

Policy name	Intellectual Property Policy		
Policy number	RS0008		
Contact Person	Dean of College of Law		
Approval Authority	Board of Trustees		
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Policy Review Cycle	Once per two years	Next review	2022/23

1. Definitions

Terms / Abbreviations	Definition
ASU	A'sharqiyah University
University	Reference to A'sharqiyah University
Intellectual Property	<p>All creative products in any field in the university which enable obtaining or enforcement of legal rights in accordance with law, and may include:</p> <p>(a) Literary works, including publications which are related to the results of research and related materials, including drafts, data groups, and lab books.</p> <p>(b) Teaching and educational materials</p> <p>(c) Original literary, drama, music or art works, sound records, movies, radio programs, printing arrangements, multimedia works, photos, drawings and other works which are created with help of the university resources or facilities.</p> <p>(d) Databases, tables, works, software, preparation design materials of computer software, fixed programs, educational programs and related materials.</p> <p>(e) Technical information which is protectable by patent and information which is not protectable.</p>

	<p>(f) Designs, including topography of integrated circuits.</p> <p>(g) Types of plants and related information.</p> <p>(h) Any other works that may be subject to the University assignment and list above.</p>
Intellectual property rights	Rights that can be granted for invention, mark, design, plant category or any other intellectual property type, in case of satisfaction of the legal requirements for protection to lead to patent or trademark.
Creator	University member who creates, imagines, composes or provides material intellectual contribution to creation of intellectual property and meets the definition of “inventor”, “creator” or “author” implicitly in general in the intellectual property laws of the Sultanate of Oman.
Invention	Every innovation or development in scientific and industrial fields, which is protected by the patent certificate granted by the competent authorities in the Sultanate. In accordance with this certificate, inventor shall be granted an exclusive right for his invention.
Inventor	Any person to whom this policy applies and who makes an invention solely or in collaboration with others and meets the invention standards in accordance with the national intellectual property laws.
University Members	Reference to the University’s teaching staff members and employees who work in the University on full-time or part-time basis and fresh students in any lecture in the University, or researchers and scientists of the university or those who participate through any related party.
Patent	License to be presented by the appropriate government authority for any invention whereby the sole owner of invention is granted intellectual property rights of his invention for a specific period of time.
Disclosure	Transfer of intellectual property-related information to third parties. Public disclosure includes, without limitation, written or oral disclosure or communication via email, publishing on blog or disclosure in a news report, press release or interview, or publication

	in a magazine, summary, poster or report, or presentation in a conference, examination of dissertation or presentation of invention in an exhibition or industrial application of the invention.
Copyright	The exclusive right to reproduction and marketing of invention in whole or in part for limited number of years. Privileged materials may include, without limitation, literature, movies, music, graph charts, etc.
Trademarks	Words, names, logos, symbols and marks, without limitation, which are developed by the University Members
Confidential Information	Details of innovations which are divulged to the public.
TTO	Technology Transfer Office in A'sharqiyah University
University Resources	All materials which are used in, or in connection with, and for the purpose of teaching educational course by delivery of lectures, lessons, symposiums, workshops, field or lab classes, assessments, practical training and other educational activities which are carried out by the Institution, and all intellectual property of those materials.
Net revenues	Any material returns to be received by the University in consideration of the intellectual property materials to be assigned thereto or that it may sell or license. This shall exclude the costs of application, litigation, inputs and marketing which are directly related to licensing of intellectual property.

2. Purpose

This policy aims at:

- Enhancing knowledge and protecting the rights of creators as well as creation of prosperous environment of research, innovation, and creativities of moral and/ or commercial value.
- Securing effective mechanism whereby the commercial capabilities of intellectual property can be evaluated through the University and its advisors, and ensuring performance of intellectual property evaluation, protection, and marketing in time.
- Creation and development of rules and procedures of intellectual property management to serve the creator, inventors, and others.

- Setting framework for translation of the intellectual property that results from the University research to products, services, and operations.
- Encouraging the teaching staff members, students, and visitors to become creators.
- Defining the intellectual property of potential commercial value.
- Setting clear rules and procedures of management and marketing of this intellectual property which is generated in the University.]

3. **Scope**

[This policy includes all University members, including the teaching staff members and students, and those who made inventions by use of the University's resources. The policy is also related to all forms of intellectual property which is innovated or developed in whole or in part by the University Associates.

In case of conflict between this policy and the agreement signed by the University and Inventor, the agreement shall prevail.]

4. **Policy Statement**

[A'Sharqiyah University develops scientific and literary research and applied and basic research. This obligation produces prosperous research environment in the University. A key factor that fosters this environment is existence of intellectual property policy that regulates and defines the intellectual property rights.

Intellectual property policy was developed to protect the legal rights of creators. In the meantime, it allows the public to reach and access those creativities. As a result, creativity and knowledge are promoted and propagated, which in turn leads to improvement of human welfare economically and socially.

Existence of intellectual property policy in university is critical, because many activities of teaching staff and students are innovated activities that can be classified as intellectual property, such as research results, copyrights, artworks, etc.

