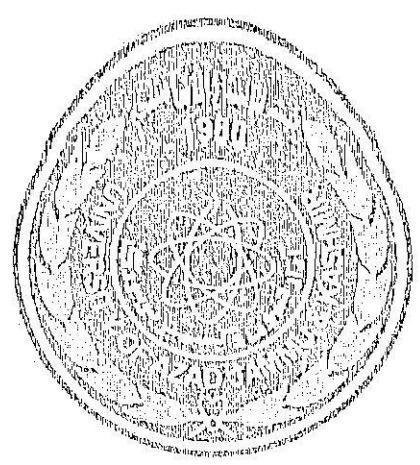


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University of Azad Jammu & Kashmir



Intellectual Property
&
Commercialization Policy

Office of Research Innovation &
Commercialization (ORIC)



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UAJ&K Statement of Policy in Regards to Intellectual Property, Patents and Commercialization

INTRODUCTION

The University of Azad Jammu & Kashmir (UAJ&K), Muzaffarabad accepts formally that launching new products and processes result in benefits for the public including the Universities. The working of Universities is affected by national level policies such as patents and copyrights as well as the finances for the research at all levels. Moreover to boost research activities, researchers should be encouraged through incentives for their intellectual contributions towards the betterment of society. These constraints have led the University to develop policies that are understandable to members of the UAJ&K community and consistent with the University's primary commitment to the public interest.

The governing policy of the ownership and disposition of intellectual property which includes, inventions, copyrights (including software development), trademarks, and tangible research property such as biological materials is based on the following principles.

Firstly, the innovational work produced at the University should be used in the general interest of the masses and University policy must encourage this.

Secondly, the policy should guard the conventional rights of intellectuals with reference to the products of their intellectual actions. For example, the policy should not interfere with the rights of a scholar to publish a book or an article. Where the University takes proprietorship or control over scholarly works, the University shall consult with authors on strategies for publication.

Thirdly, where financial or other provision in terms of facilities, equipment or staff for development of intellectual property has been provided by third party through the University, those must be covered in this policy.

The University also has a convincing interest in ensuring that its name and logos are properly used, especially that the use of its name or logo to imply association with the institution is accurate and appropriate, and that it receives a fair share of any commercial fruits from the use of its names.

This policy is applicable to all full- and part-time faculty members, staff and employees, students, postdoctoral fellows and non-employees who use University funds, facilities or other resources, or participate in University-administered research, including visiting faculty, industrial personnel and fellows. For purposes of this policy, these individuals will be referred to as "*covered persons*" or "*persons covered by this policy*".

In the best interest of the University, it may enter into agreements with third parties that are exceptions to the policies reflected in this document and the persons covered by this policy. All such exceptions shall be made after consultation with the Office of Research, Innovation and Commercialization and written agreements must be signed by the competent authority on behalf of the University of AJ&K.

SECTION I. INVENTIONS AND PATENTS

A. Definitions.

1. For purposes of this policy, the following terms related to inventions shall have the following meanings:

Inventor. Shall mean a person covered by this policy who individually or jointly with others makes an invention and who meets the criteria for inventor ship under intellectual property laws and regulations of Azad Jammu & Kashmir and Pakistan/ National Laws.

Invention. Shall mean any patentable or potentially patentable idea, discovery or know-how and any associated or supporting technology that is required for development or application of the idea, discovery or know-how.

Supported Invention. Shall mean an *Invention* conceived or reduced to practice by person covered by this policy (whether alone or together with others) if conceived or reduced to practice in whole or in part:

- a. Under or subject to an agreement between UAJ&K and a third party; or
- b. With use of direct or indirect financial support from UAJ&K, including support or funding from any outside source awarded to or administered by UAJ&K; or
- c. With use (other than incidental use) of space, facilities, materials or other resources provided by or through the University.

Incidental Invention. Shall mean an *Invention* (other than a *Supported Invention*) that is conceived or reduced to practice by a person covered by this policy making an incidental use of space, facilities, materials or other resources related to the conception or reduction to practice of such *Invention*.

2. The terms used in this document and not defined in A.1 shall have the same meaning as assigned to them in the University of Azad Jammu & Kashmir Act, 1985.

B. Disclosure Obligations. *Covered persons* are required to notify the University's Office of Research, Innovation and Commercialization ("ORIC") of each *Supported Invention* and *Incidental Invention* through a disclosure document as prescribed by ORIC, except as otherwise provided in Section III regarding *Sponsored Software Inventions*.

C. Ownership Determination. Upon review of the disclosure document, ORIC will determine whether the *Invention* is a *Supported Invention* or an *Incidental Invention* and, in the case of a *Supported Invention*, shall further determine, who are the *Inventor(s)*, consistent with national laws.

In case of *Supported Invention* UAJ&K shall have the right to own and each *Inventor*, at UAJ&K's request, shall assign to UAJ&K all of his/her right, title and interest ownership of an *Incidental Invention* shall remain with its *Inventor(s)*, subject to any rights that may be granted to UAJ&K as required by this policy.

