



INSTITUTE OF SCIENCE, TECHNOLOGY & ADVANCED STUDIES (VISTAS)

(Deemed to be University Estd. u/s 3 of the UGC Act, 1956)

PALLAVARAM - CHENNAI

ACCREDITED BY NAAC WITH 'A' GRADE

INSTITUTION WITH UGC 12B STATUS

Marching Beyond 30 Years Successfully

Intellectual Property Rights (IPR) Policy at VISTAS

Introduction

VISTAS is committed to excellence in teaching and research. The IPR policy of VISTAS aims to provide a framework to create, promote, support, and protect the inventions of VISTAS. Another objective is to increase awareness of knowledge assets and to undertake and promote consultancy, research projects, and commercialization of inventions, innovations, and research findings for the benefit of society.

Applicability

This Intellectual Property Rights policy applies to all faculty, staff, students, and researchers at VISTAS.

Coverage of IPR Policy

This policy covers and extends to Intellectual Property (IP), including but not limited to:

- New, useful, scientific, and technological advancements in the form of innovations, inventions, products and processes, computer hardware and software, materials, biological varieties, etc., that are patentable.
- Industrial and architectural designs, models, drawings, creative, artistic, and literary works, teaching resource materials, generated records of research, including theses and dissertations, software, websites, etc., covered under copyrights and designs.
- Trademarks, service marks, logos, integrated circuit layout designs, etc.
- Any potential IPR generated through consultancy, live, capstone, or dissertation projects.

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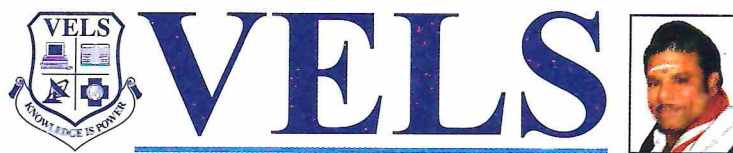
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Objectives

The objectives of this policy are as follows:

- To foster, stimulate, and encourage creative activities in all areas, including but not limited to academics, research, consultancy, and other activities of VISTAS.
- To protect the legitimate interests of all stakeholders of VISTAS and society and to avoid conflicts of opposing interests as far as possible.
- To provide a transparent administrative system for the ownership, revenue distribution, control, and transfer of IP.
- To offer a comprehensive single point of contact for all questions regarding intellectual property rights pertaining to the institute's generated intellectual property.
- To assist in implementing responsible IP management practices within the institute to foster an IPR culture.
- To offer legal assistance when needed to defend and safeguard the intellectual property rights that the institute has acquired against any infringement or unauthorized use.
- To ensure that individuals who choose to investigate the possibility of commercializing intellectual property must notify the institute and keep the data private until patent applications are processed.

Definitions

Priority Date: The date of filing the first application for a patent for the respective technology.

Inventor(s): A person or group of persons who created/invented the respective IP, process, product, or design.

Applicant: The person who has applied for the patent and owns the legal right to the patent.

Technology Transfer: The process of transferring research results, scientific knowledge, discoveries, processes, methods, technologies, etc., from one organization to another for further development and commercialization.



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Assignment: The transfer of ownership permanently to the assignee by the inventor.

Prior Art: All information made available to the public in any form before a given patent application date that might be relevant to a patent's claims of originality.

Author(s): A person or group of persons who is the originator of literary, dramatic, or artistic work.

Ownership of Intellectual Property

VISTAS shall be the sole owner of the application as per the general interpretation of IP, and the concerned VISTAS faculty who created the IP shall be the inventors.

- Any intellectual property that is made, designed, or created by VISTAS faculty during their tenure of employment, research work, or study, or any other engagement/association with VISTAS, using VISTAS resources including funds, time, facilities, equipment, manpower, or any other resources.
- Intellectual property developed under any contract, tie-up, arrangement, work for hire, or outsourced by VISTAS.
- Intellectual property developed with the use of external funds/facilities, including sponsored research or consultancy projects obtained in the name of VISTAS, with or without any support or resources from VISTAS.
- Intellectual property developed pursuant to an agreement, collaboration, or arrangement where ownership has been transferred to or vested with VISTAS.
- Any IP, including software, technology, processes, etc., developed over a period of time with contributions from VISTAS faculty for VISTAS.

