

# **SCMS School of Technology and Management (SSTM)**

## **IPR POLICY**

SCMS School of Technology and Management (SSTM) is run as an institution of excellence in management and technology education, abiding by the rules and regulations of Mahatma Gandhi University. Students are given wide exposure to the latest teaching methodology and industrial experience as provided in top- class institutions. All these will be delivered with the time-tested techniques perfected at SCMS.

Established in 2003 SSTM offers a two-year full-time Master of Business Administration (MBA), a two year Master of Computer Applications (MCA) and a five year Integrated MCA (IMCA) programme. These programmes are approved by the All India Council for Technical Education and affiliated to M.G. University, Kottayam. SCMS School of Technology and Management (SSTM) also offers M.Sc in Bio Sciences and Biotechnology, three year Bachelors program in Commerce (B. Com.) , Bachelors in Botany and Biotechnology (B.Sc.), Bachelors in Economics (B.A.), Bachelor of Computer Applications (BCA) , Bachelor of Business Administration (BBA) , BSc Psychology all affiliated to the Mahatma Gandhi University, Kottayam

### **INTELLECTUAL PROPERTY POLICIES OF SSTM**

#### **Preamble**

The vision of SSTM is to be a socially committed centre of learning renowned for its excellence in quality higher education & research to foster holistic development of individuals. In this competitive world, Intellectual property (IP) plays a vital role in preserving and commercializing the intellectual outcome of an Institute. The Intellectual Property Rights (IPR) Policy of the institute is needed not only to preserve the output of SSTM but also to create awareness among the faculty, staff, and students of SSTM and to know about its influences in the world at large. This Intellectual Property Rights (IPR) policy of the institute is expected to promote a competitive and conducive environment for both the curiosity driven and market-driven research and development activities conducted at the Institute level so as to protect the creation of original works of authorship. Also, it is in consonance with the National IPR Policy of Government of India, 2016

#### **The IP Policy:**

This policy is applicable to all SSTM personnel (staffs and students) as well as non-SSTM personnel connected with any activity of SSTM. It covers different classes of Intellectual Property like Patent (both product and process), Copyright, Trade Mark / Service Mark, Design Registration, Trade Secret, Confidential Information and Integrated Circuits Layout.

**Ownership:**

*Invention(s), Designs, Integrated Circuit Layouts and other creative works:*

Invention(s) including process, product, software, designs and integrated circuit layouts, created by SSTM personnel without the use of significant resources of SSTM and not connected with the profession for which employed at SSTM, shall be owned by the creator(s).

SSTM shall be the joint owner of all invention(s) including process, product, software, designs and integrated circuit layouts created by individual or teams of SSTM and non-SSTM personnel connected with any activity of SSTM. Non-SSTM personnel, who create invention(s) including software, designs or integrated circuit layouts at SSTM but without intellectual contribution of SSTM personnel or significant use of SSTM resources, shall be the joint owner of such invention(s). Except as specified above, SSTM shall be the owner of all invention(s) including process, product, software, designs and integrated circuit layouts created at SSTM. SSTM shall be the address for service in all IPR applications for any invention(s) including process, product, software, designs and integrated circuit layouts created at SSTM.

***Copyrightable Work:***

Ownership of copyright of all copyrightable work shall rest with the author(s) with the following exceptions:

SSTM shall be the owner of the copyright of work, including software, created by SSTM personnel with significant use of SSTM resources.

SSTM shall be the owner of the copyright on all teaching material developed by SSTM personnel as part of any of the academic programs at SSTM. However, the authors shall have the right to use the material in her/his professional capacity. As the traditional exception, SSTM shall not claim ownership of copyright on books and publications authored by SSTM personnel.

SSTM shall be the owner of copyright of work produced by non SSTM personnel connected with any activity of SSTM with the intellectual contribution of SSTM personnel. However, the authors shall have the right to use the material in her/his professional capacity.

***Trade Mark(s) / Service Mark(s):***

Ownership of trade mark(s) / service mark(s) created for SSTM shall be with SSTM.

In cases of all IP produced at SSTM, it shall retain a non-exclusive, free, irreversible license to copy/use IP for teaching and research activities, reliable with confidentiality agreements.

