## IP Management and Technology Transfer Prof. Gouri Gargate Rajiv Gandhi School of Intellectual Property Law Indian Institute of Technology, Kharagpur

## Lecture - 19 Case Study II

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A very warm welcome to the course IP Management and Technology Transfer and now this is Week 4 and Lecture 4 or Module 4. Now, this module 4 is again dedicated for the case study and this is the case study of IIT, Delhi again the disclaimer that the data which we have collected is from the secondary sources. So, there may be differences in the actual data and the available data.

But the point we have to focus on here is like application of a framework and then how we can get the final score for the IP. So, we will just keep it in this mind and let us proceed. Now, when we are talking about IP management there are five key, we can say the points are there or five key responsibilities of IP management system are and you can just check it here that there is like administration of IP or protection of IP generation of IP enforcement and if required IP acquisition.

Now, if this five activities that is a major process as we can say in the IP management, if we do it perfectly probability is a very high that we can reach on the higher level in the maturity model of IP management because there are five levels. And if you want to go on higher and higher level, I will say that if we have this five processors in place properly then probabilities are very high that our IP management system will be like a full proof and generating enough IP or expected IP.

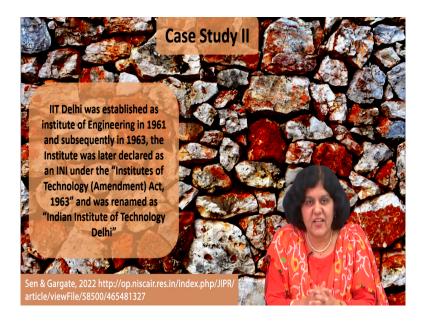
And we are taking a proper decisions about the protection, then its administration and whenever required whenever we have to take a decisions related to enforcement we can take it effectively.

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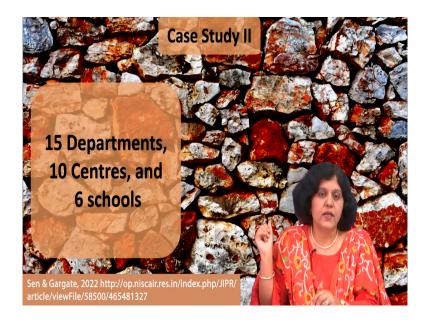
Now, further if you see now or considering this IIT, Delhi the establishment of IIT, Delhi is like in 1961.

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And, if you see the further details about IIT, Delhi it was established as a institute of Engineering in 1961. And, then subsequently in 1963, the institute was declared as a institute of like a national importance IIM and under that actually it is like a amendment act of Indian that Institutes of Technology act 1963 and considering that it was renamed which was earlier institute of engineering it was like renamed that in 1963 that Indian Institute of Technology, ok. So, little the historical we can say the background about IIT, Delhi.

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And, now if we see the current scenario of IIT, Delhi you can have you can just state that 15 departments, 10 centers and 6 schools are there.

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Now, further if we check IIT, Delhi details these are the details about the departments, then centers and then the schools which are there in IIT, Delhi.

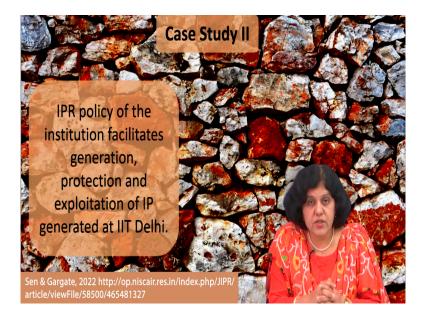
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When we talk about the IIT Delhi IPMS, IP policy is again the important we can say the component because already we have seen in the IPMS model that IP management system model we have seen in the IP generation the first point that there is a IP policy.

And, if we see the IP policy of IIT Delhi, it is definitely it is a well structured and it is like we can say it creates the environment that is fostering the to. So, it will be like an environment which is a conducive and foster the growth of intellectually capable, innovative and entrepreneurial professionals. And, as that environmentally environment is so supportive, so conducive we can definitely see or it is definitely reflected on the IP data.

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Now, when we are talking further about the IP policy this IP policy of the institution it facilitates obviously, the important major we can say the points or responsibilities it is taken care of that is a generation, protection and a commercialization of IP exploration or exploitation of IP and that will be taken care by IP policy definitely. And, we can see the examples of that commercialization of IP very clearly in IIT Delhi case study.

