

Intellectual Property Right Policy
Government College Women University Faisalabad



GCWUF INTELLECTUAL PROPERTY RIGHTS POLICY

1. Preamble:

This document provides guidelines for ownership, distribution, and commercial development of technology developed by GCWUF faculty, staff, students, and others involved with GCWUF programs. Intellectual property rights refer to the principal rights relating to the ownership and dissemination of technology as derived from legislation (rules & regulations) granting patents, copyrights, and trademarks etc. The term "technology" includes technical innovations, inventions, discoveries, teaching material and computer software. This document also defines GCWUF's guidelines for sharing of revenue with faculty, staff, students and other parties who generate the intellectual property (IP) which is then exploited commercially.

2. Confidentiality:

Any information related to Intellectual Property is considered proprietary and/or confidential. Such information may include, but is not limited to trade secrets, discoveries, ideas, concepts, know-how, techniques, designs, specifications, drawings, diagrams, data, prototypes, computer programs, business development plan, business plan, financial analysis, feasibility report, business activities and operations, reports, studies and other technical and business information hereinafter referred to as "**Confidential Information**".

3. Definitions:

- a. "**Author**"- shall have the same meaning as defined in the Copyright Ordinance, 1962.
- b. "**Copyrighted Work**"- means a work that can be protected in accordance with the requirements and conditions of The Copyright Ordinance, 1962 in favor of a person and without limitation shall include student thesis, dissertations, teaching material,(audio/visual recordings and lecture notes), translation, data or results / findings of previous research, such as designs, specifications, diagrams, prototypes, software, musical arrangements, dramatization, fictionalization, motion picture versions, sound recordings, art reproductions or any other form in which a work may be recast, transformed or adapted, editorial revisions, elaborations or any other modifications.
- c. "**Co-inventor**"- An inventor whose name appears with at least one other inventor in a patent application and who has contributed to the invention. Also called joint inventor.
- d. "**Constituent Unit**"- An Institute, School, College, Centre, Department or Lab maintained and administered by GCWUF.
- e. "**Computer Software**" - Software programs or procedures or rules and associated documentation pertaining to the operations of a computer system.
- f. "**Faculty**" - All personnel involved in teaching / dissemination of knowledge in any form including research.
- g. "**Funds**"- Money allocated.
- h. "**Gross Revenue**" - The entire amount of income before any deductions are made.

- i. **"Invention"** - A creation (a new device or process) resulting from study and experimentation.
- j. **"Inventor"**: Inventor means a person who had conceptualized the new technology or solution to a specific technical problem or has made intellectual contribution to the conception of an intellectual property or a person who has made intellectual contributions to the said intellectual property".
- k. **"Intellectual Property"** Intangible properties that arise from the creation of the mind and in their broadest sense have no physical form.
- l. **"Know how"** - The knowledge and skill required to do something.
- m. **"Net Profit"** - Net profit, also referred to as the bottom line, net income, or net earnings is a measure of the profitability of a venture after accounting for all costs.
- n. **"GCWUF"** - Government College Women University Faisalabad.
- o. **"Publication"** - Any writing of which copies are published, such as, papers, books, and periodicals, including but not limited to magazines, scholarly journals and newspapers.
- p. **"Scholarly Work"** - work created by a faculty member in the area of field in which he / she teaches or in taught or researched / being researched at GCWUF.
- q. **"Students"** - A learner who is enrolled or is working as an internee in an educational institution of GCWUF.
- r. **"Stakeholders"** - Someone who is directly or indirectly effected or involved.
- s. **"Sponsored Research"** - Research funded by external entities through a grant or contract that involves a specified statement of work (e.g. the research proposal) with a related transfer of value to the sponsor.
- t. **"Significant Use"** -
1. The use of specialized, research related facilities, equipment or supplies, provided by GCWUF.
 2. Significant use of "on-the-job" time.
- u. **"Third Party"** - Someone other than the principals who are involved in a transaction.
- v. **"Tangible Research"** - Research resulting in quantifiable and / or intellectual output.
- w. **"University Facilities"**: "University Facilities" mean financial and other support, including, university specialized equipment (not available in other Pakistani Universities).
- x. **"University Resources"** - All types of hired human and university facilities belonging to GCWUF.
- y. **"University Staff"** - All personnel other than faculty and students who utilize university resources.

Z. "Visiting Researcher" – A scholar or academician or a student who is visiting GCWUF.

4. General Policy Statement:

GCWUF welcomes free exchange of information and knowledge between faculty, students and other stake holders which is essentially required for achieving the University's mission and objectives of excelling in cutting-edge research and development.

5. Intellectual Property Ownership Policy Statement:

All rights for patent and ownership of technology, materials, tangible research, scholarly work, publication and software made by GCWUF faculty, staff, students, visiting Researchers and others involved with GCWUF programs will be governed as under:-

Patent rights and copyright ownership of technology, material, tangible research, scholarly work, publication and / or software made by GCWUF faculty, staff, students, visiting Researchers and others involved with GCWUF programs will be owned by GCWUF in case of any one of the following:-

a. The Intellectual Property was generated as an outcome of sponsored research agreement with GCWUF or one of its constituent units.

b. The Intellectual Property was generated with significant use of funds or facilities or resources belonging to GCWUF or one of its constituent units.

c. The Intellectual Property was developed by a person or group of person's part or whole, if they are the faculty, student or staff of GCWUF.

