

INTELLECTUAL PROPERTY (IP) POLICY: UNIVERSITY OF SWAT



**Office of the Research, Innovation and
Commercialization (ORIC)**

University of Swat

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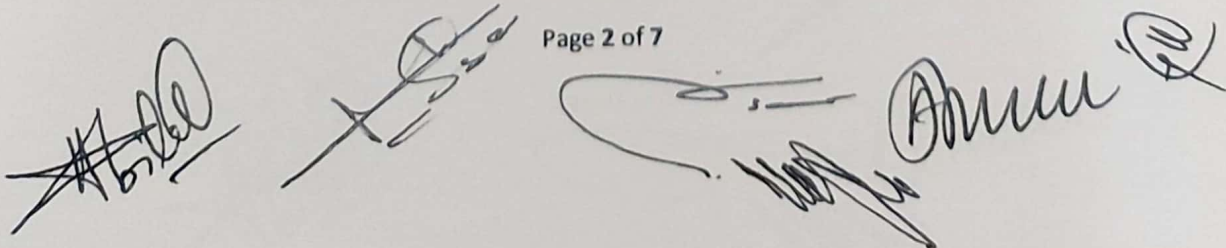
1. Introduction:

In the recent years identifying, creating and protecting the intellectual property have been the institutional objectives of many universities. The essence of this IP Policy is to identify and create Intellectual Property and bring research outcomes to the next stage of development at University of Swat.

Intellectual property (IP) pertains to any original creation of the human intellect such as scientific, technical, artistic or literary creation. Intellectual property rights (IPR) refers to the legal rights given to the inventor or creator to protect his/her invention or creation for a certain period of time. These legal rights confer an exclusive right to the inventor/creator or his/her assignee to fully utilize his/her invention/creation for a given period of time.

In today's age, Science & Technology (S&T) is broadly acknowledged as one of the main factors that strengthen the economic practices of a country. Every transaction, human dealings and economic development is inclined to S&T based activities. Pakistan has laid efforts to promote S&T based activities country-wide. Struggles in the form of policy recommendations had started long since 1960 by Scientific Commission of Pakistan and recently by extensive efforts of professionals the present National Science, Technology and Innovation Policy 2012 has been drafted. This policy acknowledges innovation as being an important segment of the S&T system and also puts an emphasis to the formation and strengthening of the System of Innovation (University-Industry-Government interaction) within Pakistan.

System of Innovation demands an active participation of all stakeholders, particularly the universities and R&D organizations therefore University of Swat, as being an academic organization, takes the responsibility of making itself purposeful to society. University of Swat believes that the growing emphasis to Science, Technology & Innovation, will prosper a better quality to R&D (both basic and applied nature); will grow an increased dependability of Academia & Industry over each other; and will surge the number of Intellectual Property to the

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organization's knowledge repository. Taking into account these development it seems quite necessary to devise a policy that is capable of confronting all of the above mentioned scenarios. University of Swat therefore developed the IP policy to create an environment which favors IP generation, strengthens University-Industry relations and simplifies technology transfer and commercialization activities.

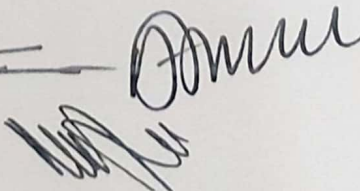
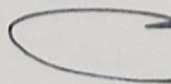
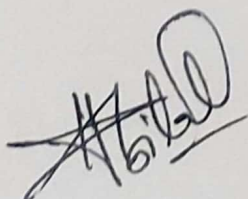
2. Aim of the Policy:

Aim of this policy is to build thorough course of actions for IP related activities such as ownership, disclosure, market assessment, licensing and revenue distribution of an Intellectual Property in University of Swat, Pakistan.

3. Objectives:

University of Swat intend to produce effective procedures and guidelines for the Intellectual property in order to achieve the following objectives:

- Provide legal certainty
- Protect the rights of all the stakeholders with respect to Intellectual Property
- Promote scientific research and technological development
- Encourage researchers to consider the possible opportunities for exploiting an invention so as to increase the potential flow of benefits to society
- Provide an environment that supports and encourages innovation and development
- Balance the various conflicting interests of University of Swat, industry and society
- Ensure compliance with applicable national laws and regulations
- Promote scientific investigation and research for public benefit
- Boost the repute of University of Swat as an R&D institute



4. Coverage of the Intellectual Property:

- 4.1 The IP policy of University of Swat will be applicable to faculty, staff, students, PhD-scholars, post-doctoral, funding bodies & donor/sponsoring agencies having a direct or an indirect affiliation to University of Swat.
- 4.2 University of Swat considers it important to include only those IP types that go parallel to the nature of R&D activities carried within the university. Thus the IP types covered in this policy are: Patents, Copyrights, Industrial Designs and Trademarks.
- 4.3 This policy shall apply to all intellectual property produced & people/bodies covered on or after the operational date of this policy.