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Now, when we see further about the IP policy, we can say that the if we see the overall IPMS actually of the IIT Delhi considering the generation we can say that it is like facilitating faculty and student whatever the research is going on the facilitation or the environment is definitely conducive for that. It is encouraging for external collaborations, then it is giving support for a sponsored research and industrial consultancy projects are there.

These are the few we can say the pointers which are helping in IP generation. But, within the system within the system there are few other things also which are helping in IP generation.

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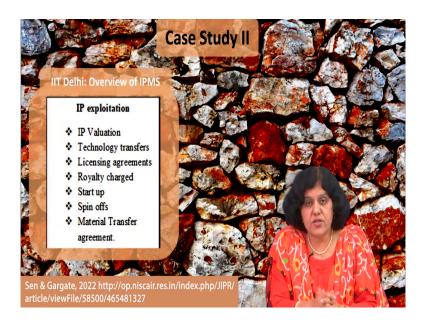


If we see the IP protection related scenario you can just check here, it is like a very well structured IP policy is there. Therefore, there is no any confusion about who is applicant who will be the applicant what will be the sharing or within inventor what will be the sharing of the revenue all these details are already taken care by the IP policy.

There is a systematic we can say the invention disclosure system automated online system is available prior art search for patentability is that facility is made available to the faculty and students then filing applications for patent protection that facility the support is also given by IIT Delhi to the stakeholders.

Maintaining of confidentiality through confidentiality or NDAs, considering when there is a tech transfer activities or when there is a collaborative activities or when there is a joint ventures and all that thing that particular system that particular we can say the agreements contracts all these templates and all everything is like prepared. And, it is so easy that as it is ready customization as per the requirement is very easily, we can adapt that and we can proceed for the collaboration.

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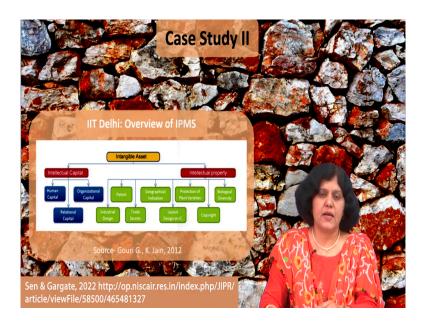
Now, when we see further, the IP exploitation or IP commercialization, IP valuation as when required that facility is available. Technology transfer successful technology transfer case cases you can observe in IIT, Delhi. Then there are obviously, the proper licensing agreements are there that we can say the templates and the standard we can say the decided what will be the scenario when licensing will be there, that standard guidelines are already in place.

Then royalty related we can say the discussion already the guidelines are there based on that discussion. Then the startup and spin-offs we can say there is a difference in startup and

spin-offs and the facilitation for a startup activity or a spin-off activity that kind of whatever required setup is required considering may be the legal support considering may be the administrative support, considering infrastructural support that is definitely available.

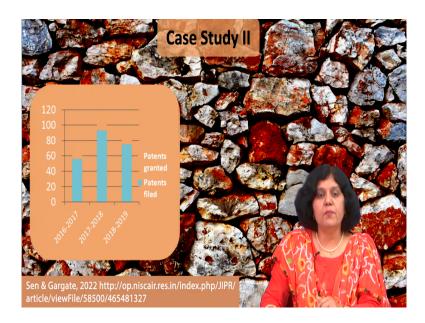
Then, wherever possible MTAs like a material transfer agreements and all this especially whenever it is a biological research or that when it is required, that particular arrangement is already in place in IIT, Delhi.

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Now, when we are talking about IP management and we are considering the that IPMS as we have many times discussed. Actually, that this is like a focus of our discussion that eight types of IPs we are dealing with and again that what is intellectual capital and what is intellectual property and what are intangible assets every discussion we have already done in the earlier session. So, again we are like defining the scope for this IP management.

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Now, when we see further the scenario considering the IP filing you can just check a few graphs related to patent and it is a scenario like how many patents are granted and how many patents are filed. So, this is a graphical presentation of that considering the IIT Delhi data.