VISTAS Shall Share Ownership

- If the IP is a result of funds sponsored by an organization other than VISTAS, the IP will be shared between VISTAS and the sponsoring agency on a case-by-case

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basis, as per the mutual agreement between VISTAS and the concerned organization.

- When the IP has emerged as a result of institutional/industrial/other consultancy given by VISTAS, the concerned organization and VISTAS shall jointly own the IP as per mutual agreement.
- When the IP has emerged as a result of collaborative research work by VISTAS and other collaborating organizations without external funding from a third party, the concerned collaborating organization and VISTAS shall jointly own the IP as per mutual agreement.
- If the IP has emerged as a result of collaborative research work by VISTAS and a collaborating organization with support from external funding from third parties, the concerned collaborating organization, sponsoring third parties, and VISTAS shall jointly own the IP as per mutual agreement.
- When the IP has emerged from the work carried out by VISTAS faculty during their visit to a third party/institution/organization, it will be owned according to the terms and conditions defined in the mutual agreement.

For the sharing of IP as detailed above, the following guidelines shall be followed:

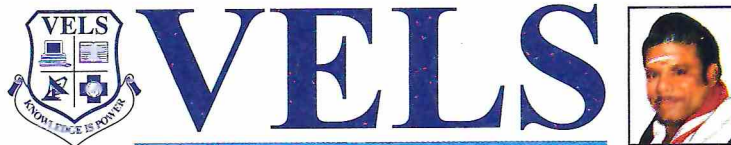
- If the external funding agency allows VISTAS to own the IP, then VISTAS may share its rights with other third parties, subject to their respective contributions.
- If the funds are provided by a government organization, then ownership shall be decided in compliance with the ownership clauses defined by the respective funding organization for project approval.
- In the case of funds provided by a non-government agency, ownership can be shared between VISTAS and the funding agency, considering the relative contributions of the parties involved.

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Waiver of IP Rights

VISTAS reserves the right to discontinue or proceed with the IP at any stage.

Process of Internal Evaluation for Patents

- A committee shall be constituted by the university to internally decide the feasibility, commercial value, and related aspects on a case-by-case basis. The committee shall also act to the best of its knowledge to avoid scientific misconduct related to research and developmental activities. The committee shall also provide advice on any idea rejected by the IPR cell in an internal search, as well as an opportunity for the inventor to present the idea to the panel.
- If an invention/idea is not approved by the committee, but the concerned inventor requests to proceed with that idea/invention, it will be sent for evaluation by the concerned patent organization as decided by VISTAS, which may include the State Council for Science & Technology or an IP filing firm working with VISTAS.
- In the event of rejection of an idea/invention after evaluation, the concerned inventor may be allowed to file their respective invention/idea in their names as applicants with the prior approval of the competent authority of the university.

For Provisional Filing

1. The university shall proceed as early as possible with the provisional filing.
2. The inventor shall disclose the invention to the IPR cell.
3. The IPR cell will conduct an initial search through paid patent databases and other free databases.
4. The faculty needs to submit details of the budget and prototype for the idea to the IPR cell.
5. If the idea is found completely novel in an external patent search and works within budget, it will be filed immediately.



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6. The drafting and filing will be done by the IPR cell in DRD.
 7. Once the provisional filing is done, the faculty in charge shall develop the working prototype within 10 months from the date of the provisional filing.

Case Scenarios

Case 1: Faculty Leaves the University after Provisional Filing

- If the concerned faculty leaves the university after provisional filing, the HOD of the concerned department shall allocate the project to another faculty for prototype development. The benefits of commercialization shall not be given to the faculty who left the organization without developing the prototype. The benefits shall be given to the faculty member who further develops the prototype, with their name included in the complete patent filing.