D. Commercialization. ORIC shall have the sole discretion with respect to the commercialization of a *Supported Invention*. Where a *Supported Invention* is subject to an external agreement with a third party (for example, the federal government or other funding sponsor), ORIC shall make decisions consistent with that agreement.

E. Royalty Sharing. Where royalties are generated by UAJ&K as a result of commercializing a *Supported Invention*, royalties will be shared with the *Inventor(s)* as described in Section V ("Royalty Sharing") of this policy. The University shall have the right to modify the Royalty Sharing section of this policy in accordance with Section VI.C of this policy.

F. UAJ&K Rights in Incidental Inventions. In case of incidental invention, *Inventor(s)* must agree to grant to the University an irrevocable, perpetual, non-exclusive, royalty free, world-wide right to use the *Inventions* in the University's non-profit educational and research activities.

SECTION II. COPYRIGHTS

A. Ownership.

Definitions: "*Author*" means any person covered by this policy who creates a work of authorship qualifying for protection under government copyright law such as books, films, video cassettes, works of art, musical works and other copyrightable materials of whatever nature or kind and in whatever format developed, except that computer software and databases shall be subject to Section III ("Computer Software") of this policy.

Subject to the Exceptions in subsection B below, *Authors* are entitled to own the copyright and retain any revenue derived there from in.

B. Exceptions.

1. Whenever research or a related activity is subject to an agreement between the University and a third party that contains obligations or restrictions concerning copyright or the use of copyrighted materials, those materials shall be handled in accordance with the agreement.
2. In circumstances where University's involvement in the creation and development of copyrighted materials is more than incidental, including, but not limited to, use of resources such as funds, facilities, equipment or other University resources, in such case ownership and rights to shares of royalties or income or both shall be fairly and equitably apportioned as between the University and the *Author(s)*.
3. A copyrightable work created within the scope of employment by non-teaching employees of the University shall be deemed as the *Author* and shall own the copyright.
4. The University may also commission copyrightable works from University personnel, including faculty and students.
5. The University, at any time, may acquire ownership or rights in copyright and copyrighted materials by agreement with the *Author(s)* or other rights holder(s), on such terms as are agreed.

C. Other Applicable Policy. Sections I.E and I.F of this policy shall apply to *Copyrights* that are assigned to the University under paragraph B.1 above as if they were *Supported Inventions*, except as otherwise provided in the other paragraphs of Section II.B.

SECTION III. COMPUTER SOFTWARE

A. Definitions.

Sponsored Computer Software. Shall mean any computer program (including, without limitation, microcode, subroutines, and operating systems), regardless of form of expression or object in which it is embodied, together with any users' manuals and other accompanying explanatory materials and any computer database, that is developed:

1. Under or subject to agreement between UAJ&K and a third party, or
2. With use of direct or indirect financial support from UAJ&K, including support or funding from any outside source awarded to or administered by UAJ&K, or
3. With use (other than incidental use) of space, facilities, materials or other resources provided by or through the University.

Sponsored Software Invention. Shall mean *Sponsored Computer Software* which is an *Invention* as defined under Section I of this policy.

B. Disclosure Obligations.

1. A *Sponsored Software Invention* shall be required to be disclosed to ORIC as an *Invention* only in cases where:

- a. The *Sponsored Software Invention* was developed under or subject to agreement between UAJ&K and a third party as in paragraph A.1 above; or
- b. The inventor(s) and/or Author(s) deem the *Sponsored Software Invention* to have commercial potential and/or favor seeking patent protection for the *Invention*.

All *Sponsored Software Inventions* required to be disclosed to ORIC as an *Invention*, and any *Sponsored Software Inventions* otherwise identified shall be treated for all purposes under this policy like other *Inventions*, except as expressly provided otherwise in this Section III.

2. *Sponsored Computer Software* that is not required to be disclosed as an *Invention* under paragraph B.1 above shall be disclosed to ORIC in accordance with such disclosure procedures as ORIC may direct.

C. Ownership.

1. The University shall own all patents, copyrights and other intellectual property rights in *Sponsored Computer Software*.
2. Computer programs and databases that are not included in paragraph C.1 above

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D. Release of Sponsored Computer Software. Where the University has the right but elects not to commercialize *Sponsored Computer Software*, the University may release its rights, in its sole discretion, subject to a written agreement reserving certain rights to the University and signed by all individuals who have been determined to be *Inventor(s)* and *Author(s)* of the *Sponsored Computer Software*.

E. Other Applicable Policy. Sections I.E. and I.F. of this policy apply to *Sponsored Computer Software* and to *Inventors* and *Authors* of *Sponsored Computer Software* as if *Sponsored Computer Software* were a *Supported Invention*.

