
INTELLECTUAL PROPERTY POLICY

Policy Title	Intellectual Property Policy
Policy Owner	Amity Institute of Higher Education, Mauritius (AIHE)
Policy Version	Versions Control: 1.0 (October 2023) Current Version: 1.0 (October 2023)
Responsible Office	Vice Chancellor's Office
Contact Information	Questions concerning the policies should be directed to the Deputy Director of Amity Institute of Higher Education (Mauritius)
Policy Review Frequency	Once in 3 Years
Pertinent Dates	Approved Date: October 2023 Date of Next Review: October 2026
Approved By	October 2023 Academic Council Meeting and SENATE of AMITY Institute of Higher Education (AIHE)
Entities Affected by This Policy	AIHE's teaching staffs, non-teaching staffs and key committee members.
Who Needs to	An Intellectual Property (IP) Policy is essential for organizations to

Know About This Policy	protect their intellectual assets, define ownership, encourage innovation, and set guidelines for the use and protection of intellectual property. Hence all stakeholders of AIHE who are involved in handling intellectual matter need to be aware of this policy
Reason for Policy / Purpose	If AIHE creates or deals with intellectual property, such as patents, trademarks, copyrights, or trade secrets, it is essential to have an IP policy to protect these valuable assets from unauthorized use, disclosure, or theft.

Policy Purpose

This document sets out the policy of AMITY Institute of Higher Education in respect of:

- the ownership of Intellectual Property created by its staff, its students and by visiting faculties.
- the protection of Intellectual Property owned by the Institute.
- the exploitation of Intellectual Property owned by the Institute.
- the distribution of revenue arising from the commercial exploitation of Intellectual Property
- the implementation of this Policy

Scope and Application of this Policy

The scope and application of intellectual property (IP) encompasses a wide range of rights, protections, and regulations that are designed to safeguard the creations of the human mind and encourage innovation and creativity.

Policy Statement:

We at AIHE understand how crucial intellectual property is to promoting innovation, creativity, and the safeguarding of our assets. Our dedication to the ethical and responsible

management of intellectual property is reflected in this Intellectual Property Policy Statement.

POLICY FRAMEWORK

Principles of the Policy

Intellectual Property (IP) is the term used to describe the product(s) of any creative endeavour – artistic, literary or scientific - that can be protected under legislation.

In the context of this policy, IP thus refers to all matter capable of being protected by patents, copyright, trademarks and all other intellectual or industrial property rights.

It also refers, however, to other intellectual assets such as inventions and discoveries and any other product or attribute of intellectual or academic activity such as knowledge and expertise, skills, techniques, and the results of experiments, tests, or calculations.

AIHE owns the IP created by its employees, except to the extent this policy provides otherwise. The Institution must obtain good value for any investment it makes in creating IP that is commercially exploited.

Creators of IP that is commercially exploited and that generates income should receive a fair share of that benefit, as should the Institution.

In respect of IP which the Institution determines not to exploit, commercially or otherwise, the Institution should have the right to use that IP for its own purposes and to receive a share of any benefits of exploitation but should not unreasonably refuse to license or assign the IP to the Creator.

Ownership of Intellectual Property

STAFF OF THE INSTITUTION

The Institution claims ownership, unless agreed otherwise, of all IP

Arising:

- I. from work undertaken by employees of the Institution in the course of their normal duties of employment.
- II. from work developed under a contract between employees and the Institution.
- III. from work developed in the course of research sponsored by the Institution.

The Institution recognises the following exceptions to its ownership of

IP which apply unless otherwise agreed:

- I. any material produced as an aid to teaching
- II. conference and seminar papers
- III. publications such as books, book chapters, journal article

STUDENT

Students generating IP in the course of their academic studies and/or research own that IP in their own right and the generated IP is also the right of AIHE. Exceptions to this include (but are not limited to):

- I. A sponsored studentship where the sponsor has a claim on IP arising from the terms of the sponsorship.
- II. Where the student is part of a research team where the sponsor of that research owns any IP arising from that research.

VISITING FACULTIES

Visiting faculties are generally required to transfer any IP they create in the course of their employment to the Institution, subject to the terms and conditions of their contract.

WORKING WITH THIRD PARTIES

It is the responsibility of each individual who is subject to this Policy to ensure that IP arrangements with third parties drawn up in the course of collaborative research activity, contract research or consultancy work, do not conflict with their obligations to the Institution, including the Institution's rights of IP ownership under this Policy.

The protection of Intellectual Policy

Employees must maintain confidentiality at all times and must not publish or disclose any such IP, except as expressly permitted by AIHE under this Policy or otherwise in writing.

The Institution undertakes to indemnify its employees in respect of all costs, claims and damages incurred, in connection with the discharge by its employees

Exploitation of Intellectual Policy

Exploitation of IP is taken to mean any sale, transfer, assignment or licensing of the IP and/or the supply, sale or licensing of goods or services involving the use of the IP.

If the IP is commercialised by the creator, the Institution will be entitled to a share of revenue.

Distribution of Financial Returns

Revenue here is taken to mean any capital and/or income received or receivable by the AIHE in respect of the exploitation of its IP.

Net Revenues from Commercialisation received by AIHE shall be distributed as follows:

- I. 50% for the Creator(s)
- II. 30% for the AIHE
- III. 20% for the faculty

DISCLAIMER

This document may be subjected to change upon the directions and instructions of Senate / Academic Council. The changes once approved by AIHE's respective Councils and Boards, will be mentioned and notified to accreditation body – Higher Education Commission (HEC) by the Vice Chancellor of AIHE.