Case 2: Faculty Fails to Develop Working Prototype within Timeline

- If the faculty fails to develop the prototype within a 6-10 month timeline, they must provide reasons for not developing the working prototype. The inventor can request to post-date the application for six months. In such cases, the government fees for post-dating shall be borne by the inventors. Action shall be taken against the faculty member if they still do not develop the prototype on time, as per the discretion of the panel.

Case 3: Internal Panel Rejects the Idea during Presentation

- If the internal panel rejects the idea during the presentation and the faculty still wishes to proceed, a second chance will be given by the panel. If it gets rejected for the second time, the patent may be assigned to the inventor, and the cost of filing and other expenses shall be reimbursed by the inventor.

Constitution of the Committee for Internal Evaluation

The committee for internal evaluation shall be constituted by senior faculty, the Head of Department, and the Dean of Research of the university.



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Filing

The IPR will proceed with the filing of the patents. VISTAS shall bear 100% of the costs required for the filing.

Commercialization

After the filing or granting of the patent (IP), commercialization will be pursued through licensing, assignment, or other provisions deemed appropriate by the university.

Copyright

Copyright owned by the author(s)

Faculty, researchers, and students own the copyrights for textbooks, research books, articles, monographs, and other scholarly publications. This also includes popular novels, poems, musical compositions, and other works of artistic imagination.

Revenue generated from such activities must be shared with VISTAS according to the prevailing rules of income from other professional activities/sources.

Copyright owned by VISTAS (artwork, lab manuals, software, etc.)

- VISTAS owns all copyrighted works, including software and teaching materials designed and developed by VISTAS faculty.
- VISTAS also owns the copyrights of works produced utilizing its resources, funds, and time.
- A No Objection Certificate, signed by all team members, must be submitted to the Intellectual Property Rights Cell for filing by VISTAS.
- Infringement liability lies solely on the inventor/author.
- For joint filing, a letter of authorization must be given to VISTAS for filing.

Other copyrighted material

- VISTAS faculty will respect the protection offered by the Indian Copyright Act of 1957.
- Faculty will use copyrighted materials only for personal use, teaching, and research purposes as permitted by Indian IP laws.

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- Faculty will not use copyrighted material in their thesis, publications, reports, and other professional documents without explicit prior permission from the copyright holder.
- Faculty are responsible for reviewing and ensuring their content complies with the Copyright Act of India 1957.

Violation of Policy

Any VISTAS personnel found guilty of non-adherence, violation, or breach of this policy will be subject to strict disciplinary action as decided by the university, which may include termination or expulsion, in accordance with relevant laws.

Power to Amend or Make Modifications

The university reserves the right to amend or modify any provision of this policy as it deems necessary from time to time. In cases of doubt regarding the interpretation of this policy, the decision of the competent authority of the university shall be final and binding on all concerned.

Technology Transfer

The university will strive to market its intellectual property (IP) and identify potential licensees. Creators are expected to assist in this process. The university may engage a technology management agency to handle the commercialization of the IP. For intellectual property where exclusive rights have not been assigned to a third party, creators may also contact potential licensees on their own initiative. They must maintain confidentiality and take necessary precautions to protect the IP's value through appropriate agreements, such as non-disclosure agreements, during technology marketing discussions.

Principal Investigators (PIs) are not permitted to independently transfer technology, either on an exclusive or non-exclusive basis, to any party without the consent of the IPR owners. The terms and conditions for each technology transfer will be determined on a case-by-case basis, with the approval of the Dean of Research or the Vice-Chancellor.


REGISTRAR
Registrar

Vels Institute of Science, Technology

& Advanced Studies (VISTAS)

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3.5.1 – The institution has a policy on IPR consultancy including, revenue sharing between the institution and the individual, besides a training cum capacity building programme for teachers, students and staff undertaking consultancy.