SECTION IV. UNPATENTED MATERIALS

A. Definitions.

Unpatented Materials (including biological materials). Means cell lines, organisms, proteins, plasmids, DNA/RNA, chemical compounds, transgenic animals and other materials useful for research or for commercial purposes for which patent applications are not filed or, if filed, do not issue, where such materials are developed by persons covered by this policy:

1. Under or subject to agreement between UAJ&K and a third party; or
2. With use of direct or indirect financial support from UAJ&K, including support or funding from any outside source awarded to or administered by UAJ&K; or
3. With use (other than incidental use) of space, facilities, materials or other resources provided by or through the University.

Contributors. Means those individuals who are determined by the head of the laboratory or the principal investigator of a research project, as applicable, to have made a contribution to the development of the *Unpatented Materials*.

B. Ownership and Commercialization. The University shall own all rights in *Unpatented Materials* and may make appropriate distribution in the public interest, including licensing or transferring *Unpatented Materials*, for research and commercial purposes. Individuals named as *Contributors* shall be entitled to a share of licensing revenues in accordance with paragraph C.2 of Section V of this policy.

SECTION V. ROYALTY SHARING

A. Distributable Royalties. UAJ&K employs a single uniform structure for distribution of royalties to *Inventors*, *Authors* and *Contributors* (for the purposes of this Section V, collectively, "*Creators*" and each a "*Creator*"). UAJ&K will distribute *Net Royalties* received by UAJ&K from the licensing or other distribution of its intellectual property or technology covered by this policy, as and to the extent provided in this policy. *Net Royalties* equal those gross receipts that UAJ&K is entitled to retain, less: (i) UAJ&K's out-of-pocket costs and fees associated with securing, maintaining and enforcing intellectual property protection such as patenting and litigation expenses, (ii) out-of-pocket costs incurred by UAJ&K in the licensing of the intellectual property, and (iii) any out-of-pocket expenses in making, shipping or otherwise distributing biological or other materials (including, without limitation, *Unpatented Materials*). As used herein,

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the term "Creation" shall mean any *Invention, Computer Software, copyright or Unpatented Material* as to which *Net Royalties* are to be distributed in accordance with this policy.

B. Standard Distribution Method. Except as otherwise provided in this policy, the following formula will apply to the distribution of *Net Royalties* among *Creators*, their respective research laboratories, Departments/Centers University, based on amounts received by UAJ&K on or after this date:

<i>Creator</i> personal share	55%
UAJK research endowment share	15%
<i>Creator</i> Department/Center/Lab share	15%
ORIC Share	15%

C. Alternative Distribution Methods. *Net Royalties* earned from licensing of *Creations* with multiple *Creators* will be distributed as follows:

1. *Among multiple Inventors and/or Authors for a single patented invention or copyright:* Personal shares will be allocated among *Inventors* and/or *Authors* according to a written agreement among them or, if there is no agreement, in equal shares.
2. Department/center/Institute shares will be allocated equally where *Inventors* or *Authors* come from different laboratories, departments/centers or Faculties, regardless of the number of *Inventors/Authors* from each laboratory, department/center or faculty, unless otherwise agreed among all *Inventors/Authors*.

D. Rights of Appeal. Administrative decisions made under paragraphs B above may be appealed by the persons affected to the Committee on Intellectual Property for final determination provided the appeal is made in writing to ORIC within 45 days of such persons receiving written notification of the administrative decision. The issue will be decided by University IP Committee (Refer to Section VI)

E. Portability of Royalty Shares. Personal royalty shares will be payable to *Creators* regardless of their employment status at UAJ&K or elsewhere. Other shares will not follow individuals leaving UAJ&K.

F. Distribution of Income Received As Consultancy Fee Or UAJ&K's Lab Services Rental

Definition: *Consultant(s)* means any person(s) providing consultancy services to any government, non-government organization or individual in his/her field of expertise.

F.1 Consultancy Income Distribution

<i>Consultant</i> Personal Share	65%
UAJK R&D endowment share	15%
<i>Consultant's</i> Department/Center share	10%

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ORIC Share 10%

F.2 Lab Services Income Distribution

Lab Staff Share 20%

University R& D Endowment Share 45%

Department/Lab Share 20%

ORIC Share 15%

Among multiple contributors in consultancy or Lab services Personal shares will be allocated among contributors according to a written agreement among them or, if there is no such agreement, it will be the discretion of Principle Consultant/ Director/Head of Lab to decide the shares distribution.

SECTION VI. COMMITTEE ON INTELLECTUAL PROPERTY. CHANGES TO POLICY

A. Overall Responsibility. There shall be a committee called as University Committee on Intellectual Property, appointed by the Vice Chancellor, shall be responsible for interpreting this policy and resolving questions and disputes concerning it. From time to time, the Committee may suggest changes to this policy on its own initiative or at the request of the Vice Chancellor and Fellows of UAJ&K or its designee.

