



Anna University Intellectual Property Policy



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Intellectual Property (IP) refers to creation from the mind of any person (inventor) such as inventions, innovations, literary work, artistic works, designs, symbols, names, logos, images. IP plays an important role in providing a competitive edge to any organisation. The tangible assets like inventions, designs, software, brand name and other creative and innovative ideas are more valuable than physical assets. It is necessary to protect these creations in order to enable organisations to earn recognition or financial benefits. In this scenario, Governments of various countries protect the innovative ideas of the inventors through Intellectual Property Rights (IPR). Recently, IPR has become a central issue in the developed and developing countries.

The faculty, research scholars, scientists, students and other personnel of Anna University are actively engaged in various research and development activities of diversified nature. Many of these research and development leads to different forms of IP, which are likely to be commercially exploited unless protected by IPR. In this scenario, Centre for Intellectual Property Rights (CIPR) of Anna University encourages, facilitates, promotes and safeguards scientific investigations and research of Anna University Personnel and others. CIPR is acting as nodal centre for carrying out all the activities related to IP. For the convenience of the inventors, CIPR has come out with this booklet “Anna University Intellectual Property Policy”. This booklet will give an idea to all the inventors about the functioning of CIPR.

Anna University IP Policy aims to lay down the process for promotion and support to innovators of Anna University Personnel and others for converting their innovative works into IP. Anna University IP policy also aims to set forth guidelines for ownership of IP developed at Anna University by Anna University personnel, those directly or indirectly associated with Anna University, either in-house or outsource, sponsored unless specially covered by a policy to the contrary. CIPR will address specific cases by using this Anna University IP policy document as guidelines. The IP policy of Anna University is expected to fulfil the commitment of the Anna University in order to promote academic freedom and provide a beneficial environment for research and development.

DIRECTOR, CIPR

Introduction to IPR

Intellectual Property Rights (IPR) denotes the specific legal rights of the inventors to hold and exercise Patents, Trademarks, Copyrights, Industrial Designs, etc. IPR aims to exclude third parties from exploiting the protected subject matter for a certain period of time (normally 20 years), without explicit authorisation from the right holders.

IPR owners can use or disclose their creations without fear of loss of control over their usage during the course of dissemination of their creation/invention. IP confers of exclusive rights in relation to the particular form in which ideas/information are expressed/manifested in the following manner.

- i) New and useful scientific and technical advancements in the form of innovations, inventions, products and processes, computer hardware and software, materials, biological varieties, etc. which are patentable.
- ii) Industrial and architectural designs, models, drawings, creative, artistic and literary works, teaching resource materials, generated records of research including thesis, dissertations, etc. which are copyrightable.
- iii) Trademarks, service mark, logos, etc.

About CIPR

Centre for Intellectual Property Rights and Trademarks was established in Anna University in the year 2005 as per the approval of Syndicate of Anna University at 170th meeting held on August 24th 2005. Subsequently the name of above Centre is changed to Centre for Intellectual Property Rights (CIPR) in the year 2009. CIPR was established to create awareness and offer assistance to academicians, researchers, entrepreneurs and innovators to identify, protect and manage IPR effectively. CIPR actively involves in educating the importance of IPR for various communities. CIPR has to its credit a well established IP policy, approved by Anna University syndicate in the 189th meeting held on 17th July 2008. CIPR is functioning as the nodal centre for Industries, Small and Medium Entrepreneurs, Educational and Research Institutions for IPR related matters.

CIPR provides IP services such as Patent Search, Patent Specification Drafting and Filing of Patent Applications at Chennai Patent Office for a nominal amount to students, research scholars and faculty of Anna University, Affiliated colleges of Anna University, SME's and Large Establishments.. Similarly, CIPR is also filing application for Designs, Trademark and Copyrights to Anna University Personnel and others. CIPR is acting as correspondence for the applications filed by faculty, researcher and students of Anna University personnel

CIPR has successfully completed a sanctioned project during 2006 to 2009 of Rs.151.80 lakhs for the creation of "Centre for Providing Electronics and Information Technology Patent visualization and Alert Services". The project was funded by the Department of Information Technology, Ministry of Communication and Information Technology, Government of India, New Delhi. Based on the above project, books were published under the titled "A Glimpse of the Indian E & IT Patents" Vol, 1 & Vol. II. CIPR successfully conducted number of Certificate Courses on Intellectual Property Rights in collaboration with Tamil Nadu Technology Development and Promotion Center (TNTDPC) of Confederation of Indian Industries (CII), Chennai.

Services of CIPR

1. Filing of Patents:

CIPR has expertise and experienced professionals to do patent searches (both from free and paid databases), patent specification drafting, patent filings and related works.

