NOIDA INSTITUTE OF ENGINEERING & TECHNOLOGY (PHARMACY INSTITUTE), GREATER NOIDA

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Rules for Sponsored Research, Consultancy Testing, IPR including Patent Filling

Purpose	:	To create a conducive work culture and atmosphere in which research work, consultancy, IPR, and patent filing become a wayof life for all the stakeholders of the institute.
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Prepared By	:	Director Pharmacy Institute
Approved By	:	BOG
Distribution	:	All Staff Members

1. Introduction

The Institute considers sponsored research work, consultancy, and testing as important activities to achieve several objectives such as:

- Contributing to the infrastructural and industrial growth of the Nation and for welfare of the society.
- Fostering industry institute interaction
- Developing insight for practical feasibility in research.
- Extending knowledge / know how for technology itself
- To build and strengthen institutional capacity to facilitate all types of research activities at the Institute,
- To help and guide faculty and scholars to publish research work in quality journals indexed in SCI / Scopus / Web of science.
- To help and guide faculty to submit research proposals for funding from agencies in India and Abroad
- To help students, especially post-graduate students and research scholars, for their industrial orientation.
- To enhance the professional expertise of the faculty members and technical staff.
- To generate funds for the Institute's development and academic growth of the faculty.
- To undertake consultancy and testing projects sponsored by the Government,

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industries, public sector, and private organizations.

- To help, guide, and encourage faculty to file patents.
- To provide service to the community / society.
- The purpose of the research policy is to create a vibrant atmosphere of research amongst the faculty of NIET Pharmacy Institute, Greater Noida. Therefore, as a matter of policy, the Institute encourages its faculty members to undertake research and consultancy work. The research scholars, postgraduate and undergraduate students may also be involved as student associates in such works. However, the research, consultancy and testing work should no way disturb teaching and other usual activities of the academic staff, associated staff and students.

2. Scope

The scope of work is broadly outlined as follows (all in the project mode):

a) **Government Sponsored and Similar Research (Type I)**

All the projects concerning research work, including specialized Technology Development Mission projects, sponsored by any government organization or similar funding agencies, shall be classified as Type I projects

b) **Industry Sponsored Research (Type II)**

Sponsored R&D projects usually of 2-5 years duration with substantial funding through grants from industries (both national and international), including specialized Technology Development Mission projects, shall be classified as Type II projects. Such projects include long-term basis developmental and applied research leading to appropriate solutions to scientific and technological problems.

c) **Consultancy (Type III)**

Projects or jobs awarded/assigned/accepted from industry, NGOS, or Government departments, generally of short duration (varying from a few weeks to a year), having clear-cut deliverables, and which are aimed at solving specific problems of interest to user agencies shall be considered as Type III projects. Consultancy may be of advising in nature, and of highly specialized training, team building, product/software development/design, and soon. These projects are not expected to use any laboratory facilities and any other equipment.

d) **Testing (Type IV)**

- Those projects that may involve institutional facilities such as laboratory testing/calibration of equipment/instrument, testing of materials, design, software, etc., or field testing/field measurements, shall be considered as Type IV projects. The above may involve:
- Visit actual sites of the workplace of various institutions, industries, organizations, and other external agencies to assess the nature and magnitude of the problem and the technical services required.
- Surveying of land, traffic, infrastructure, market, plant and machinery, techno-economic feasibility, environmental pollution problems, including air, water, and noise pollution, etc.

e) **Collaborative and Other Project (Type V)**

Any R&D and/or training project in collaboration with any organization / Institute or any other project not covered in Type I, II, III, or IV, shall be classified as Type V project. Also the type of work not covered under Type I to Type IV, as above, shall be decided on a case-to-case basis by the Managing Director on the recommendation of the Dean.

f) **IPR & Patent Management**

3. Research and Development Committee

- There shall be a Research and Development (R&D) Committee to manage and monitor research and consultancy works in the Institute. The R&D Committee shall be formed by the Dean.