B. Other Responsibilities. Other responsibilities of the Committee include the hearing of appeals as provided under this policy and such other duties as may be assigned from time to time by the Vice Chancellor and Fellows of UAJ&K or its designee.

C. Changes to Policy. The University reserves the right to amend or modify any of the terms of this policy as it may determine from time to time. The Vice Chancellor shall have the power to make such amendments and modifications. Any such modification or amendment shall become effective upon adoption by the Vice Chancellor on the recommendation of Committee on Intellectual Property and shall further subject to approval of the syndicate for consistent application/enforcement

SECTION VII. MISCELLANEOUS

A. Implementing Procedures and Documentation. The responsibility for developing procedures and documentation as necessary for implementing this policy shall lie with the ORIC. Implementation procedures as recommended by ORIC shall be subject to the approval of the Competent Authority.

B. Applicability of New Policy Provisions. For the avoidance of doubt, except as otherwise specifically provided, this policy will not be applied to Inventions, Copyrights, Computer Software and/or Unpatented Materials made or developed prior to the effective date of the policy.

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THE UNIVERSITY OF AZAD JAMMU AND KASHMIR

(Directorate of Finance & Planning)

Chehla Campus, Muzaffarabad 13100

Phone No. 05022-960417, Fax No. 05022-960432

No. F&P 43(E) Item/Budget/2018/ 58 - 81

Dated: Feb. 12, 2018

NOTIFICATION:

Subject: University Statement Policy in regard to Intellectual Property, Patents and Commercialization.

On the recommendation of Finance & Planning Committee in its meeting held on 03.08.2016 the Syndicate in its meeting held on 23.12.2016, approved the following University Statement Policy in regard to Intellectual Property, Patents and Commercialization:-

The University of Azad Jammu & Kashmir (UJ&K), Muzaffarabad accepts formally that launching new products and processes result in benefits for the public including the Universities. The working of Universities is affected by national level policies such as patents and copyrights as well as the finances for the research at all levels. Moreover to boost research activities, researchers should be encouraged through incentives for their intellectual contributions towards the betterment of society. These constraints have led the University to develop policies that are understandable to members of the UJ&K community and consistent with the University's primary commitment to the public interest.

The governing policy of the ownership and disposition of intellectual property which includes, inventions, copyrights, (including software development), trademarks, and tangible research property such as biological materials is based on the following principles:

Firstly, the innovational work produced at the University should be used in the general interest of the masses and University policy must encourage this.

Secondly, the policy should guard the conventional rights of intellectuals with reference to the products of their intellectual actions. For example, the policy should not interfere with the rights of a scholar to publish a book or an article. Where the University takes proprietorship or control over scholarly works, the University shall consult with authors on strategies for publication.

Thirdly, where financial or other provision in terms of facilities, equipment or staff for development of intellectual property has been provided by third party through the University, those must be covered in this policy.

The University also has a convincing interest in ensuring that its name and logos are properly used, especially that the use of its name or logo to imply association with the institution is accurate and appropriate, and that it receives a fair share of any commercial fruits from the use of its name.

This policy is applicable to all full- and part-time faculty members, staff and employees, students, postdoctoral fellows and non-employees who use University funds, facilities or

DATE: 12 Feb / 2018
2/16/2018

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other resources; or participate in University-administered research, including visiting faculty, industrial personnel and fellows. For purposes of this policy, these individuals will be referred to as "covered persons" or "persons covered by this policy".

In the best interest of the University, it may enter into agreements with third parties that are exceptions to the policies reflected in this document and the persons covered by this policy. All such exceptions shall be made after consultation with the Office of Research, Innovation and Commercialization and written agreements must be signed by the competent authority on behalf of the University of AJ&K.

SECTION I. INVENTIONS AND PATENTS

A. Definitions.

1. For purposes of this policy, the following terms related to inventions shall have the following meanings:

Inventor. Shall mean a person covered by this policy who individually or jointly with others makes an Invention and who meets the criteria for inventor ship under intellectual property laws and regulations of Azad Jammu & Kashmir and Pakistan/ National Laws.

Invention. Shall mean any patentable or potentially patentable idea, discovery or know-how and any associated or supporting technology that is required for development or application of the idea, discovery or know-how.

Supported Invention. Shall mean an *Invention* conceived or reduced to practice by person covered by this policy (whether alone or together with others) if conceived or reduced to practice in whole or in part:

- a. Under or subject to an agreement between UAJ&K and a third party; or
- b. With use of direct or indirect financial support from UAJ&K, including support or funding from any outside source awarded to or administered by UAJ&K; or
- c. With use (other than incidental use) of space, facilities, materials or other resources provided by or through the University.

Incidental Invention. Shall mean an *Invention* (other than a *Supported Invention*) that is conceived or reduced to practice by a person covered by this policy making an incidental use of space, facilities, materials or other resources related to the conception or reduction to practice of such *Invention*.

2. The terms used in this document and not defined in A.1 shall have the same meaning as assigned to them in the University of Azad Jammu & Kashmir Act, 1985.