2. Design Patents:

CIPR carries out design patent search and filing of design patents applications for shape, configuration, pattern, composition of lines, colours applied to any products.

3. Trademarks:

CIPR carries out trademark search and filing trademark applications for logo, symbol, design, image, sound, colour, slogan, smell, word, phrase or combination of these elements.

4. Copyrights:

CIPR assists in copyright filing related to the original work of literary (books, lab manuals, etc), artistic (painting, sculptures, photographs, etc), dramatic, musical work, cinematographic films, sound recording, software programme, etc.

5. Awareness Programme:

The CIPR regularly conducts awareness programs to educate the importance of IPR for faculty, students, research scholars, R&D institutions, SMEs, large establishments, etc (Please refer CIPR website for further information).

Objectives of Anna University IP Policy

The objectives of this Anna university IP policy are:

- a) To foster, stimulate and encourage creative activities in the widest sense in all the areas in which academic, consultancy and research programmes are offered by Anna University.
- b) To protect the legitimate interest of faculty / scholars / students of Anna University and to avoid as far as possible conflict of opposing interests.
- c) To lay down a transparent administration system for the ownership and control of intellectual properties and sharing of the revenues generated and owned by Anna University.

Ownership of IP

Anna University shall be the owner, with the creators specially stated as inventors for all the intellectual property inventions, software designs and specimens created by the creators who include faculty members, research scholars, students and those who make use of the resources of Anna University.

The Inventions created by Anna University personnel, without using Anna University resources and created outside their assigned/normal duties/areas of research /teaching shall be owned by the creators and the revenue generated out of such creations shall be shared in the ratio of 75:25 between the creator and Anna University respectively.

If an IP has emerged as a result of an Institutional/Industrial consultancy, sponsored to Anna University the concerned industry and Anna University shall own the IP. This however will not apply to those IP that are covered under specific MoU's where the action shall be carried out as per the provisions of the MoU's. If the IP is a result of funds sponsored by an outside agency, then the IP will be shared between Anna University and the sponsoring agency on case by case basis, as per MoU/Agreement/Undertaking between Anna University and the outside agency.

A computer software may be patented, copyrighted, trademarked depending upon the IP content. A copyright software may be distributed for research and teaching purposes by its creator after obtaining appropriate undertaking to the effect that it will not be used for commercial purpose nor will it be transferred to any other party without explicit permission of Anna University.

Internal Evaluation of IP

CIPR will coordinate the activities of evaluating, protecting, licensing and managing the IP generated by Anna University. Further, it shall provide guidance to all Anna University personnel and facilitate protection and deployment of intellectual property issues of ownership, confidentiality, suitable advice from experts, disclosure, patentability and transfer.

An invention will be patented only if it has commercial value and viability for production and marketing. A Patentability committee consisting of Director (CIPR), Director, Centre for Technology Development and Transfer (CTDT), Director, Centre for Research and other expert member/s to the extent required shall decide the commercial value and related aspects on case by case basis. The committee shall also act to the best of its knowledge to avoid scientific misconduct in research and developmental activities of Anna University.

Publication Based on IP

For patentable IP, it is essential that the patent protection is filed before the publication or disclosure of it in any other form of public domain.

Patent Filing Process

Provisional patent application that may arise out of projects/research activities of Anna University may be directly applied by the Creators/Inventors after obtaining formal permission from CIPR on their own Cost.

After submitting the complete specification, in the Indian Patent Office, CIPR will guide the inventors on the protection of invention in foreign countries. However, the cost towards filing of patent in foreign countries will be borne by the inventors.

Maintenance of Patents

For the inventions developed at the Anna University with the Anna University personnel and the inventors who wish to protect the invention, it is mandatory that the creator has to disclose the creative work by using an Invention Disclosure Form (IDF) (Annexure 1 and also available in the CIPR website). The inventors shall assign the rights of the disclosed invention to Anna University. All IP related information that is disclosed to Anna University is confidential.

Confidentiality shall be maintained till the dates stipulated in the contract between the concerned parties. Once the IPR is ensured, (published in the Journal of Indian Patent Office) the inventor/creator is encouraged to publish the work in the interest of general public.

Patent Fee

The Centre for Intellectual property rights shall bear 75% of the Patent filing fee and 25% shall be borne by the inventor. Anna University will pay the patent fees for the first seven years in all cases when patent is taken by Anna University. If it is a joint patent with sponsoring agency, then the patenting cost will be equally shared. If the other agency does not show interest in such process, Anna University can either continue the patent by paying the fees for its full term or withdraw application for the patent protection, at its discretion.