5. Ownership:

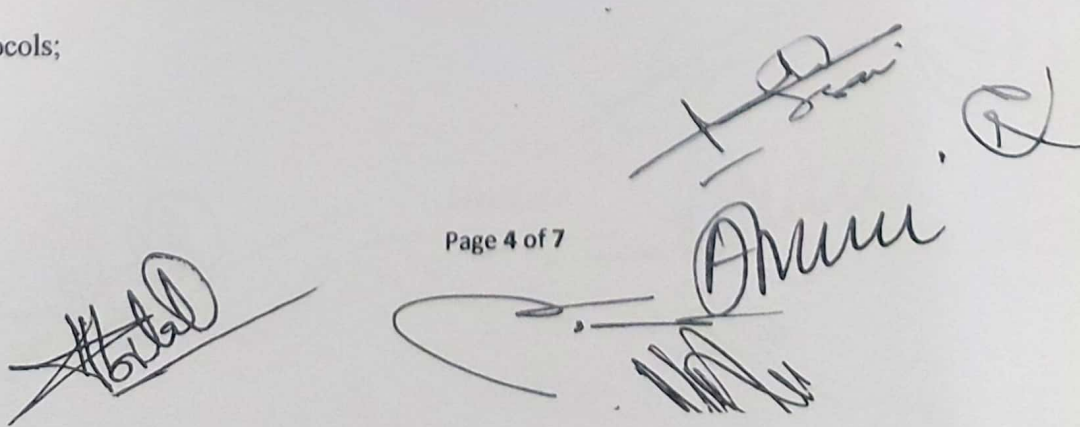
5.1 The research activities carried within the University of Swat will have the following ownership protocols;

5.1.1 The inventor owns 1/3^d share of intellectual property while University of Swat will own 2/3rd of the share if the intellectual property is generated by utilizing specific university resources.

5.1.2 The case is vice versa if the IP generated is by making use of university resources commonly available, the inventor shall own 2/3" and University of Swat will own 1/3" share of the IP.

5.1.3 IP in the form of thesis & dissertations of students will exclusively be owned by University of Swat.

5.2 External Sponsorship & Research Collaboration will have the following ownership protocols;

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- 5.2.1 Due to the complexity of external sponsorships & research collaborations the ownership protocols are subjected to the agreements and contracts made.
- 5.2.2 The researcher has no authority of entering into an external research agreement. It is therefore the sole responsibility of University of Swat as being the stakeholder in an agreement through proper channel.
- 5.2.3 To avoid any disputes in an external collaboration, researchers should maintain records (diary/logbooks) of their research activities.
- 5.2.4 In case of number of inventors involved in an invention, the ownership will be determined in case to case basis.

6. Disclosure, Marketing Evaluation & Licensing

Public benefits, R&D promotion and University of Swat's repute are of primary concerns to this university. Therefore the University is going to employ immense efforts at generating commercial fruits out of the generated knowledge. Following protocols will be deployed in this regard;

- 6.1 Researchers are bound to disclose their IP to University of Swat whenever it is first conceived before going public.
- 6.2 All intellectual property first conceived or put into practice should be disclosed to University of Swat's disclosure committee within six months duration.
- 6.3 Disclosures shall require researchers to make a draft regarding their invention, making it very clear, precise and definitive about what the invention is, which part of the invention needs protection, who are the contributors with their share percentage and what scenarios made this invention possible.

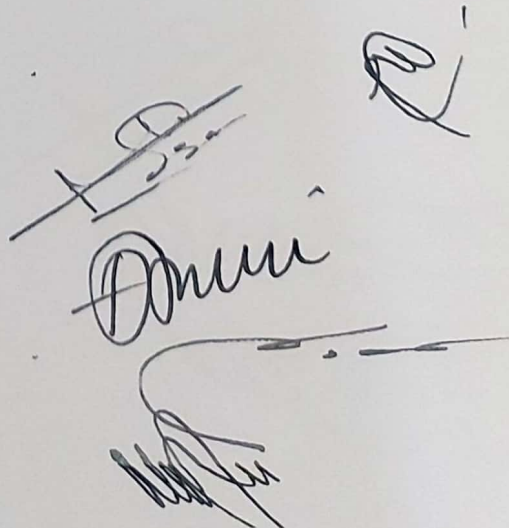
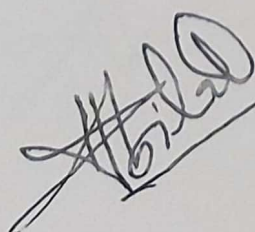
- 6.4 The Disclosure Committee shall then estimate the market potentiality of the IP. After the evaluation procedures, IP of commercial competence shall then be applied for protection.
- 6.5 In case of a premature disclosure of any form, the intellectual property will not be qualified for IP registration and commercial exploitation by University of Swat.
- 6.6 All the expenses for potential intellectual property such as; IP filing, maintaining, protection & commercialization will be borne by University of Swat.
- 6.7 While IP disclosure processes, it is the responsibility of University of Swat to oblige all its stakeholders to a confidential agreement to keep intellectual properties secret.

7. Revenue Distribution

7.1 The net income generated by an intellectual property shall be distributed among Inventor & University as per share of their ownership declared above i.e. 1/3rd share of revenues to Inventor and 2/3rd of shares go to University of Swat when there has been a specific use of university resources. The case is vice versa when IP generation needed only general university resources.

7.2. Out of the share of University, revenues will further be distributed to the following stakeholders:

- University (33%)
- Institute/Department (11%)
- ORIC (11%)
- Seed Fund (11%)
- Research Cost (34%)



7.3. The share of Inventor will be distributed to following stakeholders:

- Principle Investigator (70%)
- Research Group (30%)

7.4 In case of number of inventors and institutes/departments involved in an invention, the Profits earned will be distributed in case to case basis.

8. Conflicts of Interest & Confidentiality

8.1 A researcher's primary goal is to accomplish objectives that go in favor of University of Swat research and educational quest. It is therefore the responsibility of researchers for reporting any conflict of interest to their head of department designated whenever being involved in a collaborated work or any other research programs.

8.2. In an external collaboration, researchers will be bound by a confidential agreement to Keep University of Swat businesses undisclosed.

9. Breach of Policy & Dispute Resolution

9.1 The violations of this policy shall be dealt by the statements mentioned above and also by the IP laws implemented nationally.

9.2. In case of an appeal or an IP dispute, University Syndicate shall have the sole authority to come about an optimal resolution of the problem.