S.N.	Name of the Member	Designation
1.	Dean (Pharmacy)	Chairman
2.	HOD (Pharm Chemistry)	Member
3.	HOD (Pharmacognosy)	Member
4.	HOD (Pharmacology)	Member
5.	Director (Pharmacy)	Member

One Faculty Member, Nominated by the* Managing Director *(Member Secretary & Convener)

- The R&D Committee may be expanded with invited faculty members as and when required by the Director on the advice of the Dean for the specific project(s).
- The committee must meet at least four times a year.
- Besides monitoring the research and consultancy activities, the committee shall also suggest the management the following from time to time:
- Modernization of UG and PG laboratories,
- Expansion of core laboratories matching with the needs of industries,
- Centers of excellence and programs for focused research,
- Research infrastructure development for interdisciplinary research,
- Qualitative and quantitative measures to achieve research excellence / and MoUs and Agreement for R&D

4. Roles

4.1 Managing Director or his Designee:

- Overall guidance and according approval of norms and logistics for sponsored research, consultancy, and testing Appoint team for interdepartmental projects, or any other projects as seemed to be important to him.
- To resolve in case of disputed / unresolved matters at the level of income Head / Dean of the Institute.
- For any consultancy/testing project above Rs. one Lakh, a proposal for the team will be sent to him by the Dean to ensure wider participation before approving.

4.2 Dean

- To encourage and promote sponsored research projects in the Institute.
- To promote interaction between the industry / Government organizations and the Institute for research, consultancy, and collaboration.
- To promote interdisciplinary research activities.
- To promote publishing of research work in quality journals indexed in SCI / Scopus / Web, of science, etc.
- To promote and encourage faculty to file patents.
- To assist the Director (Pharmacy Institute) in functioning his/her role.

- To interact with different clients for their feedback
- To take up and follow up on matters with statutory bodies.
- To call the R&D Committee meeting as and when required by the Director (Pharmacy Institute)

4.2.1 Dean Office Staff/ Secretarial Assistance

- To maintain the records of research projects, testing, and consultancy in the Institute.
- To maintain the account of the projects.
- To deposit the various taxes imposed by Govt. of India from time to time.
- To co-ordinate between Dean / Managing Director / Director (Pharmacy).
- All other works directed by the Dean / Director (Pharmacy).

4.3 Director (Pharmacy Institute)

- To guide Dean in facilitating various sponsored research projects. Consultancy and testing projects in the Institute, as and when required.
- Projecting the image of the Institute at top levels nationally and internationally as a Centre of Excellence for research and consultancy. In addition to its academic excellence
- Interacting with high-level contacts and guiding the Dean and other faculty members in facilitating the above-mentioned activities
- To call the R&D committee meeting as and when instructed by the Managing Director.

4.4 Director's Office Staff / Secretarial Assistance:

- To co-ordinate the movement of various files between the departments. Dean's office and to maintain their proper record of correspondence.
- To provide secretarial help to the Dean in matters related to R&D in performing his role.
- Any other work assigned by the Dean related to the R&D activities

4.5 HODs

Appointment of principal investigator and the team, maintaining professional harmony in the department (except for those projects, for which the faculty members themselves have initiated the projects). For any consultancy / testingproject above Rs. one lakh, a proposal for the team etc. shall be sent to the Managing Director, who will try for a wider participation before approving.

- To facilitate all the sponsored research projects, consultancy projects, and testing projects in the department.
- Making recommendations to the Dean regarding expenditure from the project funds and honoraria to be paid to faculty, staff, and students as per norms. To resolve all the disputes regarding consultancy and testing projects in the department.

4.5.1 Departmental Office Staff / Secretarial Assistance

- To maintain all the records of sponsored research projects and testing consultancy projects in the department.
- To coordinate between the Dean's office and the department.

4.5.2 Principal Investigator (PI):

- To execute the project end to prepare a report.
- To get new projects from Government, industry, and other agencies.
- Handling intermediate technical communications with clients.
- Responsible for the completion of the project in a specified time.
- Responsible for maintaining integrity and quality of work done.

4.5.3 Team Members

- To do the job assigned to him/her by the PI.
- To coordinate with the PI for the completion of the project

4.5.4 Student/ Research Associates

- To work with the P/Co-PI and the team as per project requirements.
- Note: Office staff in the department, Dean, and Director office, who opt for remuneration from research and consultant, may not be eligible for hand receipt/conveyance for extra time working for the period.

