



INTELLECTUAL PROPERTY RIGHTS CELL

Vision of the Cell

To become a world class centre for the creation of human resources in the field of Intellectual Property Rights (IPR) and to establish systems for seamless integration of IPR in the Knowledge Value Chain in an evolving organizational framework.

Mission of the Cell

The DSATM Intellectual Property Rights Cell aims to evolve into a centre of excellence in the South Bangalore Region in fields related to IPR Education, innovation management integrated with IPR within an educational Framework, protection of traditional knowledge and practices for socio-economic development, and contributing to the development and implementation of IPR Policy in the regional and national context.

About The Cell

DSATM Intellectual Property Rights Cell was created in 2019 with a vision to develop human resource in the management of Intellectual Property Rights as an integral part of the innovation process and the innovation value chain in the university. Several patent and copyright applications have been filed based on the innovations done in DSATM. The Cell has been involved in several IPR Awareness and implementation programmers in the organization Campus. The Cell is gradually building IPR consciousness in the Region, not only within the institutions but also among the different strata in the society.

SERVICES PROVIDED UNDER THE CELL

- Support in identifying invention opportunity in potential areas of technology
- Technical support in developing innovative and inventive solutions
- Early-stage patent technology analysis
- Prior art and patentability search
- Preliminary infringement and target analysis
- Patent specification drafting/patent application processing
- Patent value creation and validation
- Patent licensing and patent marketing
- Patent infringement analysis
- Patent Portfolio development
- Patent Landscaping and mining
- Technology decoding and Reverse engineering

OBJECTIVES:

- The primary objective is to give the students an opportunity to apply the concepts they learned to their own research problems and plan their respective research strategies to avoid “rediscovering the wheel” and at the same time initiate the protection of the Intellectual Property created during their research to aid in speedy transfer to application centers / industries for commercialization.
- The objective is to create IPR literates by exposing students to operational concepts in IPR.
- A common set of objectives of IPR Cell is to make the students aware of the relevant community-level intellectual property such as Geographical Indications that can be used for socio-economic development in communities.

IPR CELL COMMITTEE MEMBERS

Dr. B.R.Lakshmikantha, Principal – DSATM

Dr. C.Nandini, Vice Principal & HOD-CSE, DSATM

Dr. Sumithra Devi K A, Dean Academics & HOD-ISE, DSATM

Mr.Praveen Veeranna Vijapur,

Co-Founder and Management Director, Embware Labs, Bangalore.

COORDINATORS:

Dr. M.Vinoth Kumar, Asso. Prof. / ISE

Dr. M.Rajanish, Asso. Prof.. / Mech

Dr. Sumaiya MN, Asso. Prof. / ECE

Dr. R.Saravana Kumar, Asso. Prof. / CSE

Dr. Sahana R, Asst. Prof. / Civil

Mr. Kiran R, Asst. Prof. / EEE

FOR CONTACT:

Dr. M.Vinoth Kumar

Email: vinojimap@gmail.com, Mob: 9751090999

Dr. M.Rajanish

Email: prof.m.rajanish@gmail.com Mob: 9902430242

POLICIES

PURPOSE

Institute has formulated this Policy for the management of intellectual property right to:

- a) Provide a conducive environment leading to development of intellectual property
- b) Facilitate, encourage, promote and safeguard scientific investigation and research and the freedom of the scholars involved in R&D
- c) Establish an IPR management policy and procedural guidelines for making available to the public the inventions and discoveries made in the course of research carried out in the institute
- d) Frame standards for do's and don'ts for the Institute, creators of intellectual property and their sponsors relating to inventions, discoveries and original works originating from the Institute
- e) Promote, facilitate and provide incentives to the members of the community of creators who take initiatives to transfer Institute intellectual property to the public under this Policy
- f) Enable the Institute to secure sponsored research funding at all levels of research
- g) Make the Institute a prime academic research institution pursuing the highest ideals of scholarship and teaching by dissemination of the benefits of Intellectual Property originated from the Institute to the community and society
- h) Make the creator of IPR aware of the applicable laws and rules for ensuring their compliance; and
- i) Enable the Institute to make beneficial use of such developed IP for the maximum possible benefit of the creators, the Institute, and the nation at large.

OBJECTIVES

The objectives of the Policy are as follows, namely:

- a) To promote academic freedom and safeguard in creation of intellectual property at the Institute;
- b) To provide a comprehensive single window reference system for all intellectual property rights issues relating to intellectual property generated at the Institute;
- c) To safeguard the interest of creator of intellectual property and provide fair distribution of returns accruing from the commercialization of IPR;
- d) To help in introducing prudent IP management practices within the Institute to promote an IPR culture;
- e) To provide legal support, wherever necessary, to defend and protect the intellectual property rights obtained by the Institute against any infringement/ unauthorized use;
- f) To create an environment for acquiring new knowledge through innovation and research, compatible with the educational mission of the Institute;
- g) Make them aware that if they do decide on public release, the patent system cannot be brought into play thereafter;
- h) To ensure that once they decide to explore the prospects of commercialization of IP, they must disclose it to the Institute, while continuing to keep the information confidential until patent applications are being processed; and
- i) To ensure the release of institute's rights relating to an IP, back to the researcher where Institute decides not to pursue the opportunity for commercialization.

POLICIES

These policies cover all rights arising from intellectual property devised, created, or made by the staff in the course of their employment by the Institute irrespective of the eligibility of these rights for registration. The IP arising from academic research includes patents, designs, trademarks, service marks, copyright, know-how and undisclosed information.