Transfer of IP

Anna University shall strive to identify potential licensee for the IP to which it has ownership. Generally creators are expected to assist the transfer of IP. Anna University may contract any of the technology management agency which manages the commercialization of IP. If exclusive rights of IP have not been assigned to the third party, creators may enter into a contract with any potential licenses on their initiative maintaining confidentiality and taking care through Non Disclosure Agreement with the concurrence of Anna University. The inventor/creator has the first right on the terms and conditions that are agreeable by Anna University.

Revenue Sharing

The revenue sharing arrangements are as detailed below:

60 % (sixty percent) of the total revenue (lump sum payment, royalty or any other form) accruing from the commercial exploitation of IP owned by Anna University shall be credited to creators. 40% of the revenue shall be credited to Anna University.

Copyrights

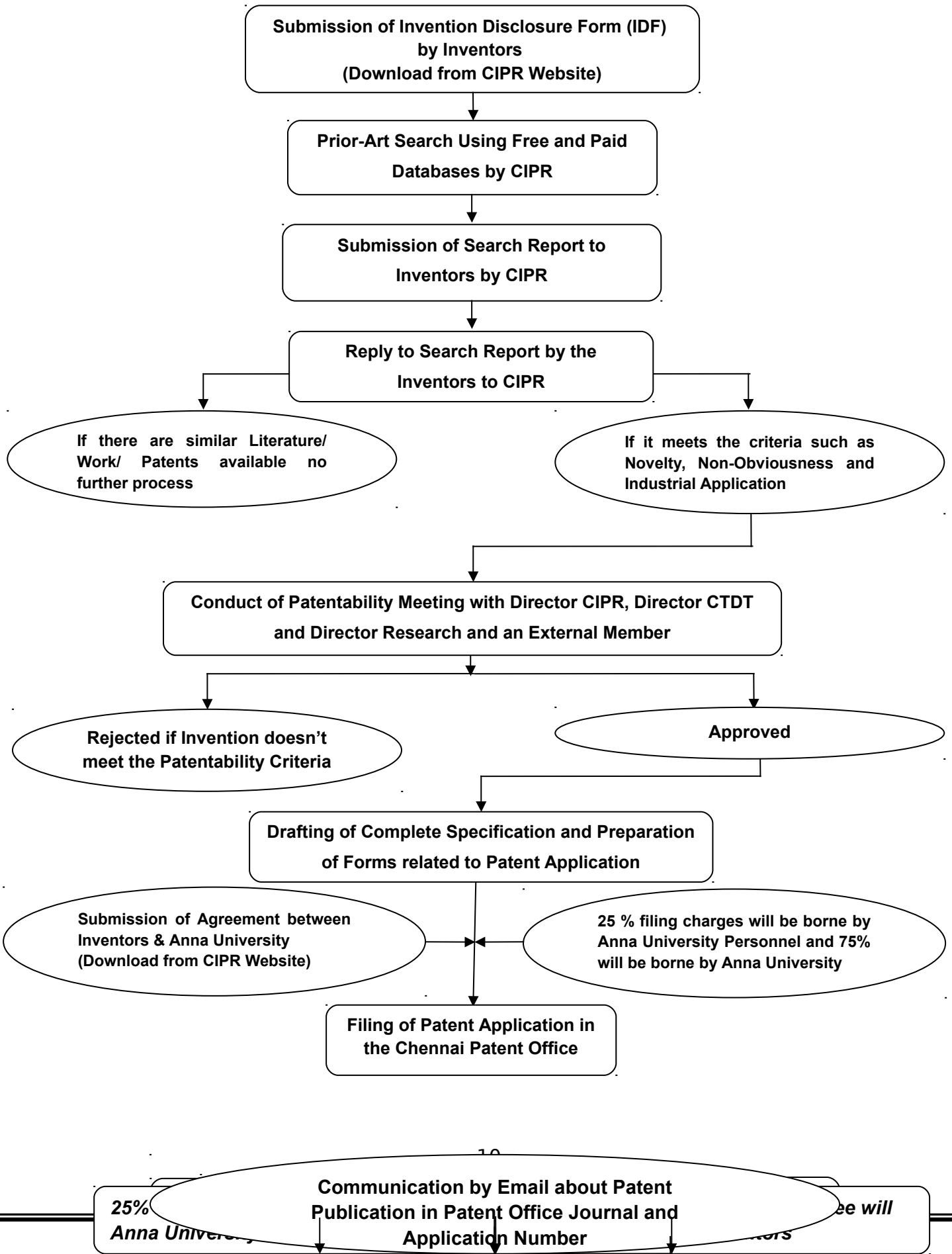
Ownership of the copyrights:

Anna University shall be the owner of all copyright works including software and all connected teaching materials designed and developed by employees of Anna University.

