



# Biotechnology Industry Partnership Programme (BIPP) (An Advanced Technology Science Scheme)

**COMPLETE SCHEME DOCUMENT INCLUDING PROPOSAL  
SUBMISSION, EVALUATION AND REVIEW GUIDELINES**

**जैव प्रौद्योगिकी उद्योग अनुसंधान सहायता परिषद**  
(भारत सरकार का उपक्रम)  
**Biotechnology Industry Research Assistance Council**  
(A Govt. of India Enterprise)

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## 1. Introduction

Government of India, in November, 2008 approved the implementation of a Public Private Partnership Scheme for promoting innovation research in the Biotech sector. The Biotechnology Industry Partnership Programme (BIPP) was launched in January, 2009.

### 1.1. What is BIPP?

**1.1.1.** The present scheme on Biotechnology Industry Partnership Programme (BIPP) is a government partnership with Industries for public support on a cost sharing basis for:

- Path-breaking research in frontier futuristic technology areas having major economic potential and making Indian industry globally competitive and focused on IP creation with ownerships by Indian industry and where relevant, collaborating scientists.
- The development of appropriate technologies in the context of recognized national priorities in the area of agriculture, health, bioenergy, green manufacturing, when the scale of the problem has serious consequences for social and economic development.

**1.1.2.** This is an Advanced Technology Scheme only for high risk, transformational technology/process development. No incremental development will be supported under BIPP. **The project submitted under BIPP should end at TRL 7 or above.**

**1.1.3. BIPP covers four broad categories (I, II, III & IV) as described below:**

Category	Description
<b>I &amp; II</b>	Areas with major social relevance/ innovation research for making India globally competitive.
<b>III A</b>	Evaluation & validation of products for Phase III Clinical Trials
<b>III B</b>	Multi-location Agriculture field trials for evaluation and validation of products
<b>IV</b>	Shared facilities critical for enabling innovation

**1.1.4. Category-I:** *Partnership with industry for fulfilling major unmet national technology needs in health, agriculture, energy and environment friendly /green manufacturing area. This is mainly for those areas which are of high national and social relevance with no assured market such as:*

- Agriculture - New crops against drought, salinity or major disease and orphan crops of regional interest where private interest is usually low.
- Rapid development of vaccines, biomarkers drugs, bio-therapeutic agents against major infectious diseases that occur as large outbreaks or epidemics (HIV, tuberculosis, malaria, influenza, dengue, etc.) and chronic diseases such as diabetes or stroke. The categorization will be based on national disease burden data, emphasizing death and disabling morbidity.
- Bioenergy sector- cutting edge technology for second generation Biofuel development- Algal Biofuel, Bioethanol etc.
- Biomedical devices and implants- Indian development of currently imported health devices and equipment that are used on a large scale, (imported ones are accessible due to cost) and whose use has a lifesaving impact. Minor use products will not be supported.

This would be more of translational research in such cases it is envisaged that public institutes would be useful partners, so that the basic R&D leads can be translated to product development by the industry.

**1.1.5. Category-II:** *Partnership with industry for increasing global competitiveness of Indian Industry in new and futuristic technology*

- Support for high risk, accelerated technology development especially in futuristic technologies.
- Only accelerated technology development through transformational change to be supported. No incremental development to be supported. Support is for complete process/technology development leading to high value product commercialization. Some examples are:
  - ✚ Nano science applications in Medicine and Agriculture,
  - ✚ Bio-based energy related advanced biotechnologies,
  - ✚ Advanced biomaterials,
  - ✚ Stem cell biology and tissue engineering,
  - ✚ System biology and computational biology,
  - ✚ Genomics, proteomics and metabolomics related technologies for futuristic diagnostics
  - ✚ Novel manufacturing processes,
  - ✚ Micro fluidics,
  - ✚ Synthetic biology solutions in plant and energy field.
  - ✚ Sustainable chemistry and others.

**1.1.6. Category-III: Partnership with Industry for evaluation and validation of already products of high national importance.**

To promote innovation in the Biotech Industry specially the SME's sector, it is important to provide support for product evaluation and validation. There are a number of products which are developed by the industry specially the SME's and to accelerate their commercialization support for product evaluation and validation is essential. In case of the bio-pharma products clinical trials and in case of agriculture products field trials are a critical step in taking the product to the market. Heavy investment is essential to meet increasing stringent global requirement to undertake these activities and the public sector support specially for products of national and societal relevance needs to be provided. Some of the areas where such support is critical are vaccines, public health care diagnostics, bio-therapeutics, implants and devices, transgenic etc. Support would be provided for clinical trials of biotechnology-based research efforts and for limited and large-scale field trials in the case of agriculture products provided there are Indian innovation involved in technology development.