B. Disclosure Obligations: *Covered persons* are required to notify the University's Office of Research, Innovation and Commercialization ("ORIC") of each *Supported Invention* and *Incidental Invention* through a disclosure document as prescribed by ORIC, except as otherwise provided in Section III regarding *Sponsored Software Inventions*.

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C. Ownership Determination. Upon review of the disclosure document, ORIC will determine whether the *Invention* is a *Supported Invention* or an *Incidental Invention* and, in the case of a *Supported Invention*, shall further determine who are the *Inventor(s)*, consistent with national laws.

In case of *Supported Invention* UAJ&K shall have the right to own and each *Inventor*, at UAJ&K's request, shall assign to UAJ&K all of his/her right, title and interest ownership of an *Incidental Invention* shall remain with its *Inventor(s)*, subject to any rights that may be granted to UAJ&K as required by this policy.

D. Commercialization. ORIC shall have the sole discretion with respect to the commercialization of a *Supported Invention*. Where a *Supported Invention* is subject to an external agreement with a third party (for example, the federal government or other funding sponsor), ORIC shall make decisions consistent with that agreement.

E. Royalty Sharing. Where royalties are generated by UAJ&K as a result of commercializing a *Supported Invention*, royalties will be shared with the *Inventor(s)* as described in Section V ("Royalty Sharing") of this policy. The University shall have the right to modify the Royalty Sharing section of this policy in accordance with Section VI.C of this policy.

F. UAJ&K Rights in Incidental Inventions. In case of incidental invention, *Inventor(s)* must agree to grant to the University an irrevocable, perpetual, non-exclusive, royalty free, world-wide right to use the *Inventions* in the University's non-profit educational and research activities.

SECTION II. COPYRIGHTS

A. Ownership

Definitions: "*Author*" means any person covered by this policy who creates a work of authorship qualifying for protection under government copyright law such as books, films, video cassettes, works of art, musical works and other copyrightable materials of whatever nature or kind and in whatever format developed, except that computer software and databases shall be subject to Section III ("Computer Software") of this policy.

Subject to the Exceptions in subsection B below, *Authors* are entitled to own the copyright and retain any revenue derived therefrom.

B. Exceptions

1. Whenever research or a related activity is subject to an agreement between the University and a third party that contains obligations or restrictions concerning copyright or the use of copyrighted materials, those materials shall be handled in accordance with the agreement.
2. In circumstances where University's involvement in the creation and development of copyrighted materials is more than incidental, including, but not limited to, use of resources such as funds, facilities, equipment, or other University resources, in such case ownership and rights to shares of royalties or income or both shall be fairly and equitably apportioned as between the University and the *Author(s)*.
3. A copyrightable work created within the scope of employment by non-teaching

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employees of the University shall be deemed as the *Author* and shall own the copyright.

4. The University may also commission copyrightable works from University personnel, including faculty and students.
5. The University, at any time, may acquire ownership or rights in copyright and copyrighted materials by agreement with the *Author(s)* or other rights holder(s), on such terms as are agreed.

C. Other Applicable Policy. Sections I.E. and I.F. of this policy shall apply to *Copyrights* that are assigned to the University under paragraph B.1 above as if they were *Supported Inventions*, except as otherwise provided in the other paragraphs of Section II.D.

SECTION III. COMPUTER SOFTWARE

A. Definitions.

Sponsored Computer Software. Shall mean any computer program (including, without limitation, microcode, subroutines, and operating systems), regardless of form of expression or object in which it is embodied, together with any users' manuals and other accompanying explanatory materials and any computer database, that is developed:

1. Under or subject to agreement between UAJ&K and a third party; or
2. With use of direct or indirect financial support from UAJ&K, including support or funding from any outside source awarded to or administered by UAJ&K; or
3. With use (other than incidental use) of space, facilities, materials or other resources provided by or through the University.

Sponsored Software Invention. Shall mean *Sponsored Computer Software* which is an *Invention* as defined under Section I of this policy.

B. Disclosure Obligations.

1. A *Sponsored Software Invention* shall be required to be disclosed to ORIC as an *Invention*, only in cases where:
 - a. The *Sponsored Software Invention* was developed under or subject to agreement between UAJ&K and a third party as in paragraph A.1 above, or
 - b. The Inventor(s) and/or Author(s) claim the *Sponsored Software Invention* to have commercial potential and/or favor seeking patent protection for the *Invention*.

All *Sponsored Software Inventions* required to be disclosed to ORIC as an *Invention*, and any *Sponsored Software Inventions* otherwise identified, shall be treated for all purposes under this policy like other *Inventions*, except as expressly provided otherwise in this Section III.

2. *Sponsored Computer Software* that is not required to be disclosed as an *Invention* under paragraph B.1 above shall be disclosed to ORIC in accordance with such disclosure procedures as ORIC may direct.