6. Disclosure:

Whenever an Intellectual Property is created, generated or developed by GCWUF faculty, student, staff or by any other individual utilizing University resources, they must notify GCWUF authorities in writing and provide a filled invention disclosure form and other information deemed necessary in accordance with the provisions mentioned in this policy within 60 days of knowledge about such an invention, conception of idea or intellectual property. GCWUF invention disclosure form (copy attached) will be used for the purpose. As a general rule they must not publish or dispose of an invention before GCWUF has confirmed to them receipt of notification in writing which will be done in minimum possible time. The disclosure form must be filled and submitted to GCWUF IP Office/I&C Directorate.

7. Ownership Rights:

GCWUF will decide on taking title to the invention after filing the patent. The inventor with the assistance of GCWUF IP Office will file a patent application within one year of conception or development of an invention, idea or intellectual property. After the research results are published in gazette, the time period for claiming title by others is at least 30 days before the end of the statutory period given by the patenting authorities. Inventors can claim title if GCWUF does not. As a general rule, GCWUF faculty, students or staff will not assign ownership of invention, teaching material to third parties (in case of publication the right will go to publishers while the

ownership will remain with GCWUF) except to university patent management organization. Exception to this rule will be evaluated on a case by case basis and permission in writing may be granted by GCWUF authorities.

8. **Ownership Rules for Employees:**

a. IP created by GCWUF faculty or staff becomes the property of GCWUF (As per GCWUF employment contract)

(1) Inventor

Faculty or staff

(2) Patent Assignee

GCWUF

b. IP created by faculty / researcher or staff prior to joining GCWUF becomes sole property of the faculty / researcher or staff, if he / she can provide acceptable evidence that the IP was created before joining GCWUF. Faculty / Researcher / staff must declare the IP in writing at the time of joining GCWUF (as per GCWUF employment contract).

9. **Ownership rules for students:**

a. Copyright ownership of research or product development that is performed in whole or in part by the students with financial support in the form of wages, salaries, scholarships, or exception to such terms, the work shall become the property of GCWUF.

b. Copyright ownership of all research performed in whole or in part by utilizing the University resources under conditions that impose copyright restrictions shall be determined in accordance with such restrictions. In the absence of such terms, the work shall become the property of both parties.

c. Students will own the copyrights to these not within the provisions of (a) and (b) above. However, a student shall hereunder, as a condition to a degree award, irrevocably and unconditionally grant in perpetuity to GCWUF the royalty to print, publish, reproduce and publicly distribute copies of his/her thesis in all languages, including but without limitation the right to publish on the Internet or by means of any other electronic medium throughout the world.

10. **Ownership rules for Individuals other than Employees:**

Other individuals who have an honorary association with GCWUF but who are neither employees nor students; for instance Senior Research Fellows, Emeritus Professors and Visiting Professors are required to assign the rights to any IP they create in the course of their honorary activities in the University to GCWUF. GCWUF may have obligations to organizations which are funding the research in question which it will not be able to honor without such an assignment of rights being in place. Honorary staff will be treated as if they were GCWUF employees for the purposes of revenue-sharing. GCWUF recognizes that, in the case of a limited number of visiting professors (such as those who will remain employees of an industrial organization whilst at GCWUF), special arrangements will need to be negotiated regarding the ownership and use of IP which they may generate. Such arrangements will be negotiated on a case by case basis, generally with the

individual's employer. Any individual who believes that he or she falls within such a category is required to contact Directorate I&C GCWUF for advice at the earliest opportunity.

11. Licensing and ownership Regulations:

If required GCWUF may provide a confirmatory license, a non-exclusive, non-transferable, irrevocable, paid up right to practice, to a third party or a government under certain circumstances. GCWUF may also hold joint ownership or provide assignment of certain IPs to third parties, if such assignments are in the broader interests of the University. For all technology transferred by GCWUF, it will require indemnity against any and all loss or damage occasioned to the user of such technology.

12. Distribution of Benefits:

GCWUF will share with the inventor(s), including co-inventor(s) a portion of any revenue received from licensing or any commercial activity from the invention which has been Patented, Copy Righted or Trademarked under para 6 based on existing rules and other associated policies.

13. Conflict of interest:

If a conflict of interest arises between two applications from the University the patent agent/attorney will transfer the conflicted application through Directorate I&C GCWUF to IP dispute resolution board at GCWUF for resolution of the dispute.

2.4 Letters

Any letters required to be vet by legal advisor will be sent to legal office. Legal office will send the letters to legal advisor through dispatcher, GCWUF. Follow up will be done accordingly.

2.5 Documents

Any documents required to be vet by legal advisor will be sent to legal office. Legal office will send the documents to legal advisor through dispatcher, GCWUF. Follow up will be done accordingly.

3. Legal File Movement

A file movement register will be maintained by the office to mark and maintain all movements of the legal file from different departments. This will also maintain the time a legal file is away from the legal office.

4. Meetings with Legal Advisor

Meetings with legal advisor are kept confidential and can be held only in VC office or in the presence of a member from legal office. Every meeting with legal advisor will be minted and seen by VC, GCWUF.

5. Coordination with Departments

Coordination with the department/person concerned to the legal case will be regulated under the perusal of VC, GCWUF. Follow up will be done on top priority.

6. Organizing meeting for Legal Cases

Any follow up meetings for the discussion/decision of litigation cases will be arranged by the legal office. Minutes of meetings will be attached in legal file and seen by VC, GCWUF

7. Monthly Report

A monthly report from the legal office will be given to the worthy Vice Chancellor, GCWUF for her/his kind perusal. Report will include;

- o Status of all pending and disposed off cases
- o All correspondence done with concerned departments and legal advisor
- 8. **Power of Attorney (Legal Advisor)**

Power of Attorney given to legal advisor will be as per the intensity of litigation case and as per directed by the worthy Vice Chancellor, GCWUF.