



# INTELLECTUAL PROPERTY RIGHTS POLICY



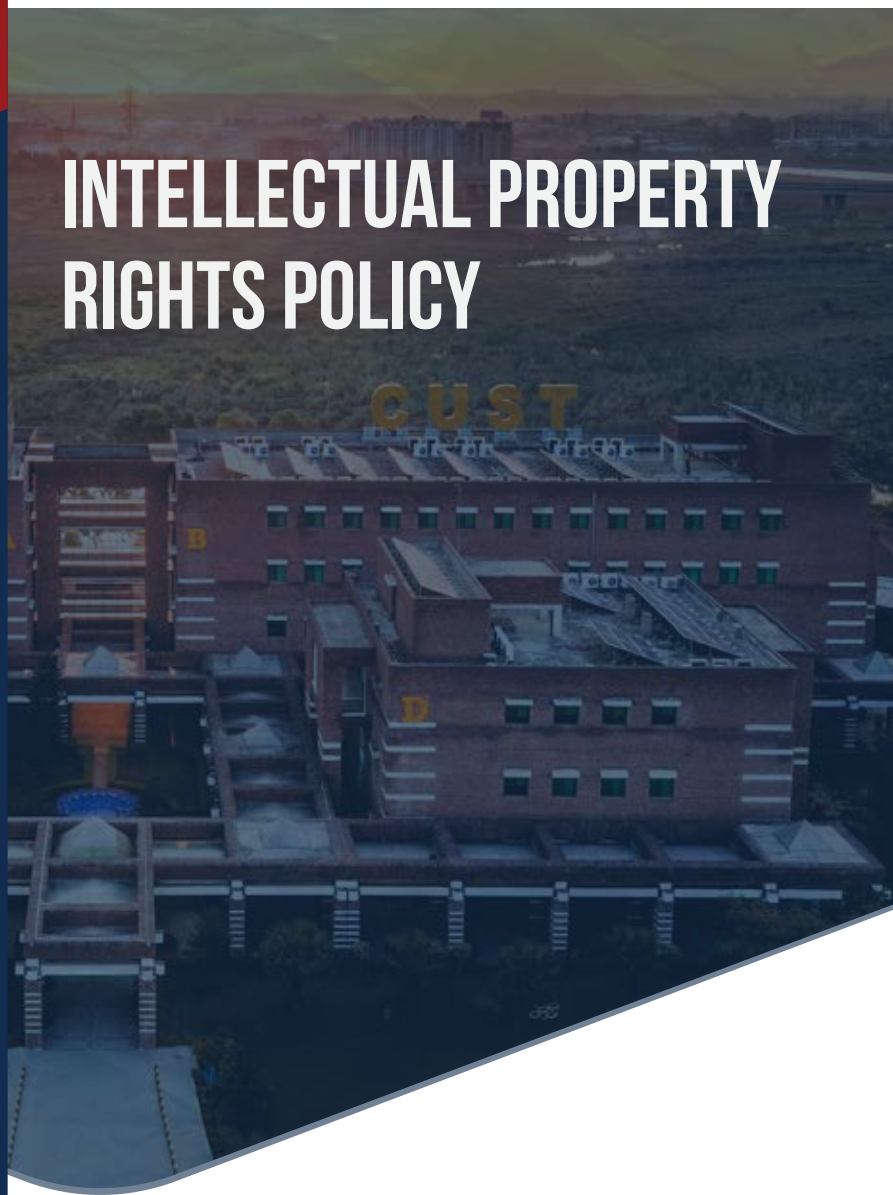
**RESEARCH**



**INNOVATION**



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# ORIC

OFFICE OF RESEARCH, INNOVATION  
AND COMMERCIALIZATION

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# CUST Intellectual Property Rights Policy

## 1. Introduction

Intellectual Property (IP) refers to the legal rights that safeguard the products of human intellect, including inventions, literary and artistic creations, designs, symbols, names, and commercial images. It is essential for promoting innovation and creativity, as it grants creators exclusive rights to their inventions and works for a specified duration, motivating them to dedicate time and resources to the development of new concepts. The primary categories of intellectual property consist of patents, which protect inventions; copyrights, which secure original works of authorship; trademarks, which identify and differentiate goods and services; and trade secrets, which safeguard confidential business information. By offering these protections, intellectual property laws facilitate the dissemination of knowledge and creativity while ensuring that creators can reap financial rewards from their contributions, ultimately fostering economic growth and technological progress.