These policies shall be applicable to all the Institute personnel, as well as non- Institute personnel associated with different classes of Intellectual Property - Patents, Designs, Trade Marks/Service marks, Copyright, Integrated Circuits Layout, Trade Secret and undisclosed Information.

Where an Intellectual property Right is claimed, the ownership of IP shall rest with the author(s) with the following exceptions:

- a) The Institute will require to be assigned to such intellectual property as is created by the creators through the use of Institute-supported resources. In this case, the Institute will take steps to commercialize the property through patenting or agreements. The creator shall agree to maintain all relevant details of intellectual property secret and confidential until the patent application is filed. In the case of protection through confidentiality, the same information will be kept secret and confidential as long as the intellectual property has commercial value. The creator shall furnish such additional information and execute such documents from time to time as may be reasonably requested for effective protection and maintenance of proprietary rights of the Institute in the intellectual property.
- b) If the work is produced during the course of sponsored and/or collaborative activity, specific provisions related to IP, made in contracts governing such activity, shall determine the ownership of IP.
- c) The Institute shall be the owner of the IP, including software, created by the Institute personnel with significant use of Institute resources. The Institute may demand assignment of the IP in whole or in part depending on the degree of Institute-supported resources used in producing the IP work.
- d) The Institute shall be the owner of the IP on all teaching materials developed by the Institute personnel as a part of any of the academic programs at the Institute. However,

the authors shall have the right to use the material in her/his professional capacity. As the traditional exception, the Institute shall not claim ownership of IP on books and publications authored by the Institute personnel.

- e) The Institute shall be the owner of the IP of work produced by non- Institute personnel associated with any activity of the Institute with the intellectual contribution of the Institute personnel. However, the authors shall have the right to use the material in her/his professional capacity.
- f) The student and his/her supervisor(s) will jointly have the ownership of copyright in the thesis / dissertation / project report written by a student.
- g) Invention(s) including software, design, and integrated circuit layouts created by the Institute personnel without significant use of the Institute resources and not connected with the profession for which he/she is employed at the Institute shall be owned by the creator(s).
- h) The Institute shall be the owner of all invention(s) including software, design, and integrated circuit layouts, created by a team of the Institute and non- Institute personnel associated with any activity of the Institute.
- i) Non-Institute personnel, who create invention(s) including software, design, and integrated circuit layouts at the Institute without any intellectual contribution of the Institute personnel and significant use of the Institute resources, shall be the owner of such invention(s).
- j) The creators of Institute-owned intellectual property shall retain their right to be identified as such unless they specifically waive off this right in writing.
- k) Royalty accruing or any type of payment received from the commercialization of the Institute-owned intellectual property will be shared between the Institute and the creators
- l) A committee will take a decision on the renewal of IP rights. If the Institute decides not to renew the IPR, then it will assign the rights of the IP to the creator(s) upon a request.
- m) Furthermore, it is possible that the research that the student carries out as part of the program of study may result in the generation of intellectual property other than the text of the thesis. Supervisors should advise the students during the course of their work that certain kinds of research may lead to the generation of intellectual property which will require protection of its commercial value through confidentiality, for which the student

will have to forgo publication during the period of sealing of a patent. Care should be taken at all stages to see that no conflict of interest arises between the student's academic activities and the generation of intellectual property.

- n) The Institute shall provide an IPR Advisor for drafting the IP application as appropriate. The inventor(s) shall conduct IP searches, study the present state of art and provide the necessary inputs to assist in the drafting of the IP application.
- o) If the external institute/creator chooses to file IP applications through IPR Cell, DSATM Bangalore, then they shall bear the cost of application and other associated costs. The Institute shall be free to enter into agreements with overseas institutions for protection and licensing of the IP.
- p) The creator(s) of intellectual property under the terms of this policy shall be required to determine and to state that to the best of their knowledge the intellectual property does not infringe on any existing copyright or other intellectual property or other legal rights of third parties. If any part of the work is not the original work or creation of the creators, the creators must show that the necessary permission for use has been obtained from the owner, or state their reasons for believing that such permission is not necessary as the use constitutes fair use. In case a third party alleges infringement of their rights by a creator and the Institute Intellectual Property Committee finds prima-facie that the creator may have made false claims, the Institute will take immediate steps to dissociate itself from the said intellectual property.
- q) The authorized/ designated office/ committee of the Institute will evaluate the disclosure made by the creator on the prescribed Invention Disclosure Form and determine whether there is a good prima facie case for believing that the intellectual property has economic value and it needs IPR protection. The Institute shall communicate to the creator within 90 days from the date of disclosure, its decision whether the i) Institute wishes to own and commercialize the intellectual property, ii. Institute is unwilling to commercialize the intellectual property. iii. The ownership of the intellectual property is in doubt.

DISCLOSURE

When the creators believe that they have generated patent-able or commercialize-able intellectual property using Institute-supported resources, they shall report it promptly in writing along with relevant documents, data and information, to the Institute through the appropriate authority using the Invention Disclosure Form of the Institute. Disclosure is a critical part of the IP protection process for claiming the inventor-ship. The information shall constitute a full and complete disclosure of the nature, particulars and other details of the intellectual property, identification of all persons who constitute the creator(s) of the property, and a statement of whether the creator believes he or she owns the right to the intellectual property disclosed, or not, with reasons. Where there are different creators of components that make up a system, the individual creators and their contributions must be identified and treated separately. In case of the sponsored and/or collaborative work the provisions of the contract pertaining to disclosure of the creative work is applied. By disclosure the inventor(s) shall assign the rights of the disclosed invention to the institute.