5. Project Initiation And Management

5.1 Governmental Sponsored and Industry Sponsored Projects

Each government-sponsored or Industry-sponsored project will have a Principal Investigator (P.I.) who will be either appointed or approved by the Managing director or appointed by the sponsoring agency. No project of the Institute would be sent outside without prior intimation to the Dean so that proper records are maintained.

Also, projects would not be sent outside the Institute without the approval/consent of the Managing Director of AMD/Director (Pharmacy institute) needs to forward any project for urgency and may consult the Managing Director before forwarding. PIs, normally may be a faculty member in the service of the Institute and will be completely responsible for the completion of the project. PIs would maintain financial and other records as per norms and procedures laid down by the project agency. PI will have full freedom regarding the appointment of research fellows/research associates/faculty members and support staff depending upon the needs of the project. On the suggestion of PI, in consultation with the Dean. The Managing Director shall constitute committee for any such appointment.

5.2 Consultancy/ Testing Projects

Each Consultancy/Testing Project will have a Principal Investigator (P.I.) who will be normally a faculty member in the service of the Institute and who will be completely responsible for the completion of the project work. All the proposals for consultancy, and testing would have to be sent to the Managing Director who would allocate the same the Department(s), and in some cases to the faculty member directly with intimation to the concerned Head, Dean and Director (Pharmacy Institute).

5.2.1 Appointment of Principal Investigator (1.) and the Team

The requisition of consultancy project work will go to the Managing Director or his nominee who will author or the Principal Investigator and the team as per expertise required for the project. 1 HOD concerned will appoint and for the team in consultation with the PI. Information about the appointment and the team formed shall be communicated to the Dean . before taking up the work. Any controversy in appointing members and/or team shall be looked into by Dean and solved. If not resolved, if may be sent to the Managing Director or his nominee for his/her decision. Change if any, must be communicated to Dean .

- For interdisciplinary or other important projects Principal Investigator and the team shall be appointed by the Managing Director/ nominee in consultation with respective HODs and the Information shall be provided to

the Dean For inclusion of Ph.D scholars, consent of the respective supervisor must be taken In case of research projects, the PI. will be appointed and approved by the Managing Director or the sponsoring agency.

5.3 Collaboration with Outside Organization/Subcontracting

- If collaboration with an outside Institution or subcontracting a part of the project is envisaged: the Director (Pharmacy Institute) and Dean, for his approval. The nature, scope, and financial budget of the proposed arrangements preferably shall be defined at the beginning of the project and to be sent to the Managing Director through the Director (Pharmacy Institute) and Dean for their approval.
- For any consultancy and testing above Rs. one lakh, the project shall be sent to the Managing Director for his approval.

5.4 Encouragements for Research Projects

- There will be provisions for extending additional facilities to the PIs, coordinators etc. of the research projects (for producing PhDs, publications, patents etc.) from the Account of NIET (Pharmacy Institute), in terms of attending National/International conferences, equipping, and updating the laboratories, traveling for academic work, training etc. The Research and Development Committee constituted by the Managing Director will make suitable recommendations to him for approval based on the quantum of the research project, its outcome, publications collaborations, patents etc.
- Although research projects are by and large in the credit of the faculty members, it is observed that the projects are awarded also based on the status of the Institute. Infrastructure available, its management etc., and the Institute Authority ultimately have to sign utilization etc. Hence there shall be some control and monitoring of the Projects. However, more special provisions shall be made for the research project of the Institute vis-a-vis the best consultancy projects. The norms of projects in which the rules are specified by the respective funding agencies
  shall be adopted in the framework of the Institute's norms.

5.5 Incentives for Research Publications

The Institute is committed to promoting research publications, it is expected from all the faculty members to regularly work towards carrying out research in their field of interest and publish the same in renowned journals preferably SCI and Scopus Indexed journals. This will be an integral part of the annual academic performance review process. In addition, the Institute will be rewarding successful faculty members with the following incentives

Type of Journal	1st Author	2nd Author	3rd Author
SCI	Rs. 15000/	Rs. 10000/	Rs. 3000/
SCOPUS	Rs. 4000/	Rs. 2000/	Rs. 500/

* Incentive will be applicable for publications with NIET (Pharmacy Institute) affiliation only

* This scheme is applicable to faculty members only

5.6 Patent Filling

6. Fees

The total agreed charges of the consultancy project will consist of the cost for Institute support, actual expenses, tax and cess as prescribed by GO1 from time to time, honorarium and Remuneration to be distributed to the faculty and staff involved. Usually, no work will be taken of value less than rupees five thousand plus tax, and cess as prescribed by GOI.