This policy depends on various types of properties included in intellectual property in accordance with the World Intellectual Property Organization (WIPO), intellectual property rights in the Sultanate of Oman and Copyright and Industrial Property Organization, as follows:

Rights of authors of literary works, artworks, musical compositions, computer software and so on to be approved and protected for no less than 50 years after death of author. Industrial property rights are divided into trademarks which are protected for unlimited period so long as numbers continue to be unique, and innovations such as inventions, drawings, industrial layouts and trade secrets. This protection continues for a limited period of approximately 20 years.

Communication and Publication

Based on its vision and mission, A'Sharqiyah University believes in dissemination of knowledge and information to be issued by university members to society for socio-economic development in society and encourages its researchers to publish their scientific production such as articles in the fields of science and conferences to reach others, and leave the deep effect in society. However, for protection of intellectual property rights, the suitable procedures which are defined for protection of inventor/university rights shall be followed as follows:

- 1- All University members or students who have inventions whose property rights belong to A' sharqiyah University shall disclose those inventions that have been created during their work in the University.
- 2- All University members shall treat all information related to intellectual property as confidential and shall disclose this information only in accordance with signed agreement.
- 3- University members shall have the right to publish their works in general. However, it shall be taken into account that creators shall allow postponement of publication of their creativities/ inventions so that the university ensures that disclosure is consistent with the intellectual property laws. Creators and inventors shall be encouraged to disclose their inventions when they are ready, noting that disclosure of invention doesn't mean submission of an official application for patent; it is only for the purpose of announcement of invention and its date and inventor.
- 4- The University shall provide intellectual property advisor and patent attorney and will comply with all costs of drafting and filling the intellectual property form. The University will be liable for presentation of all applications for patents. However, the University shall have the right to choose any patent for which it will request patents, depending on the patent profitability, compliance and any third-party agreements.
- 5- Creators of intellectual property shall make backups of the invention research operations, and shall help to draft the intellectual property applications. Creators of invention shall cooperate by all reasonable means, and shall complete all necessary documents and help the University's intellectual property committee to fill the patent application form. Application shall continue to be valid till procedures are finalized. Confidentiality agreements shall be used when necessary.

Responsibilities

First: University's responsibilities

University shall assume the following responsibilities:

1. A' sharqiyah University shall define the intellectual property regulation and supervise, protect, manage and market it.
2. A' sharqiyah University shall be responsible for issuance of the license and intellectual property patent which is created by the University members.
3. A' sharqiyah University shall provide and bear the costs of required legal services and shall fill the applications for intellectual property internally and externally (in case the university so chooses).
4. In case A' sharqiyah University doesn't present an application for patent which shall be owned by the University one year after announcement of invention, rights shall be transferred to owner of the invention by submission of written request.

Second: Liabilities of Invention Owners:

- 1- University members who have inventions owned by A' sharqiyah University shall disclose the related information to A' sharqiyah University.
- 2- Inventor shall provide support and cooperation in filling the application for patent by providing the necessary information to the University.
- 3- Inventors shall authorize A' sharqiyah University to register patents and use and manage the patents commercially in accordance with an agreement to be signed between the inventor and the University.
- 4- Inventors shall not be allowed to conclude any agreements with third parties on behalf of the University unless they hold written authorization from the University President.
- 5- Terms and conditions shall be declared in a written agreement before conclusion of any agreement with third party for research.

- 6- All applicable rules and regulations in the University shall be followed.

Definition of property and sharing of property rights

The University shall have the right to be owner of all intellectual property rights which are created by use of the University's resources such as libraries, labs, software, computers, etc. and the support funds. Accordingly, the University reserves its right to share revenues (if the invention is marketed) with the intellectual property producers, unless this is in contravention to the written agreement between the University and the Inventor. Net revenues (after payment of all charges and dues) shall be divided as follows:

- 1- 70% To Inventor/s
- 2- 10% To Technology Transfer Office (TTO) to finalize the application and support and maintain the patent
- 3- 20% To the University to support research and maintain its facilities

When two or more inventors/ authors contribute to production of intellectual property, their share of the proceeds shall be divided equally, unless they agree on a different distribution between them and advise the University in writing with this agreement.

In case there is an agreement between the inventor and third party before invention, an amount of revenues shall be allotted to a third party, and the agreement thereon shall be in writing before submission of application for patent

Marketing

All University members shall have obligation to disclose all intellectual property rights if the purpose thereof is marketing. The University will help or provide consult or obtain third party professional consult in connection with the various options of marketing and technology transfer which is suitable for the purpose of achieving the intellectual property policy objectives, including:

- 1- Search for the potential licensees and attempt to market any intellectual property that has its own property rights.
- 2- Search (by creators) of the potential licensees and marketing their own inventions in connection with any agreements between the University and inventor.
- 3- Taking any satisfactory decisions in connection with marketing. Creators will continue to participate in marketing.
- 4- Taking any other arrangement that may be suitable for marketing. |

5. Key Stakeholders

University members
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6. Procedures and Guidance

| You can check procedures and directives concerning the intellectual property policy in form of intellectual property disclosure agreement. |

7. References

Intellectual Property Policy for Universities and Research Institutions, WIPO.
Intellectual Property Policy of Sultan Qaboos University issued by Resolution No (9/2017).

8. Revision History

Version	Author/ Reviewer	Revision(s) made and justification	Date
1	Dean of College of Law	Changes were made to the following sections: <ul style="list-style-type: none">• Definitions• Scope• Definition of property and sharing of property rights• References	18 March 2021