C. Ownership.

1. The University shall own all patents, copyrights and other intellectual property rights in *Sponsored Computer Software*.

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2. Computer programs and databases that are not included in paragraph C.1 above shall, for all purposes, be treated in accordance with the policies provided under Section II "Copyrights".

D. Release of Sponsored Computer Software. Where the University has the right but elects not to commercialize *Sponsored Computer Software*, the University may release its rights, in its sole discretion, subject to a written agreement reserving certain rights to the University and signed by all individuals who have been determined to be *Inventor(s)* and *Author(s)* of the *Sponsored Computer Software*.

E. Other Applicable Policy. Sections I.E. and I.F. of this policy apply to *Sponsored Computer Software* and to *Inventors* and *Authors* of *Sponsored Computer Software* as if *Sponsored Computer Software* were a *Supported Invention*.

SECTION IV. UNPATENTED MATERIALS

A. Definitions.

Unpatented Materials (including biological materials). Means cell lines, organisms, proteins, plasmids, DNA/RNA, chemical compounds, transgenic animals and other materials useful for research or for commercial purposes for which patent applications are not filed or, if filed, do not issue, where such materials are developed by persons covered by this policy:

1. Under or subject to agreement between UAJ&K and a third party; or
2. With use of direct or indirect financial support from UAJ&K, including support or funding from any outside source awarded to or administered by UAJ&K; or
3. With use (other than incidental use) of space, facilities, materials or other resources provided by or through the University.

Contributors. Means those individuals who are determined by the head of the laboratory or the principal investigator of a research project, as applicable, to have made a contribution to the development of the *Unpatented Materials*.

B. Ownership and Commercialization. The University shall own all rights in *Unpatented Materials* and may make appropriate distribution in the public interest, including licensing or transferring *Unpatented Materials*, for research and commercial purposes. Individuals named as *Contributors* shall be entitled to a share of licensing revenues in accordance with paragraph C.2 of Section V of this policy.

SECTION V. ROYALTY SHARING

A. Distributable Royalties. UAJ&K employs a single uniform structure for distribution of royalties to *Inventors*, *Authors* and *Contributors* (for the purposes of this Section V, collectively, "*Creators*" and each a "*Creator*"). UAJ&K will distribute *Net Royalties* received by UAJ&K from the licensing or other distribution of its intellectual property or technology covered by this policy, as and to the extent provided in this policy. *Net Royalties* equal those gross receipts that UAJ&K is entitled to retain, less: (i) UAJ&K's out-of-pocket costs and fees associated with securing, maintaining and enforcing intellectual property protection such as patenting and litigation expenses, (ii) out-of-pocket costs incurred by UAJ&K in the licensing of the intellectual property, and (iii) any out-of-pocket expenses in making, shipping or otherwise distributing biological or other materials (including, without limitation, *Unpatented Materials*). As used herein, the term "*Creation*" shall mean any *Invention*, *Computer Software*, copyright or

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Unpatented Material as to which Net Royalties are to be distributed in accordance with this policy.

B. Standard Distribution Method. Except as otherwise provided in this policy, the following formula will apply to the distribution of Net Royalties among Creators, their respective research laboratories, Departments/Centers, University, based on amounts received by UAJ&K on or after this date:

Creator personal share	55%
UAJK research endowment share	15%
Creator Department/Center/Lab share	15%
ORIC Share	15%

C. Alternative Distribution Methods. Net Royalties earned from licensing of Creations with multiple Creators will be distributed as follows:

1. Among multiple Inventors and/or Authors for a single patented invention or copyright: Personal shares will be allocated among Inventors and/or Authors according to a written agreement among them or, if there is no agreement, in equal shares.
2. Department/center/Institute shares will be allocated equally where Inventors or Authors come from different laboratories, departments/centers or Faculties, regardless of the number of Inventors/Authors from each laboratory, department/center or faculty, unless otherwise agreed among all Inventors/Authors.

D. Rights of Appeal. Administrative decisions made under paragraphs B above may be appealed by the persons affected to the Committee on Intellectual Property for final determination provided the appeal is made in writing to ORIC within 45 days of such persons receiving written notification of the administrative decision. The issue will be decided by University IP Committee (Refer to Section VI)

E. Portability of Royalty Shares: Personal royalty shares will be payable to Creators regardless of their employment status at UAJ&K or elsewhere. Other shares will not follow individuals leaving UAJ&K.

F. Distribution of Income Received As Consultancy Fee Or UAJ&K's Lab Services Rental
Definition: Consultant(s) means any person(s) providing consultancy services to any government, non-government organization or individual in his/her field of expertise.

F.1 Consultancy Income Distribution

Consultant Personal Share	65%
UAJK R&D endowment share	15%
Consultant's Department/Center share	10%
ORIC Share	10%

F.2 Lab Services Income Distribution

Lab Staff Share	20%
University R&D Endowment Share	45%
Department/Lab Share	20%
ORIC Share	15%

Among multiple contributors in consultancy or Lab services: Personal shares will be allocated among contributors according to a written agreement among them or, if there is

no such agreement, it will be the discretion of Principle Consultant/ Director/Head of Lab to decide the shares distribution.