Note:

- Estimates for the above expenses should be carefully prepared by the Principal Investigator keeping in view the cost of equipment depreciation, travel requirements (TA/DA), material and service to be procured from the market and the time required forthe project. The bills/invoices raised against these expenses must be authenticated and records must be maintained in the laboratory for any future communication.
- HOD shall make sure that estimates are properly done and norms maintained, any project estimate above Rs five lakh (excluding tax etc) has to be approved by the Managing Director. While estimating the institute support charges, tax by GOIas applicable from time to time, and other such components will have to be included.

6.1 Testing & Consultancy Fees

Fees shall depend upon several factors such as time spent, the importance of advice and experience of the faculty etc., The remuneration will be paid to the faculty/staff as per the norms and rules of the Institute and on the recommendation of the Principal Investigator through the Head of the Department concerned.

6.2 List of Testing Charges

Each department would submit to the Dean a list of testing that could be offered by them along with the rate for charges/fees, and also the areas where the department is capable of offering consultancy.

6.3 Realization of Consultancy fee

All fees in connection with the consultation/testing work shall be paid in advance to the Institute in the favour of the Managing Director NIET, Greater Noida, which in turn would be transferred to the Account of NIET-R&D.

7.0 Norms of Expenditure

7.1 The entire expenditure in a project of Type III should not exceed the amount as given in clause 8.1 (5) and for projects of Type IV should not exceed the amount as given in clause 8.2 (5). In special circumstances if the expenditure is likely to exceed the above-mentioned amount. prior approval from the Managing Director must be obtained on the recommendation of the Dean.

7.2 The norms for the expenditure for the projects of type I and V will be decided in consultation with the Principal Investigator, HOD concerned. Dean, the Director (Pharmacy Institute), and the same may be approved by the Managing Director on a case-to-case basis.

7.3 Institute students may be engaged as associates for consultancy and testing work on payment of Rs. 150/- per day for UG students and 200/- per day for PG students.

7.4 The Principal Investigator can engage experts from outside the Institute with a maximum payment not exceeding 20% of the amount after payment of Institute charges and with the approval of the Managing Director on the forwarding of the Dean and recommendation of the Director (Pharmacy Institute). This will be within the limit of total expenditure

7.5 Site visit charges for faculty members will be governed by TA/DA rules of the institute. No TA/DA will be paid if the Client arranges the travel or accommodation. TA/DA rules to be annexed.

7.6 Special Duty Leave may be admissible for individual consultancy work for seven working days in a semester. For absences beyond 7 days for consultancy work, leave as due will be taken by the staff member. Any absence from the Headquarters in

connection with consultancy project of any type will be with prior approval of HOD/Director (Pharmacy Institute) /Managing Director forwarded through Dean as applicable. The station leaving form will have to be filled up as usual.

7.7 Expenditure/travel/field visit proposals for R&D projects need not be put through Deanto the Managing Director for approval as long as these are part of the original plan / estimate

8. Distribution of Consultancy & Testing Fees

The total remuneration to be received by a staff from consultancy/testing work normally should not exceed 75% of his/her gross salary received during the financial year, Managing Director may allow consultants to receive remuneration exceeding the prescribed limit on case-to-case basis depending on the merit of the case. All the distribution of the consultancy & testing fees should be done in the same financial year after completion of the PI for consultancy/testing project will submit distribution in a standard Performa based on following distribution:

Distribution for Type I to III Project (with use of computers and other infrastructure of the department)

1.	Total Fee Received	=A**
2.	Deduction for any other tax by GOI	=B
3.	Project Money (X)	= A-B
4.	Institute Overhead (Y)	=50% of X
5.	Maximum Expenditure for Project as actual (E)	=75% of (X-Y) = 0.375 (X)***
6.	Distribution as given below (D)	=X-(Y+E) = X- (0.5X + 0.375X) = 0.125X
7.	Honorarium Director	= 10 % of D
8.	Honorarium to Dean	= 20 % of D
9.	Remuneration for PI and Investigators (I) (to be decided by the PI)	= 60 % of D (30 % to PI and remaining 30% to Investigators)
10.	Honorarium to HOD	= 10 % of D

** Total fee received need to be verified against original estimate of expectation or the

estimate need to be amended.