Again, we I just remind you that we have seen in the earlier case study that IIT is on our topmost considering the universities and academic institute. And, that topmost position is like a consolidated means you know when all IITs are taking into the consideration that is the scenario, ok.

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Now, let us move further we have just seen this is like a patent related data, now you can just check here the industrial design protection, that is a industrial design school a dedicated school is there in IIT Delhi and you can just see the filing related to industrial design also.

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Then when we are talking about the copyright actually you can just see the year wise copyright generated in IIT Delhi. And, then you can just if you if you go little more details about the generation of data related to copyright along with conferences, along with the publications there are monographs, then video materials, lecture materials just like this NPTEL material ok. Then there is books which are the chapters which are written by the professors then there is a lectures delivered.

And, I again reiterate that data whatever is available may be not a complete data definitely it is not a complete data which is available through the secondary resources. And, there is a possibility because of that the number will definitely change and therefore, we say that if you are a part of that institute, you will know the details about the institute.

And you will definitely justify more for the application of the framework than somebody who is like dependent externally on the data which is displayed on the different we can say the sites or the resources secondary resources we can say we are dependent on that secondary resources.

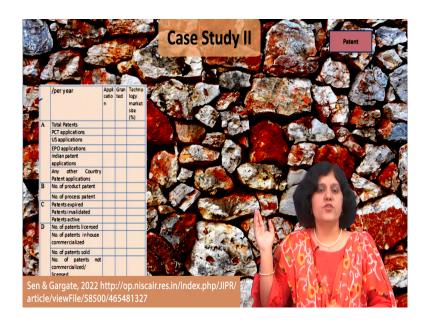
But we are if we are part of that system then it is a there is a possibility that the data may be like a more correct data will be there. Again, considering IP data we have to remember considering copyright related data we have again remember that although it may be a primary source of data, there may be also some discrepancies or there may be some differences.

Because sometimes we may not consider that particular data like maybe copyright under copyright or may not be considered like as an important kind of a document and all, but every day we can say in the academic system lot of lot of copyright related material is generated. And we can say that and we can clearly, we have to accept that we are not documenting every data we are not documenting.

We are documenting mainly the journals and confidence papers because we are it is a general practice then books, we are giving that much kind of a weightage, but other data which we are generating like so many reports we generate, so many white papers we generate, monographs we are generating. So, many poster competitions our students are taking participations.

So, all this data may not be documented properly and if we are not documenting it properly probably that number will definitely change and therefore, I will say that disclaimer again that as this is a secondary source there may be discrepancy, there may be change in the number actually. But whatever data we have received it is from the secondary resources from the website of the institute actually.

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Now, moving further we can say I just remind you again the model which we have already gone into details of that.

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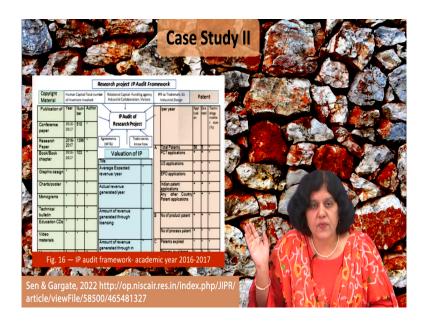


And, you know that patent related data is there copy related data is there and then other different types of IPs and then contracts actually and then we are talking about the trade secret and agreements actually. So, if you see in the policy only that is taking care of different kind of a agreements and that agreement templates are available.

So, that as it is available that ok this is the template, so, it makes very easy for anybody to if they want to go or enter into collaborative activities. That templates are available and it becomes very easy for you to use that modify that customize that and waited with a law personal or a legal we can say professional or a expert officer in the institute and then you can go ahead with the project actually project activity collaborative activity.

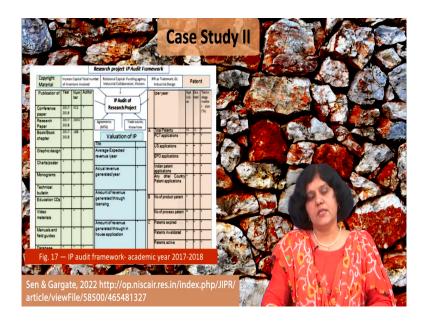
So, the model we are the framework IP audit framework we are very well aware about it.

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Now, what we will do? We will try to implement it to the years like you can just say this framework actually this data is like 2016-17 data.