SECTION VI. COMMITTEE ON INTELLECTUAL PROPERTY: CHANGES TO POLICY

A. Overall Responsibility. There shall be a committee called as University Committee on Intellectual Property, appointed by the Vice Chancellor, shall be responsible for interpreting this policy and resolving questions and disputes concerning it. From time to time, the Committee may suggest changes to this policy on its own initiative or at the request of the Vice Chancellor and Fellows of UAJ&K or its designee.


B. Other Responsibilities. Other responsibilities of the Committee include the hearing of appeals as provided under this policy and such other duties as may be assigned from time to time by the Vice Chancellor and Fellows of UAJ&K or its designee.

C. Changes to Policy. The University reserves the right to amend or modify any of the terms of this policy as it may determine from time to time. The Vice Chancellor shall have the power to make such amendments and modifications. Any such modification or amendment shall become effective upon adoption by the Vice Chancellor on the recommendation of Committee on Intellectual Property and shall further subject to approval of the Senate for consistent application/enforcement.

SECTION VII. MISCELLANEOUS

A. Implementing Procedures and Documentation. The responsibility for developing procedures and documentation as necessary for implementing this policy shall lie with the ORIC. Implementation procedures as recommended by ORIC shall be subject to the approval of the Competent Authority.

B. Applicability of New Policy Provisions. For the avoidance of doubt, except as otherwise specifically provided, this policy will not be applied to inventions, Copyrights, Computer Software and/or Unpatented Materials made or developed prior to the effective date of the policy.


(Syed Sabir Hussain Bukhari)
Director Finance & Planning

Copy to:-

1. The Private Secretary to the Vice Chancellor
2. The Registrar
3. The Director AS&R
4. The Director Works
5. The Director ORIC
6. The Additional Director Finance
7. The Deputy Director Finance
8. The Deputy Director (Accounts)
9. The Deputy Director (Pension)
10. The Deputy Registrar (Admin)
11. The Deputy Registrar (Academics)
12. The Deputy Registrar (Meetings)
13. The Assistant Director Finance
14. The Audit Officer
15. The Accounts Officer Compilation
16. The Accounts Officer Operation


(Farhat Sultana)
Assistant Director (Budget)



THE UNIVERSITY OF AZAD JAMMU AND KASHMIR
(Directorate of Finance & Planning)
(Budget Section)

Chehla Campus, Muzaffarabad 13100

Phone No. 05822-950417, Fax No. 05822-961432

No. Budget/184-709/2020

Muzaffarabad, the February 20, 2020

Notification

Subject: Revision of Rate of Different Royalty Share of the University's Approved Intellectual Property and Commercialization Policy

On the recommendation of Intellectual Property and Commercialization Policy Committee, in exercise of the powers conferred by Section VI clause (C) of "Intellectual Property: Changes to Policy", the Vice Chancellor subject to the approval of the Finance & Planning Committee and Syndicate has been pleased to approve the amendment in the following existing Royalty Shares of the University's approved Intellectual property and Commercialization Policy with the condition that the Creator/ Department/ Center/ Lab Share should be on the discretion of Head of the concerned Department and the Creator/ PI to utilize either for the Lab Development or other development needs. In addition to that the shares should be allocated, out of the earned profit in case of item No. 3, 4, 5 and 6.

Sr. #	Section	Existing	Revised	Remarks
1.	Section V-B Royalty Sharing: Standard Distribution Method	Creator Personal Share: 55% UJK Research Endowment Share: 15% Creator Department/Center/ Lab Share: 15% ORIC Share: 15%	Creator Personal Share: 70% UJK Research Endowment Share: 10% Creator Department/Center/ Lab Share: 10% ORIC Share: 10%	---
2.	Section V-F.1 Consultancy Income Distribution	Consultant Personal Share: 65% UJK R & D Endowment Share: 15% Consultant's Department/Center Share: 10% ORIC Share: 10%	Consultant Personal Share: 75% UJK R & D Endowment Share: 5% Consultant's Department Share: 10% ORIC Share: 10%	---
3.	Section V-F.2 Lab Services Income Distribution	Lab Staff Share: 20% University R & D Endowment Share: 45% Department/Lab Share: 20% ORIC Share: 15%	Lab Staff Share: 50% University R & D Endowment Share: 20% Department/Lab Share: 15% ORIC Share: 15%	Lab Staff Share: 50% University R & D Endowment Share: 15% Department/Lab Share: 20% ORIC Share: 15%
4.	Industrial Partnership Enterprises (Using University's Infrastructure)	---	PI/Researcher Personal Share: 75% UJK Research Endowment Share: 5% Creator Department/Center/ Lab Share: 10% ORIC Share: 10%	---

(DRAFT) Policy of Academic Freedom at The University of Azad Jammu and Kashmir

1.0 Objectives

The objectives of this policy are to clarify the

- 1.1 Rights to academic freedom of people especially the scholars, i.e. teachers and students; and
- 1.2 Relevant responsibilities therein while using the academic freedom.