*** Continuous Monitoring of actual cost against (Step 5) is critical, in case during execution PI finds that maximum expenditure is likely to exceed the original estimate, fresh approval from MD will be mandatory).

Distribution for Type IV Project (involving use of laboratory received

1.	Total Fee Received	= A**
2.	Deduction for service tax and/or any other tax by GOI	= B
3.	Project Money (X)	= (A-B)
4.	Institute Overhead (Y)	= 40% of X
5.	Maximum Expenditure for the project as actual (E)	= 25% of (X-Y)***
6.	Distribution as given below (D)	= X-(Y+E)
7.	Honorarium to Managing Director	= 7.0% of D
8.	Honorarium to Dean	= 2.0% of D
9.	Honorarium to Director	= 2.5% of D
11.	Honorarium to HOD	= 1.5% of D
13	Remuneration for Investigator & Supporting Staff (I)	= 87.0% of D
14.	80% of I will be investigator (s) remuneration	
15.	20% of I will be testing/laboratory supporting staff remuneration.	

** The total fee received needs to be verified against the original estimate of expectation or the estimate needs to be amended.

*** Continuous Monitoring of actual cost against (Step 5) is critical, in case during execution PI finds that maximum expenditure is likely to exceed the original estimate, fresh approval from MD will be mandatory).

Notes

- If there is more than one supporting staff involved in the fasting work theremuneration among them will be distributed in proportion of their salary.
- Any staff being paid, employed specifically for R&D jobs may not be paid any remuneration.

9. Funds

The funds received for the purpose will be deposited in NIET Pharmacy Institute Account of NIET, Greater Noida and then transferred to a bank account in the name of NIET-R&D, Greater Noida.

The NIET-R&D account will be jointly operated by the Managing Director and the Additional Managing Director of NIET, Greater Noida.

10. Feedback

The Dean will occasionally interact with the clients for their feedback about the services and also will take some formal feedback, and would give the feedback analysis to HODs, if necessary, to the Managing Director to ensure the quality of the services

11. Documentation of Reports

The reports generated after the completion of the consultancy/testing project will be submitted to the Office of the Dean, clearly stating the project number, by the Principal Investigator (P.I.) through the concerned HOD along with the record of final distribution of amount for further processing. The expenditure and final distribution would be forwarded to the Managing Director for his approval through the Director (Pharmacy Institute).

IPR & Patent Management

1. Scope of the Policy

The policy will cover all Institute personnel including the faculty, students, staff or visiting faculty, researchers, and scientists. The policy shall be deemed to be a part of the conditions of employment for every employee of the Institute and a part of the conditions for enrollment of students at the Institute All the creators/inventors/researchers of intellectual property shall also execute appropriate documents, as may be required, to set forth effectively ownership and rights as specified in this policy. Further, this policy, itself shall be amended as and when needed to effect changes deemed to be fit in the best interest of this Institute.

2. Objective

The objective of the policy is to create an enabling environment that helps in the recognition and valuation of research, creativity, and innovation by the faculty, scholars, supervisors, and researchers in the Institute and simultaneously assists in translating the outcome of such creativity, research, and innovation in an orderly fashion into products, processes and technology useful to the industry and commerce, which ultimately transforms into a service

for the widest public good. It will deal with the ownership, protection, and commercialization of intellectual property and know-how created by the employees of the Institute. The policy will ensure that any intellectual property arising from the works of its creator/inventor/researcher/employees is managed effectively throughout its life cycle. The policy is intended to serve as a set of guidelines for the Institute faculty, staff, students, and partners/sponsors. The objectives of this Intellectual Property Policy Document of the Institute are:

- To foster, stimulate, and encourage innovation and creativity in science and technology.
- To encourage and motivate the faculties/researchers and students for focused and technology-driven research.
- To provide appropriate incentives for intellectual effort by faculty, staff, students and others associated with the Institute.
- To enable NIET (Pharmacy Institute) to identify, protect, and commercialize its novel research and inventions.
- To establish principles for determining the interests of the Institution, inventors, and sponsors regarding inventions and/or discoveries.
- To provide a transparent IP protection system for the ownership, control and transfer of intellectual property created and owned by NIET (Pharmacy Institute).
- To recognize the right of the inventor to financial benefits from the invention or discovery.