Category III is further sub-divided into:

- Category IIIA (Clinical Trials)
- Category IIIB (Field Trials)

**1.1.7. Category-IV: Shared facilities for research/ testing/validation/manufacturing of products/ technologies**

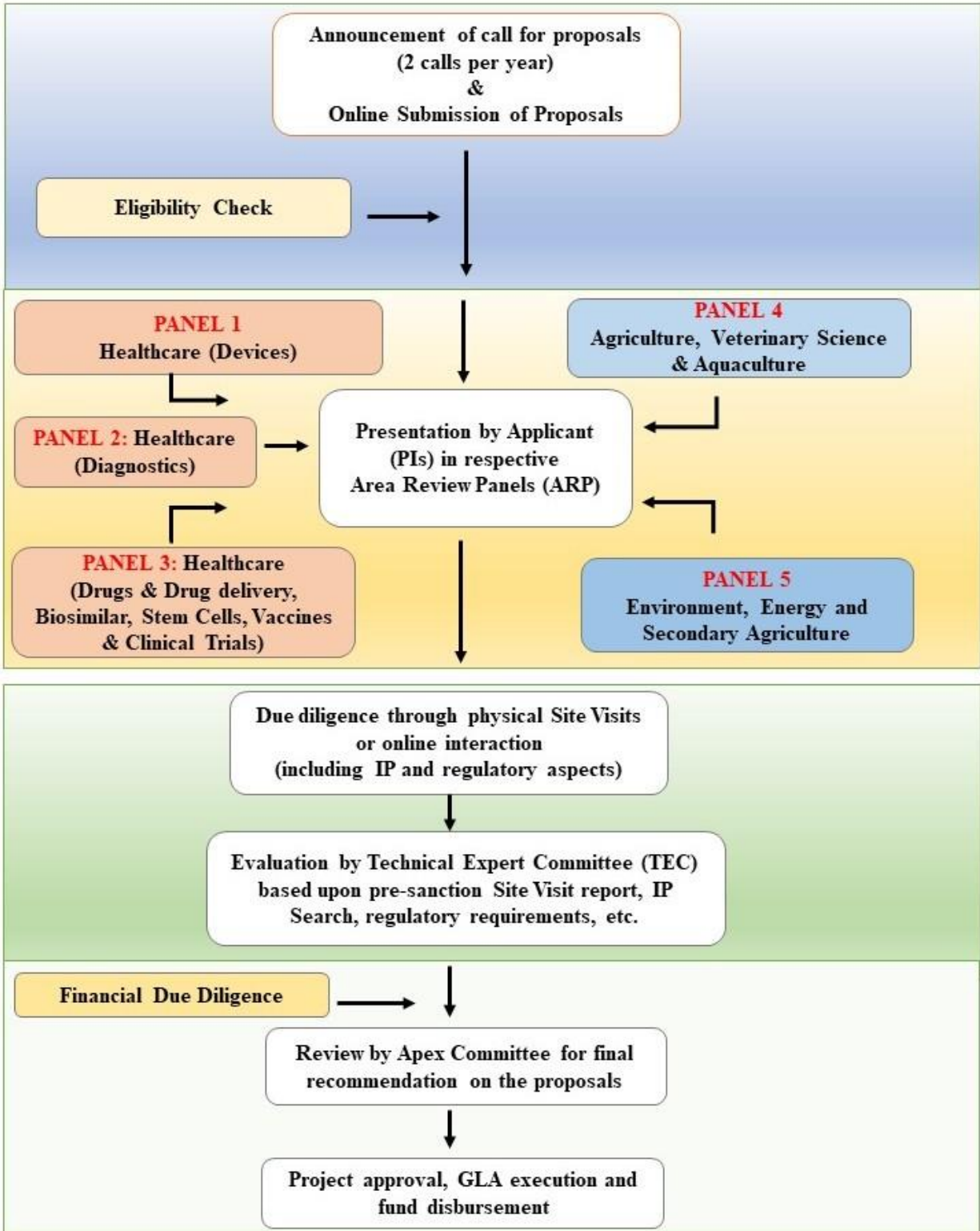
Access to major facilities is an essential requirement for success in futuristic technologies and to lay foundation for discovery and innovation. Public-Private partnership is desired for establishment of core facilities to advance research in futuristic technologies and science. An appropriate model is management in the private hands, access to private sector at commercial rates and to the SME sector and public sector at preferred rates. This type of collaboration is already approved by the government for the infrastructure sector. Some examples are:

