, Prayagraj, and qualifies for protection under the Patent Act, 1970, then patent will belong to C.M.P. Degree College, Prayagraj. It can be in the form of know-how, solutions, processes, genetically engineered micro-organisms, scientific or technology developments, business models and other forms as the need arises. The filing of a patent application shall be with the researcher as name inventor.
- iii. In such instance or instances where the patent is owned by the college, the inventor or inventors have the right on such form of intellectual properties till the time protection of such intellectual property is agreed upon by the college and inventor(s) or the life of such intellectual property according to relevant acts has expired.
- iv. Whenever there is any patent, which is obtained under research or a related activity between an external sponsor and the college, then it is subject to agreement between the involved parties.

## Royalty Sharing



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Net revenue received by the college through sale/license or technology transfer of intellectual property of such inventions or creative works, royalty shall be distributed as per MOU.

- i. In an event when more than one inventor contributes for the generation of the intellectual property then the percentage of royalty shall be equally shared among the inventors, contingent upon such invention being sold, licensed, or transferred under technology transfer agreement with third party(ies).
- ii. No royalty shall be claimed by the inventor(s) for patents, which fail to generate interest for sale, licensing, or technology transfer.

## Conflict of Interests

- i. To manage and minimize conflict over intellectual property rights, all potentially patentable inventions created or discovered by any faculty during their college activities, or with use of college resources, must be disclosed to the college in writing on a timely basis.
- ii. The inventor(s) should disclose any conflict of interest to the Principal of C.M.P. Degree College, Prayagraj at the earliest.
- iii. C.M.P. Degree College, Prayagraj discourages its employees, faculty members, staff (permanent and temporary), research scholars, research associates and students against any legal recourse. In case of any disputes regarding the implementation of intellectual property policy, efforts shall be made to address the concerns of the inventor(s) by developing and incorporating an arbitration mechanism and arrangement, or any other suitable mechanism as agreed upon by the parties and arrive at an amicable solution.

The decision taken in this regard by the competent authority of C.M.P. Degree College, Prayagraj or through arbitration shall be final and binding to all the parties under dispute.

## Modus Operandi

- i. All applications for patents should be dispatched to the Principal, C.M.P. Degree College, Prayagraj irrespective of whether the inventions have resulted from the in-house research/project, or projects under sponsored activity.



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- ii. The Principal, C.M.P. Degree College, Prayagraj must ensure that the foreseeable intellectual property under discussion is not revealed in public domain or discussed with people not connected with the research pertaining to intellectual property.
- iii. The applications for patent or any other form of intellectual property shall be analyzed/inspected by the Intellectual Property Rights Cell (IPR Cell) of the college.
- iv. The inventor(s) are required to make a brief presentation of their inventions to the IPR cell of the college. Based on the outcome reached through discussion by the Board members with the research team, reimbursement of application fees may be approved, leading to commencement of further processing of the application through the approved agency.
- v. If the inventor(s) decides to abandon or withdraw the application for a patent at any stage after filing of application, prior approval of Principal, C.M.P. Degree College is mandatory.

## Infringement

C.M.P. Degree College, Prayagraj reserves the right to seek legal recourse concerning IPR infringements against any creation owned by the college.

### Developed by

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### Approved by

  


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