VISTAS CONSULTANCY POLICY

Introduction:

VISTAS functions as a socially responsible educational institution and aims to unleash the talents of our faculty and students for the benefit of the economy and society as a whole. VISTAS is committed to supporting external engagements that facilitate knowledge and technology transfer, contributing to economic and social impact. This external engagement can be considered as “consulting” activity. Consulting involves knowledge transfer and occurs when knowledge and expertise are successfully deployed outside the university environment for financial and non-financial benefit. This may include various consulting activities, such as delivering knowledge outside the university through training programs. Consultancy contracts are typically short-term and entail additional work for faculty members rather than the employment of new staff. The University permits consulting activity for eligible faculty members. Permission for consulting activity is not guaranteed and requires written approval from the Registrar. Faculty members must maintain records of their consulting activities. When considering whether to grant permission for consulting activity, the Registrar will take into account factors such as the compatibility of the activity with the faculty member's responsibilities and commitments, potential conflicts of interest, and the use of university resources. VISTAS reserves the right to amend the rules and regulations.

VISTAS aims to provide a research-driven environment and facilities to students and faculty members. The institution recognizes the value of its staff undertaking consultancy for outside bodies. This work serves as an essential channel through which knowledge and expertise can flow to and from businesses and other external agencies, contributing to the development of productive relationships with these entities. The general characteristics of consultancy activities are as follows:


Registrar

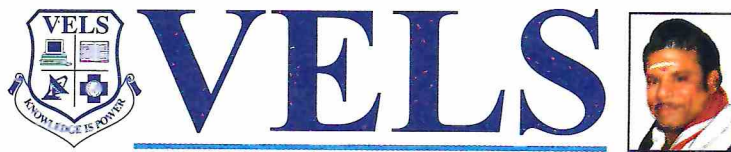
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- Consultancy involves work of a professional nature, conducted by faculty members in their field of expertise for clients outside the institution, with some financial return provided.
- Consultancy produces contracted output that the client may partly or wholly own.
- It is typically governed by short-term contracts, makes minimal use of college resources, and entails extra work for existing faculty members rather than the employment of new staff.

Procedure for Consultancy Work:

- A proposal is prepared and submitted by the Principal Investigator (PI) to address critical issues and adopt new methodologies for industries and institutions.
- All consultancy proposals must be submitted by the PI and endorsed by the Registrar.
- These projects are led by a Principal Investigator (PI) and may involve Co-Principal Investigators (co-PIs), with the deliverables being the responsibility of the PIs.
- The institute provides necessary support to the PIs.
- The PI manages the project account, and the budget should include expenses for equipment, supporting manpower, travel, contingency, etc.
- All payments for consultancy work must be made in the name of the Registrar, VISTAS.
- The statement of expenditure and utilization certificate will be prepared at the end of each financial year by the PI and should be approved by the Finance Officer.
- The final report should be submitted to the funding agency and the office of the Registrar.
- Outstation travel for consultancy assignments may be undertaken with prior approval from the Dean/Director/Head of the Department and the Registrar.
- Consultancy assignments may be taken up and implemented within the indicated constraints, provided they do not adversely impact ongoing academic, research, and related activities.



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Eligibility for Undertaking Consultancy:

Consultancy assignments can be undertaken by faculty members of departments, Research Scientists of Schools / Departments / Centers, and all other employees of VISTAS. All employees undertaking consultancy shall be referred to as Principal Investigators (PIs)

The consultancy fee shall be distributed as follows:

Categories	Type	Principal Consultant and team members	Concerned Department	VISTAS
Category 1	Individual Consultancy	80%	10%	10%
Category 2	Institutional	60%	20%	20%
Category 3	Departmental Consultancy	60%	20%	20%
Category 4	Testing and Evaluation / Calibration and Standardization Services Analysis and Characterization of Samples	30%	40%	30%

Conflict of Interest:

Faculty undertaking consultancy activity must ensure that:

- The consultancy work does not create a conflict of interest with the faculty member's regular work schedule at the university.
- The work is marginal rather than core to the faculty member's research program.

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