- ✚ Large animal and transgenic facilities
- ✚ Genomic technology centers / facilities
- ✚ Protein engineering science centres / facilities
- ✚ Chemical and molecular libraries
- ✚ Implant and device prototype building labs
- ✚ GMP facilities for cell based product and vaccines
- ✚ Advanced bioinformatics facilities
- ✚ Microbial and pathogenic repositories i. BSL3-4 facilities

## 1.2. Uniqueness of BIPP

- Support for high risk, accelerated technology development especially in futuristic technologies. Only accelerated technology development through transformational change to be supported. **The project submitted under BIPP should end at TRL 7 or above.**
- No incremental development to be supported. Support is for complete process/ technology development leading to commercialization and not limited to just specific events in the commercialization chain e.g. Development of a vaccine, transgenic. Improved second / third generation biofuel.
- Support for very high risk, nationally and socially relevant areas, with no assured market e.g. Drought resistant rice or wheat, malaria vaccine. This would be more of translational research in such cases it is envisaged that public institutes would be useful partners, so that the basic R&D leads can be translated to product development by the industry.
- Provides for product evaluation and validation through support for limited and large scale field trial for agriculture products and clinical trials for health care products.
- Project should necessarily be for novel IP generation. Innovation is the main criteria IP rights belong to industry.

## BIPP Operational Mechanism



*\*Please note that the decision of the committee at any stage of the evaluation would be final and reconsideration requests would not be entertained. The applicant may reapply in the next call providing clarifications to the committee's comments/recommendations*

## 2. Eligibility

### 2.1. Who can apply?

1. The proposals can be submitted by following
  - Single or consortia of Company (ies)\* incorporated under the Companies Act, 2013

*or*

  - Limited Liability Partnership (LLP)\*\* incorporated under the Limited Liability Partnership Act, 2008

jointly with or without the following:

- Public/private university/colleges in India
- National research laboratories
- Not-for-profit private research labs/societies/foundation/NGO

### 2.2 Eligibility Criteria

- **For Company/LLP:-**
  - \* Minimum 51% of the shares of the Company should be held by Indian Citizens holding Indian passport [Indian Citizens do not include Person of Indian Origin (PIO) and Overseas Citizenship of India (OCI) holders]
  - \*\* Minimum half of the persons who subscribed their names to the LLP document as its Partners should be Indian citizens.

The Applicant Company/ LLP should:

- Have adequate in-house facility to address the project implementation (which shall be evaluated during the site visit) or
  - Incubated at any of the recognized Incubation Facility
- **For Academic collaborator:**

**Eligible Academia shall mean an entity which is having proper establishment documents**

For Public or Private Institute, University, NGO, or Research Foundation, proper registration/accreditation from a government body is mandatory like UGC affiliation certification, AICTE, CSIR /DSIR/SIRO certificate etc.

### 2.3 Ineligibility:

- All companies who had withdrawn their proposal after approval from Apex committee or whose project was foreclosed due to inadequate funds or any other irregularity would be debarred from submitting fresh proposals for next 2 calls (1 year) unless the withdrawal was due to papers not being ready
- Proposals submitted by a company/subsidiary/sister concern either as main applicant or collaborator, who has been fund recipient in any of the schemes of BIRAC in past and has defaulted on (i) repayment of loan and/ or interest, or is irregular with regard to repayment of instalments (ii) payment of unspent balance (if any) in the earlier BIRAC supported projects (iii) payment of Royalty to BIRAC would not be considered for financial assistance by BIRAC.



- Proposal of any company having a Director of a defaulting company (as detailed above in point no. 2) would not be considered for financial assistance by BIRAC.

### 3.0 Process of idea generation and eliciting of proposal (for special/challenge call)

Wide ranging consultations are held to generate ideas for cutting edge technologies of national and social relevance and possible solutions, with senior experts, academia and industry. This concept is then advertised or if there is limited capacity in the country, the most appropriate companies which meet the required criteria are asked to submit a proposal, along with an academic partner whenever felt necessary.