3. Policy Statement

The Institute is committed to promoting, protecting, managing, and commercializing Intellectual Property consistent with the recognition that among its primary objects and functions are teaching, research and meeting the needs of the community and society. It supports the commercialization and exploitation of IP, which can provide an additional source of revenue to the Institute and accrue benefits to staff and students. At the same time, the Institute recognizes traditional academic values and expectations.

4. Applicability

It applies to all faculty, staff, students, employees, graduate students and postdoctoral fellows, as well as to non-employees who participate in or intend to participate in teaching

and/or research, scholarship, or creative activities in the Institute and covers different classes of Intellectual Property -patent, copyright, trademark / service mark, design registration, trade secret, confidential information and integrated circuits layout, traditional knowledge, and geographical indication. It applies to the funding parties and the collaborative research partners of the institute.

5. Definitions

6. Ownership

a. Inventions (product or processes, copyrights, trademarks, and trade secrets) that is Patentable

IP created as a result of the Institute's research or by substantial use of the Institute's resourcesshall be owned by the Institute. In case of commercialization of the IP, the managementof the Institute will own 20% of the proceeds and transfer the remaining 80% to the inventor, If the IP is created as a result of collaborative research/consultancy, or the researchhas been funded by any external funding agency then it shall be jointly owned by the Institute, the creator, and the funding agency.

b. CopyRight Able Material

Works of art, literature, and music recordings are owned by their creators despite the use of the Institute's resources, so long as such works are not the products of the Institute's research, neither created under the direction and control of the Institute, nor developed in the performance of a sponsored research or other third-party agreement; and Student shall be the owner of the copyright on all papers, thesis and dissertations written to earn credit in the Institute's courses or otherwise to satisfy the Institute's degree requirements.

Institute shall be the owner of the copyright on all teaching material developed as a part of any of the academic/ distance learning programs of the Institute. However, the creator shall have the right to use the material in his/her professional capacity. Course material, videos, and other e-learning content developed under the CBSE/CARE/CETL shall also be covered under the policy.

c. Trademarks / Service Marks

The ownership of the trademark(s), service marks(s), and logos created for the Institute shall be with the Institute.

7. Creation of Intellectual Property

Intellectual Property consisting of patentable or copyrightable material can be created in the Institute in the following three ways:

a. An Institute undertaking an assignment either from an external agency or by its own decision to take up the creation of a specific copyrightable or patentable material can assign a team of its researchers to accomplish it.

b. Individual researchers or a team of researchers from the institute may develop copyrightable or patentable material during their research or as a specific project.

c. An external funding agency, be it a foundation, trust, industry, commercial undertaking or individual or a company may enter into a specific agreement with the Institute and researcher /team of researchers to develop some specific copyrightable or patentable material.

d. A faculty / student of the institute may team up with a person from outside (Institute/ industry or any other) and develops an IP worthy proposal/ patentable material as a copartner.

8. Evaluation/ Management of IP

- The creator/ Inventor (Employee/student/faculty/ partner) shall disclose the invention to any one member of the IP Evaluation committee (IPEC) if he or shebelieves (based on secondary research internet.
- The creator/inventor may request for an acknowledgment from the IPEC member as proof of originality and that he shared his intellectual asset with the person. This needs to be provided.
- After initial deliberation by the member, he/ she will convene a meeting of theIPEC for granting preliminary "Go Ahead" Or further steps/ checks to be carried out by the inventor.
- Post attaining "Go Ahead" the creator/ Inventor has two options a) Apply for the patent him/ herself or request the institute for filing the patent who in turn will hire the services of a service provider.
- An agreement needs to be signed at this stage for copyrights and sharing of commercial proceeds between the employee and the institute or between

partner/ funding organization and the institute.