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Then it is next like 17 - 18.

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And, then next is like a you can just check that this data like a 18 - 19 data. So, 16 - 17, 17 - 18 and ninth that 18 - 19 data so, three consecutive years data is there.

Now, if you also see in that this particular framework that a conference related data books related data and journal related data is updated. And in considering the patent actually if you see the patent total patent filed in that particular year and the granted patents in that year.

Now, again what will happen there may be the confusion that when we are using the IPR credence system we have seen that we have given the weightage like ok copyright one and then for patent 3. But, in patent there is a possibility of ok that it may be only application stage it is not granted. There is a definitely a different weightage for application and a granted.

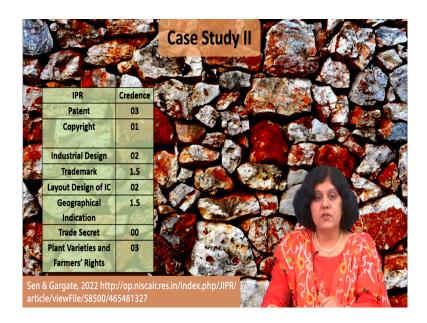
But here what we will consider? In this framework it is like a very basic framework, we will not go in much details about that stages at what stage that patent is and therefore, we will give importance to only the file how many patents are filed we will not bother about how whether it will be granted or not. But that is very important grand granted patent is a very important because it is like examined, tested and it is really accepted, right.

It is like a when we are talking about a journal paper if you submit so many papers you may submit, but out of that submitted paper only the papers which are published accepted by that particular journal we are considering. So, that system is very well placed in copyright actually. But, considering patent as of now as we are like we are like growing in that particular we can say the under that considering that IP we will just consider the patents which are applied and not granted. So, there should not be any confusion actually ok.

So, we will just consider ok this many patents are filed because unless until we generate once you it is a cycle actually. We have to generate it and then we have to filter it further and then from that quantitative to qualitative we have to move. So, I clarify here that we should not get confused with the number, we will consider only the file how many applications are filed in this year. So, that data we will consider ok.

So, now, if you see there are so many other points in the copyright are there, but that data is not updated here we have just considered a considering copyright that conferences journals and then the books and all and considering patent how many patents are filed and how many are granted, ok.

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So, now what we have to do is like how to calculate the that particular using this actually IPR credence that for patent weightage is 3, for copyright 1 you need actually or industrial design 2 unit is there. Although in IIT Delhi, we can say industrial design school and we have already seen that there is a industrial design registrations are also there, but while here calculating I have not considered that industrial design we can say um. We have not considered that industrial design otherwise that two points are also there, ok.

So, we have we have just put in the framework that copyright and patent, but we can update that and we can change the score will change again ok. So, that clarification I am just giving here, ok.

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Now, just calculation I will just give you the reminder that how exactly we are calculating and you can just see here the calculation that yes, we are multiplying it by that particular we can say the number and then the addition we are doing ok. So, this is the calculation system. You can just check here.

And, now we will move further actually and we will check that considering the IIT, Delhi how the details are coming.

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So, you can just check here for 2016 - 17 if you see, again we are taking only the copyright outcome which is a 2017 considering the journal papers, conferences and books it is multiplied by 1 you can see and the patents like a 56 total patents are filed. So, into 3 that is a 2185, that is the scenario in 2016 - 17.

Again, if you consider the lectures delivered, the video material, the monographs, the reports, the white papers, that number will go it is it will go it is a it will be a huge number actually. Again, there may be the industrial design registrations. So, that number again will go into that actually ok. So, we have to; we have to understand and appreciate that particular thing ok.

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Now, next is like a if you see the 2017 and 18 data, the copyright outcome it is like a 3575 into 1 again. So, you can just see the increase in the number and probability probabilities I will say that documentation is like that the proper documentation is done or the document the more we can say the reporting has been done about the copyright created and because of that. Otherwise, you can just check the details this number may cross 6000 to 7000 considering IIT Delhi ok.

And, patent if you consider that a number is a very we can say a huge number we can say. 93 is the number which are patent filed in that particular year that is a 2017 and 18 into 3 and the total is like a 3854. So, number is definitely increasing ok.