#### 4.1 How and when to submit proposal?

Proposals are required to be submitted **online only**. Online proposal submission can be done by registered users during an active call only. 2 calls are advertised each year. All the calls would be regular ones wherein the applicant can use his/her discretion to decide on the research problem as per his/her interest. Besides two regular calls, BIRAC may also announce need-based additional calls whose terms and conditions would be worked out separately and described in their respective RFPs. Process for submitting the proposals online is detailed below:

- Log on the BIRAC (<http://www.birac.nic.in>)
- If you are a registered user, log-in using the credentials, else you need to register your company/LLP with by clicking on New User Registration.
- In case of new user registration, a computer-generated password would be sent to the email-id provided at the time of registration. The password can be changed later.
- Once you login, you would be navigated to the page displaying BIPP link.
- Click on the BIPP link under Programmes and the active call would be highlighted.
- Click on the active call against which you wish to submit the proposal.
- Further details on How to submit a proposal would be available in the BIPP User Guide available on the website.
- Company/LLP User Registration is open round the clock.
- Online Proposal Submission can be done only during an active call.

*(Advertisement for Call for proposals is released in all national dailies and some biotechnology related magazines. Intimation of an active call is also displayed on the BIRAC website).*

- **Call shall remain open only till 17:30 hrs on the last date of submission**

#### ***Please note:***

- *The number of ongoing projects at a given point of time must not exceed two as primary applicant and two as collaborator.*
- *The applicant must submit an undertaking at the time of submission of the proposal that there is no duplicate funding from any other funding agency for the same or similar proposal.*

4.2 Details on how to submit a proposal are available in the **BIPP User Guide (AnnexureI)**

4.3 Proforma for Submission of Proposal may be seen at:  
<https://www.birac.nic.in/howtoSubmitProposal.php>

## 5.0 Evaluation and Decision Making

5.1 The process of evaluation broadly comprises of following steps:

- **Eligibility check** : Submitted proposals will undergo initial eligibility check
- **Presentation before the Area Review Panel (ARP)** : PI of the eligible proposals would be called for presentation to respective Area Review Panels (ARPs). Based on the merit of the proposal, the ARP would select the proposal for further consideration. There are subject-specific Area Review Panels (ARPs) as below:
  - a) Healthcare - Devices
  - b) Healthcare - Diagnostics
  - c) Healthcare - Drugs & Drug Delivery, Biosimilars, Stem Cells, Vaccines & Clinical Trials
  - d) Agriculture, Veterinary Science & Aquaculture
  - e) Environment, Energy & Secondary Agriculture
- **Site visit/Online interaction** : Due diligence of the ARP recommended proposals either physically or through online interaction (based on incubation status/in-house R&D facility and total project cost) would be undertaken. Diligence will include technical, IP and regulatory aspects of the project.
- **Evaluation by Technical Expert Committee (TEC)** : TEC (comprising of eminent scientists and experts from various disciplines) further evaluates the proposal based upon pre-sanction Site Visit report, detailed IP Search, identification of regulatory requirements, etc.
- **Financial Due Diligence (FDD)** : For the TEC recommended proposals, Financial due diligence is conducted for both the applicant and any collaborators to assess their financial health and contribution to the project.
- **Final evaluation and decision making by the Apex Committee**: Final valuation and decision making by the Apex Committee comprising Senior Technical Experts from various ministries, academic institutions, industry and Government departments. The Committee is chaired by the Secretary, DBT & Chairman, BIRAC.

## **6.0 Guidelines to Reviewers regarding Confidentiality and Conflict of Interest**

- Members of various committees are experts in the relevant subject areas. Each member signs a **Confidentiality and No Conflict of Interest** certificate before participating in the review process.
- In discharging their duties as Panel members, all Panel members must observe the Code of Conduct, Conflict of Interest and Confidential Information requirements set out below.
- These guidelines apply equally to everyone involved in the assessment of applications – including, but not limited to Panel members and Reviewer.

### **6.1 Confidentiality and Transparency**

- An effort has been made to ensure complete transparency in the proposal submission and evaluation. An important feature of the BIPP process is the high level of confidentiality which is maintained throughout the proposal decision making process.
- The review panels and technical committees are comprised of senior technical experts and eminent scientists from research institutions, academia and public sector.
- Each member signs a confidentiality certificate before having access to any document related to BIPP proposals. Issues related to conflict of interest are specially taken care of and each reviewer declares a no conflict before they can access any documents. The entire process is online.
- BIRAC receives applications under BIPP in confidence and is responsible for protecting the confidentiality of their submission and contents. For this reason, confidentiality must be maintained; therefore, **DO NOT** copy, quote, or otherwise use material from this summary application. When you have completed the review, please destroy all printed and electronic materials related to the Application and maintain its confidentiality. If you are unable to review, please do not accept the Membership online. You can click on Not Available or state Conflict of Interest when it asks for your consent and destroy all printed and electronic materials related to the application, and maintain its confidentiality.
- Any panel member can self-reveal the fact that he/she served on the panel, but **CANNOT** reveal the composition of the panel or any of the discussions during the panel meeting or during the entire review processes.