Typical steps for filing patent are as below

- Patent Synopsis Submission
- Patent Synopsis Review
- Technology Transfer & Commercial Proceeds Sharing Signoff (with the employee or agency)
- Patent Filed (service provider's fee will become applicable at the stage).
- Normally the patent gets published within 18 months unless one opts for an express method which requires a higher amount of Government levies. (In most of the cases process finishes at this stage, however in a few cases if an objection is raised or an in-person discussion is required, the following steps are required)
- Request for Examination
- First Examination Report—In some cases Court hearing.
- Grant of Patent or Reject.

*** Current (Sept 2020) Government levies (subject to change)**

- Technology Patent (Rs. 8000/-)
- Design Patent (Rs. 4000/-)
- If Examination Required (Govt. Fee Rs. 20000/-)
- Service Provider's Charges (For Ref Only) (Subject to Change)
- Technology Patent (Rs. 12000/-) Approx
- Design Patent (Rs. 5000/-) Approx
- If Examination Required (Govt. Fee Rs. 5000/-) Approx

(The creator/ inventor can get details about professional fees prevailing at the time of filing the patent, however he/ she will be free to make a choice about availing this facility or not)

- Ministry of education in association with AICTE has launch Kalam program for IP Literacy and awareness (KAPILA) to promote research & intellectual property. Kapila initiative/Yojana will be for limited period and for first 10000 patent. Under this scheme, cost of patent processing will be provided by Ministry of education through AICTE (further details awaited & policy will be updated when details are received). Institute will give first preference to above

mentioned scheme. Till we receive further details on the above, the following norms will be applied.

- In order to promote breakthrough research and protection of intellectual assets the institute will bear 80% of the expenditure incurred in this regard and the remaining 20% will have to be borne by the innovator/ creator. Note that it is to be shared by the employee after successful filing.
- In case the employee wants his part of expenditure to be deducted in 4 monthly installments from his /her salary, Institute will support the request based on the recommendation of IPEC and employee's continuity with the college in service for the duration. In case the employee resigns in between the institute will deduct the balance from the final settlement amount.

9. Honorarium

The Institute is committed to promoting patent filing of worthy innovations and research work. It is expected from all the faculty members to regularly work towards carrying out research in their field of interest and file patents. This will also be an integral part of the annual academic performance review process.

In addition, the Institute will be rewarding successful faculty members with following incentives.

Type of Patent	1st Applicant	2nd Applicant
Design Patent Granted	**10000/**	**5000/**
Technology/ Product Patent Granted	**20000/**	**10000/**

(In addition to the above reward as applicable, the institute will refund 20% fee amount paid by the faculty towards patent filing on successful grant of their patents)

- Incentive will be applicable for patents with NIET (Pharmacy Institute) affiliation only.
- This scheme is applicable for faculty members only.
- IPEC shall be responsible for evaluating, marketing, licensing, and managing of the IP generated at the Institute. An invention will typically be patented by the IPEC of the Institute, if it is commercially viable, even if it is not in the immediate future. If the Institute decides not to own or manage the IP, it shall permit the creator to file patent and protect the IP on their own.

- Above norms will apply for cases a), b), c), of part 7 of this policy. In all these cases prime researcher/ applicant is a member of the institute and will be first applicant.
- For case d) where the member of the institute is a second applicant with an external researcher being the prime applicant following steps /process will be applied.
- The creator/ Inventor (Employee / student / faculty/ partner) shall disclose the invention to any one member of the IP Evaluation committee (IPEC) if he she believes (based on secondary research internet with complete details about the research partner and the relationship with him/her.
- The creator / inventor may request for an acknowledgement from the IPEC member as proof of originality and that he shared his intellectual asset with the person. This need to be provided.
- After initial deliberation by the member, he/ she will convene a meeting of the IPEC for granting preliminary "Go Ahead" Or further steps/ checks to be carried out by the inventor.
- A tri party agreement between the Institute and the employee and his/her partner for sharing expenses and commercial proceeds if any will be a prerequisite for further continuation.