2.0 Scope

This policy applies across the University.

3.0 Salient Features

This policy is made under the University of Azad Jammu and Kashmir Act 1980.

- 3.1 Version: 1 (Draft)
- 3.2 Approved on: Yet to be approved
- 3.3 Policy Steward: Registrar
- 3.4 Effective date: Yet to be approved
- 3.5 Review due by: May be three years after approval
- 3.6 Approved by: Academic Council/ Syndicate of the University
- 3.7 Status: Draft/ Approved/ Published

4.0 Policy

The University of Azad Jammu and Kashmir perceives the Academic Freedom in the following way:

4.1 Introduction to Academic Freedom

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Academic freedom may be defined as "the freedom of teachers and students to teach, study, and pursue knowledge and research without unreasonable interference or restriction from law, institutional regulations, or public pressure" (Encyclopedia Britannica-online). This intellectual liberty from all worldly fears and controls while always remaining answerable to ALLAH SWT helps the teachers/...students to inquire the truth and results in the meaningful advancement in knowledge. And the progression of knowledge is the ultimate objective of any higher educational institution in a society. The same principle applies to other administrative staff members who are to facilitate this educational process.

This academic independence may be assessed by Academic Freedom Index (AFI) (Academic Freedom Index 2020 | UPSC | IASbhai, 28-05-2021, 11:00 am) through its five main pillars, namely:

- 4.1.1 Freedom to research and teach
- 4.1.2 Freedom of academic exchange and dissemination
- 4.1.3 Institutional autonomy
- 4.1.4 Campus integrity
- 4.1.5 Freedom of academic and cultural expression

4.2 Right to Academic Freedom

4.2.1 UAJK is dedicated to preserve, defend and promote all above mentioned pillars of academic freedom in the conduct of its affairs, so that all scholastic teaching/ learning activities at the University are carried out without fear or favour.

4.2.2 Similarly, the University supports the right of all scholars at the University to search for truth through such a research methodology which is not in contradiction with the generally accepted legal/ moral/ ethical norms.

4.2.3 The right of scholars to research in any field is well protected by the university and is detailed in the "Research Policy of The University of Azad Jammu and Kashmir".

4.2.4 In the same way, the students are also granted maximum liberty to exercise their rights but in a disciplined manner that reflects the admirable prestige of an institution of

higher education. For that matter, a separate "Code of Conduct for Students of The University of Azad Jammu and Kashmir" is available.

4.2.5 Likewise, governance free of all prejudices and pressures is another hallmark which is being protected by the University. All the employees of the university are at the liberty to work under the rules and regulations of the university, GOAJK and GoP, as the case may be.

4.2.6 Transparency of the processes and access to the information is another distinguishing feature of the university. The relevant stakeholders within the university or from the outside have the rights to ask the questions about their doubts regarding the workings of different sections of the university.

4.2.7 The people are at a liberty to follow their cultures while remaining in moral boundaries. Equally speaking, the liberty to expression freely extends to making statements on political matters, including policies affecting higher education, and also to criticism of the decisions of the University.

4.3 Responsibilities of Scholars in Exercising Academic Freedom

As a general diction, "Rights come with the Responsibilities" -- the right to academic freedom of expression carries responsibilities too. People may exercise their own academic freedom, even outside their expertise, but it should be in a reasonable and logical manner.

4.3.1 All the people at the university have to follow the general norms of the religion, ethics and morality.

4.3.2 The employees and the students are required to abide by the rules and the regulations of the university, GoAJK and GoP, as the case may be, which are enforced from time to time.

4.3.3 If they have to speak in public on topics outside their expertise, they must consider if context of the topic favours their affiliation with the university. Academic Freedom of expression is seen in the following guidelines:

4.3.3.1 The debate must be in good faith; in a rational and good manner;

4.3.3.2 The debate has to be academic. It needs to be reason based so that counter narrative may also be brought to the light to draw the conclusions.

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4.4 Saving Clauses of Academic Freedom (What not covered?)

The university authorities have a very clear understanding that Academic Freedom is supposed to be read with following provisions:

4.4.1 There will be a zero tolerance on all types of harassments, or forceful imposing of one's personal views on others.

4.4.2 It does not protect an ineffectual teacher from losing his or her job on the basis of bad performance.

4.4.3 It does not protect faculty from disciplinary action, but it does require that they receive fair treatment and due process.

4.4.4 Academic freedom does not protect a faculty member from investigations into allegations of scientific misconduct or violations of sound university policies, nor from appropriate penalties should such charges be sustained in a hearing of record before an elected faculty body.

4.4.5 General Law, if broken will have to take its own course for non-university penalties.