- (a) Intellectual Property laws of Pakistan include copyright laws, patent laws and trademark laws. Law duly protects the work of creative individuals and businesses from unauthorized use or exploitation by third parties. By utilizing Intellectual Property laws, creators and innovators can fully protect, and benefit from their creations.
- (b) Pakistan is a signatory to World Trade Organization (WTO), which aims to increase international trade. Under the provisions of this agreement all states, which subscribe to WTO become bound to a mutual recognition of Intellectual Property rights at a higher level of protection, far beyond what the older conventions could offer. Pakistani Intellectual Property laws take into account the provisions of WTO.
- (c) Further, Pakistan is a signatory to the Berne Convention for the Protection of Literary and Artistic Work of 1886 and the Universal Copyright Convention of 1952, and Agreement on Trade Related Aspects of Intellectual Property Rights, 1995 (the “TRIPs”). The Berne Convention’s basic requirement is that each member state must follow the principle of national treatment, where in case, the country of origin of work is a Berne state, other members must accord the same treatment as they offer to their own nationals.

- (d) The TRIPs is an international treaty administered by the WTO, which sets down minimum standards for most forms of Intellectual Property (the “IP”) regulation within all member countries of the WTO. TRIPs deal with: copyright and related rights, such as rights of performers, producers of sound recordings and broadcasting organizations; geographical indications, including appellations of origin; industrial designs; integrated circuit layout-designs; patents, including the protection of new varieties of plants; trademarks; trade dress; and undisclosed or confidential information, including trade secrets and test data.
- (e) Pakistan Penal Code provides punishment under sections 478 to 489 against infringement of trade, property and other marks. This shows both international and national ramification of IP laws. Owner of the exclusive license of copyrights, in case of an infringement, are entitled to all such remedies by way of injunction, damages, accounts and otherwise as are conferred by law for the infringement of a right.

Similarly, the holder of a valid Patent in Pakistan shall have the right to prevent the third parties, not having owner’s consent, from the acts of making, using, offering for sale, selling, or importing and having the right to assign, or transfer by succession, the Patent and to conclude licensing contracts.

- (f) The proprietor of a registered trade mark shall also have exclusive rights in the trade mark. The infringement of the registered trade mark shall entitle its proprietor without prejudice to the rights to obtain any relief, by way of damages, injunctions, accounts or otherwise as is available in respect of the infringement of any other property right, under any law in force, the proprietor shall also have the right to obtain relief under the ordinance if the trade mark is infringed.

## **2. Purpose**

This policy provides guidelines for the staff, students and researchers of the University regarding Intellectual Property rights and their implications, and to protect their interest and rights against infringement. The IP policy seeks to provide proper guideline to facilitate the commercialization of research outputs. For clarity, the term “research outputs” in this policy includes postgraduate theses, externally or internally funded projects, and undergraduate Final Year Projects (FYPs) where original work may result in Intellectual Property.

## **3. Objectives**

The main objectives of this policy are to:

- (a) Provide a platform for the encouragement of discovery spirit among the faculty and students and encourage and aid scientific investigation and research.
- (b) Set out the procedures on the identification, ownership rights, protection and commercialization of Intellectual Property.
- (c) Protect the ownership rights of researchers/innovators with respect to their intellectual efforts.
- (d) Provide researchers assistance for Patenting of their creative work.
- (e) Raise awareness and sensitize about Intellectual Property rights.
- (f) Ensure that economic benefits arising from the commercialization of Intellectual Property are distributed in a fair and equitable manner, recognizing the contributions of the inventors, the University, as well as any other relevant stakeholder.
- (g) Assure that name, insignia and logos of University are properly used, and to receive a fair share of any commercial gains from the use of its names.
- (h) Protect the interests of the University, and ensuring that the University receives value in the commercialization of its intellectual rights.

### **3.1 Scope and Jurisdiction**

- (a) This policy shall apply to all Intellectual Property developed or created in the course of work or study at the University with university support including but not limited to:
  - Inventions and Patents
  - Software and Code
  - Copyrighted Works (e.g., publications, course materials, multimedia)
  - Trademarks
  - Trade Secrets

Formal definitions of these and other related terms are provided in the ORIC Policy Glossary, which serves as a reference for all policies governed under ORIC.

- (b) The jurisdiction of the policy extends to all University personnel and students, and applies to all programs supported by the University.
- (c) This IP policy shall cover all types of Intellectual Property rights under relevant IP Laws of the country, such as:

- (i) Copyright Ordinance, 1962
- (ii) Registered Designs Ordinance, 2000
- (iii) Registered Layout-designs of Integrated Circuits Ordinance, 2000
- (iv) Patents Ordinance, 2000
- (v) Trade Marks Ordinance, 2001
- (vi) Merchandise Marks Act, 1889
- (vii) The Trade Marks (Invalidation and Summary Registration) Act, 1950
- (viii) The Electronic Transactions Ordinance, 2002
- (ix) Sections relating to infringement of Trade, Property and Other Marks in the Pakistan Penal Code, 1860
- (x) Press, Newspapers, News Agencies and Books Registration Ordinance, 2002