10. Confidentiality of IP

- Invention developed during the project stage, the creator shall disclose the concept to the IPEC, providing all such information required to judge its commercial potential. The IPEC shall provide the acknowledgement receipts of disclosure with date.
- All the departments and sections/pillars of the Institute will be bound by the non-disclosure and confidentiality terms. Each department is under obligation to file their R&D/invention (if any) through IPEC.
- Every inventor/creator in the research group as well as everyone involved in the protection process will not disclose the details of research/IP to any person / organization without written permission of the IPEC.
- In case of thesis and other such written documents containing details of patentable matter, all measures to prevent the public disclosure of IP shall be taken.

11. Technology Transfer

- The Institute shall take all essential steps for the commercial exploitation of the IP obtained either in its name or jointly with other agencies/ individuals, fully that is reasonably practicable, without undue delay. The marketing of the IP will be done under the agreements involving technology transfer, licensing (exclusive or nonexclusive) and revenue sharing models.
- The IPEC shall identify potential licensee(s) for the IP to which the Institute has ownership. In case of joint ownership, the organization/industry which has sponsored the activity, will have the first right to commercially utilize and exploit intellectual products emanating from the collaboration activity, whether the same have been formally protected by patent(s). The licensing to commercially exploit would involve technology transfer fee and royalty payment from the first date of such commercial exploitation for a period that will be as mutually agreed upon.
- In the event of the other collaborating organization/industry/Individuals not undertaking the commercial exploitation within a reasonable period of two years from the first date of development of the technology, the Institute reserves the right to transfer the said know-how to a third party for its commercial exploitation and use.

12. Revenue Sharing

- The revenue arising out of licensing of IP and royalty in which institute's faculty will be prime applicant, an agreement will be necessary, guided by following distribution, 80% amount will be shared with the inventor remaining 20% will be the share of the institute.
- Cases where a collaborating organization/ agency/ industry or financial institution will be copartner terms of agreement entered with them will govern the revenue and expense sharing. Application of NIET (Pharmacy Institute) intellectual resources (faculty/ expertise etc.) and infrastructure vis a vis contribution from the other agency will govern the respective share and be the basis of the agreement.
- Cases where an external individual is the prime applicant with a second partner from our institute, a tri party agreement will be necessary with institute's share

being 20% and remaining split between the researchers as per their mutual consent. In this case expenses may be shared 50:50 between the Institute and the employee.

13. Infringements, Damages, Liability and Indemnity

- As a matter of policy, Institute, in any contract between the licensee and Institute, shall seek indemnity from any legal proceedings including this, but not limited to manufacturing defects, production problems, design guarantee, up- gradation and debugging obligation.
- Institute shall also ensure that staff should have an indemnity clause built into the agreements with licensee(s), while transferring technology or copyrighted material to licensees.
- The Institute shall retain the right to engage in or desist from or not in any litigation concerning patent and license infringements.

14. Conflict of Interest

- The inventor(s) are required to disclose any conflict of interest or potential conflict of interest.
- If the inventor(s) and/or their immediate family have a stake in a licensee- company, then they are required to disclose the stake they and/or their immediate family have in the company, and license or an assignment of rights for a patent to the licensee - company in such circumstances, shall be subject to the approval of the IPEL

15. Implementation of IP Policy

- IPEL shall distribute the copy of this document to all the departments and sections for the implementation of IPR policy and guidelines adopted by the Institute.
- Institutes' faculty, staff and students as a condition of their participation in the R&D, consultancy and other project/product development activities are bound to protect the IP through.

16. Dispute Resolution

In case of any dispute between the Institute and the inventor(s) regarding the implementation of the IP policy, the inventor(s) may appeal to the IPEL of the Institute. Efforts shall be made to address the concerns of the inventor(s) by developing and instituting an arbitration mechanism and arrangement. The IPEL's decision in this regard would be final and binding on both the Institute and the inventor.

17. Jurisdiction

As a policy, all agreements to be signed by the Institute will have the jurisdiction of the courts in Ghaziabad and shall be governed by appropriate laws in India.

18. Disclaimer

The IP policy is intended solely as a guide. The language used in the handbook shall not be construed as creating a contract of employment between institute and any of its employees, students, or any external funding agency/ collaborator. Institute expressly retains the right to unilaterally modify or amend this code cum policy on the recommendation of them.