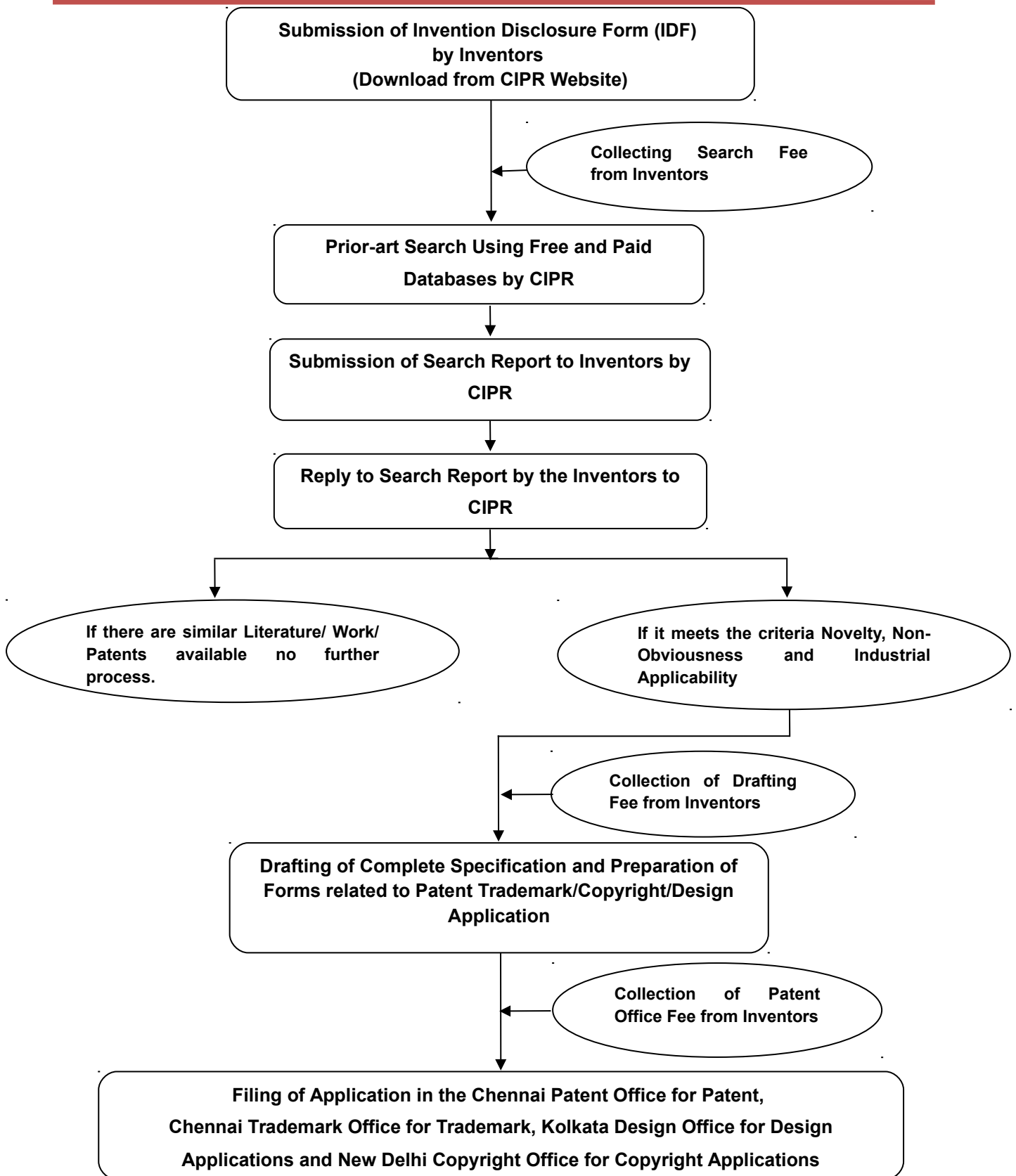
Further, Anna University shall also be the owner of copyrights of works produced, including software and all teaching materials developed by persons not directly associated with Anna University, provided Anna University has made its contribution in the form of any of the resources.

The ownership of copyright by Anna University will in no way deprive the claims of the creator/author to publish his/her contribution in a scholarly and intellectual way and they have authority to improve, publish and propagate their works.

Patent Filing Procedure for Anna University Personnel



IP Filing Procedure for Individuals/Affiliated Colleges/SME's/Companies



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