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And, further if you see the next that is 2018 - 19 data you can just check here, copyright outcome is again it is further increase that is a 4009 into 1 and then the patent number is little reduced from 93 to 75 into 3. But, overall, we can say the score is like a 4234.

There is a possibility is like there are there may be number of industrial designs registered, there may be trademarks registers registered, there may be some more copyright registered, but that data we could not when we said the because of that limitation we can say the retrieving that secondary data we have not considered and this is the kind of a scenario considering.

Now, what I will suggest that again as I have mentioned that if you are a part of that system, but still in the systems like youths that big systems like IIT, getting that whole data the

systematic if unless until there is a systematic procedure probably that data may not be kind of a retrieve or recorded.

But, still that (Refer Time: 21:37) related data we are developing and we are putting that data and all that thing, but still the documentation is very very important considering the copyright ok. Because for patent it is very easy because you are applying to the patent office and then the that application number and that data is available with copyright you create it and you are getting the protection because of burn convention.

And, therefore, we can say that lot of copyright is there, even your project reports. So many projects are going on every project report is a copyright actually, but we are giving importance more importance to journal conferences, that publications and the books ok. So, we have considered here only that particular data ok.

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Let us move further now and if we summarize that whole 2016 - 17, 17 - 18 and 18 - 19 data, you can just observe that yes, definitely it is increasing and the scenario is very promising actually. And, technology transfer also if you further go into that particular aspect of a tech transfer, that licensing fee and the revenue generator from IP is again considering IIT Delhi it is a very very we can say promising scenario is there ok.

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So, now the considering this whole details about IIT Delhi we can we have just gone through that ok that how the IP generation is there IP administration and protection related decision because of that only that number like 93, 75, 56 patents are filed actually. Or the so many books that journal papers and cop that conference papers are there in that 3 years like 16 - 17, 17 - 18, 18 - 19 actually.

And, the IP policy we have seen that it is definitely helpful. If you want to go into further details about the IP policy of IIT, Delhi and then the further like what are the other kind of human we can say the capital or relational capital or structural capital. The basic understanding about that you can go through the paper which is published in JIPR and that is we can say the work of our LLB student actually and she has done that complete work.

So, you can visit that paper and you can get the data from that further details about policy and other data you can just go through that paper and that is a case study IP audit case study of IIT Delhi ok. So, now, quiz time actually and what I will suggest now considering the that yesterday we have we have asked you or requested you to give the suggestions for the framework to improve.

Now, further means considering this IIT Delhi data, considering that Central University data and then the another institute of (Refer Time: 24:44) So, three case studies you have seen you have gone through the IP audit framework already. Now, overall, after going through this three case studies and we can say the framework obviously, what other than this like a in the copyright the details are given in the patent so many details are there.

But, where exactly the issues might come considering the collection of data or documentation of data and that issue maybe you can just consider 1, 2, 3 that these are the issues and what solution you suggest for this particular issue considering data collection I am talking.

Just imagine you are the part as a student you are a part of that system as a student or as a employee you are part of that system and if it is asked you or it is somebody requested you to do the apply this IP audit framework. And, in the IP audit framework we have given you the copyright and then the few examples are given. Then in the patent few examples are given; then we have given the technology transfer related or some parameters and then other IP like a industrial design and trademark and other IPs there.

I will request you to customize the framework based on the original framework, then the these three case studies issues you identify and then customize the framework which may fit to your organization. And, if possible, you can share it through maybe e-mail or maybe you can just share it in on the description forum because framework uploading may not be possible.

But the points which you are parameters which you are considering or issues which are which you are addressing you can put it into the comment box, that is absolutely possible, ok. And, let us see if how we can further improve that framework to make it very efficient or useful to the organizations for calculating the IP score ok.

So, with this we are coming to the end of this session. So, in the next session and that will be the capsule version and there what we will discuss the questions in the last four weeks we are going through the like different concepts and different models frameworks and then the three case studies we have already covered and then the brief review of IP types actually ok types of IPs.

So, related to that whatever the questions you have asked on the discussion forum and there are also few questions we are thinking that yes, we are not able to cover it considering the particular format we are following. So, that questions we will consider in that capsule version and that will be a question answer kind of a discussion. So, we hope that will be very in short time you will get more insight about the IP management ok.

So, see you in the next session.

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Thank you.