**DISCLOSURES, CONFIDENTIALITY AND ASSIGNMENT OF RIGHTS**

For all inventions produced at SSTM, if the inventor(s) wish to protect the invention(s) they produce, then they are required to disclose the creative work to the IPR cell through an Invention Disclosure Form (IDF) at the earliest date. Disclosure of invention in the parent institution's IPR cell is a sensitive part of the IP protection process and it formally documents the claims of inventorship, the date of the invention and other details of the invention. The inventor(s) shall assign the rights of the disclosed invention to SSTM. Even after submitting the IDF to the IPR cell, the inventor(s) should treat all IP related information of the particular invention, rights assigned to SSTM or rights rest with SSTM personnel as confidential.

**VALUATION OF INNOVATION(S) FOR PROTECTION**

To facilitate valuation of a creative work for protection and allied activities, an IP Valuation Committee (IPVC) shall be formed by the IPR cell secretary consisting of Dean/ director (R&D) as chairperson, IPR cell coordinator and at least three additional faculty members (Who are all not in the list of co-authors for the corresponding creative work) with domain expertise or familiarity/experience in areas related to the particular creative work.

The IPR cell shall assess the IDF in a timely manner and shall convey the details to the IPVC for facilitate them to make recommendations on the patentability of the invention. The IPR cell may make one of the following recommendations that:

- SSTM shall take the responsibility of protection of the IP, in such cases and IPR cell will initiate appropriate processes.

- SSTM shall not take the responsibility of protection of the IP, in such cases and the rights to the disclosed invention shall be promptly reassigned to the creator(s). The creator(s) may then choose to protect the creative work on their own.

## **RENEWAL OF IP RIGHTS**

A decision on the annual renewal of IP rights will be taken by a committee constituted by the IPR cell secretary, Dean (R&D) and Principal. If SSTM decides not to renew the IPR of a particular IP, then it will assign the rights of the IP to the creator(s) with or without a request from the creator(s). In case of patents, the process of reassignment will be completed in a period of three months before the due date for its renewal. In all cases where IP rights have been reassigned to the inventor(s), SSTM shall not claim any share of proceeds earned through that IP excepting for the costs already incurred by SSTM.

### **SUPPORT:**

#### ***Obtaining IPR:***

If SSTM decides to protect the creative work, it shall provide support through IPR cell for drafting the IP application for filing. SSTM shall pay for access to the relevant IP information databases and other associated costs. The inventor(s) shall conduct IP searches to study the prior art and provide the necessary inputs to draft the IP application at the time of submitting IDF. SSTM shall bear all costs of drafting and filing an Indian IP application.

#### ***Technology Transfer:***

SSTM shall attempt to market the IP based on the market demand for the IP to which it has ownership or joint ownership. The creator(s) are expected to support in this process. optionally, if SSTM has not been able to commercialize the creative work in a reasonable time frame; the creator(s) may approach the IPR cell coordinator for the assignment of rights of the invention(s) to them.

### **SSTM's Dispute Resolution**

In case of any disputes between SSTM and the inventors regarding the implementation of the IP policy, the aggrieved party may appeal to the Principal of SSTM. Efforts shall be made to

address the concerns of the aggrieved party. The principal's decision in this regard would be final and binding.

**Glossary:**

'Author' means faculty, students, staff or visiting faculty who has/have written or created a creative work.

- 'Collaborative Activity' is the research undertaken by SSTM personnel in collaboration with industry and or another researcher(s) who are not SSTM personnel.
- 'Confidential Information' is Information not in the public domain and declared confidential by parties as such in a MOU/Agreement that has been signed by the parties.
- 'Creators' are persons who have produced any original work.
- 'Cumulative Earnings' from a patent/patent application are the total earnings to date obtained from the commercialization of the patent/patent application.
- 'Intellectual Contribution' means original technical or artistic contributions.
- 'Intellectual Property' is not limited to copyrights and copyrightable materials, patented and patentable inventions, physical research results, trademarks, service marks and trade secrets.
- 'IP Valuation Committee (IPVC)' is a committee formed by the IPR cell secretary, who decides on the issues of ownership and patentability among others consisting of Dean (R&D) as Chairperson, the IPR cell Secretary and at least three additional faculty members.
- 'Invention' is not only limited to any new and useful process, formula or machine conceived or first reduced to practice in whole or in part. Inventor(s) are person(s) who produce an invention.
- 'Net Earnings' is Earnings resulting from the licensing or commercialization of the IP, reduced by the outstanding actual expenses incurred in obtaining and commercialization of the IP.
- 'Significant Use of SSTM Resources' in any form.