### **3.2 Ownership Policy Principles**

- (a) **University Ownership Principle:** All Intellectual Property (IP) created by employees or students in the course of their duties, research, or academic activities at the University shall be owned by the University. Creators shall be formally recognized as Inventors/Authors, and their contributions shall be recorded in all official IP filings and documentation.
- (b) **Use of University Resources with External Funding:** If University resources are used and the research or activity is funded by an external source, the University shall retain ownership of the resulting IP, unless the funding agreement explicitly defines otherwise.
- (c) **University-Funded Research:** Where research leading to IP is funded wholly or partially by the University, including grants from government or private bodies, the terms of the funding agreement may override default University ownership if explicitly stated.
- (d) **IP Created Outside Normal Duties with Significant Resource Use:** If an employee or student creates IP outside their normal duties but with significant use of University resources, such IP shall be deemed assigned to the University in consideration for use of these resources.
- (e) **Sponsored Research or Third-Party Agreements:** IP created pursuant to sponsored research or other agreements with third parties shall initially belong to the University, with final ownership determined according to the terms of the agreement.
- (f) **Jointly Sponsored IP:** For inventions, improvements, discoveries, or works of authorship developed under joint sponsorship with a third party, IP rights shall be held jointly by the University and the sponsor, subject to the terms of the agreement.

- (g) Academic Visits: IP created by University employees during academic visits to another institution shall be governed by agreements between the University and the host institution. If University IP rights are unaffected, IP created during the visit shall belong to the host institution unless otherwise agreed.
- (h) Visiting Researchers: Visiting researchers shall assign to the University any IP they create in the course of activities arising from their association with the University. They shall be treated as University employees for the purposes of this Policy.
  - (i) Student-Created IP: All Intellectual Property created by students during their studies or research at the University, including Final Year Projects, theses, MS/MPhil/PhD research, and other academic work, shall be owned by the University. Students shall be formally recognized as Inventors/Authors.

Exceptions:

- (1) Where a student's work is funded through a third-party scholarship or agreement granting the sponsor IP rights, ownership shall follow the terms of the third-party agreement.
- (2) IP created pursuant to sponsored research or other agreements with third parties shall initially belong to the University, with ownership governed by the agreement.
- (i) Copyrighted Works: All rights in copyrighted works are owned by their creators, regardless of University resources used. Exceptions apply where works are specifically commissioned by the University or developed under a sponsored research or third-party agreement, in which case the agreement terms shall govern ownership.

## **4. Ownership Attribution Framework**

ORIC shall initiate a contributor documentation process for all Intellectual Property created at the University. This includes faculty, staff, students, and external collaborators, where applicable. ORIC shall:

- (a) Record all contributors' roles as Inventors or Authors.
- (b) Ensure that external agreements affecting ownership are properly documented.
- (c) Maintain signed records for every disclosed IP, including contributor names, roles, and any special terms agreed with third parties.
- (d) Facilitate recognition of contributors in IP filings, publications, and commercialization activities.

#### **4.1 Administrative Procedures**

The Office of Research, Innovation and Commercialization (ORIC) will be responsible for the management of this policy, including all activities regarding implementing, evaluation, patenting, providing drafting of patent applications, and licensing of new inventions and discoveries made at the University. Requests for any transfer of rights from the University to the Inventor(s), or any other third party, should be made in the first instance to the person or department designated by the University.

#### **4.2 IP Ownership Dispute Resolution**

In the event of a dispute regarding IP ownership, inventorship, or attribution, the matter shall be resolved by the University IP Committee chaired by the ORIC Director. The committee may consult legal or technical experts, and its decision shall be binding unless appealed to the University Vice Chancellor within 30 days.

### **5. Revenue Distribution**

For University-owned IP, any revenues generated through commercialization shall be received and administered by ORIC. Costs incurred in protecting or transferring the IP will be deducted from gross income before calculating net proceeds. The distribution of such net proceeds among the inventor(s)/creator(s), department(s), and the University shall be carried out in accordance with the University's Commercialization Policy or based on mutually agreed terms recorded in writing.

## **Definitions**

**Incubation Centre:** is a specialized program or physical space designed to nurture and accelerate the growth of startups and new ventures that are based on university research, technology, and intellectual property (IP). Its primary goal is to bridge the gap between academic innovation and commercial success.

**Intellectual Property (IP):** refers to creations of the mind, such as inventions, literary and artistic works, designs, and symbols, names, and images used in commerce. It is a class of property that results from the workings of human intellect and has commercial value.

**Patent:** is a legal right granted by a governing body to an inventor or assignee for a limited period of time, in exchange for the public disclosure of an invention

**Spin-Off:** refers to a company established to commercialize university-owned IP, developed through Final Year Projects (FYPs), theses, funded research, or other institutional activities.

**Startup:** refers to a new business venture initiated by students, faculty, or staff based on skills, know-how, or project experience, without involving university-owned Intellectual Property (IP).

**Venture Capital (VC):** refers to a type of private equity financing provided by investors to startups and early-stage companies that have been developed from university research. This funding is given in exchange for an ownership stake (equity) in the company.

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