### **6.2 Conflict of Interest:** These guidelines are designed to ensure that all such conflicts are:

1. Identified and disclosed;
2. Recorded; and
3. Managed in a rigorous and transparent way that promotes public confidence in the integrity, legitimacy, impartiality and fairness of the Panel's decision-making process.

## **What is a Conflict of Interest?**

A conflict of interest usually involves a conflict between the public duty and the private interests of a member, in which the member has private interests which could improperly influence the performance of their official duties and responsibilities.

These guidelines apply not only to actual conflicts of interest but also to “apparent” or “perceived” conflicts of interest. This kind of conflict of interest arises when it *appears* that the member has private interests which could improperly influence the performance of their official duties and responsibilities.

These guidelines also apply to „potential“ conflicts of interest. This kind of conflict is one which may not have yet occurred but if the Panel member were to become involved in certain relevant activities an actual or apparent conflict could arise.

Conflict of interest may arise in respect of a particular application in the following situations (this list is indicative and not exhaustive):

- the involvement of a Panel member in any current application – e.g. as an applicant for funding or as the supervisor of an applicant;
- Membership of a Panel member in an organisation involved in any current submitted application under the programme; or
- ownership of shares by an Advisory Panel member in a company/LLP involved in any current, established or submitted application, or if the future of the company/LLP will be significantly affected by the success of the application.
- conflict of interest may also exist where a member’s spouse or immediate family member has any of the interests or involvements listed above.

The expert must disqualify himself/herself as a reviewer of an application if he/she has any conflict of interest in the project including the following:

- Had a consulting/financial arrangement or other conflict of interest in the past 3 years, including receiving compensation of any type (e.g., money, goods, or services)
- Have a known family relationship such as a spouse, child, sibling, or parent, or other relationship, such as a close personal friendship, that you think might affect your judgment or be seen as doing so by a reasonable person familiar with the relationship.

**Guidelines for Confidentiality and No Conflict of Interest are at [Annexure II](https://birac.nic.in/webcontent/1711086756_Confidentiality_agreement_with_conflict_of_interest_draft.pdf)**  
 [\(https://birac.nic.in/webcontent/1711086756\\_Confidentiality\\_agreement\\_with\\_conflict\\_of\\_interest\\_draft.pdf\)](https://birac.nic.in/webcontent/1711086756_Confidentiality_agreement_with_conflict_of_interest_draft.pdf)

## 7.0 Evaluation criteria

The proposals are evaluated based on following criteria:

- a) Novelty of the proposed product/technology
- b) Preliminary data generated
- c) Technical strength of Proof of Concept (PoC)
- d) Clarity of strategy
- e) National/Social relevance
- f) Investigator's credentials and/or expertise of the collaborative team
- g) Commercial potential or translational capacity

## 8.0 Funding, Cost Sharing & IP Management

- (i) The fund disbursement will be milestone based i.e.; the release of every installment will be subject to successful accomplishment of linked milestone.
- (ii) The funds will be disbursed in installments depending on the duration of the project as detailed below:

<b>Release of funds from BIRAC</b>
1 <sup>st</sup> instalment on signing of contract
2 <sup>nd</sup> instalment on completion of 1 <sup>st</sup> technical milestone
3 <sup>rd</sup> instalment on completion of 2 <sup>nd</sup> technical milestone
4 <sup>th</sup> instalment on Submission of Project Completion Report

- (iii) It would be mandatory for the applicant Company to put its contribution prior to the release of every installment by BIRAC
- (iv) The last installment shall be in the form of reimbursement i.e., funds would be released after the completion of the project.

## 8.1 Guidelines for disbursement of funds - Category I, II & III

The Guidelines for disbursement of funds for BIPP as recommended by the ApexCommittee are as follows:

- Level of support to be provided by BIRAC will be in terms of grant-in-aid only
- There is no cap on funding in case of BIPP Projects. However, costs would be commensurate with activities to be supported.

### **Funding to the Companies (Public/Private/Section 8/LLPs):**

- (A) Start-ups (date of incorporation less than 10 years at the time of closure of the call for proposals) either as primary applicant or collaborator which have NOT RECEIVED Grant-in-Aid under any scheme of BIRAC in past

One time Grant-in-aid (subject to a maximum of Rs. 50 lakhs) will be provided by BIRAC to those start-ups which have not received Grant-in-aid under any scheme of BIRAC in past.

- *If the budget for the start-up in the proposed project is below Rs. 50 lakhs:* up to 100% Grant-in-aid shall be provided by BIRAC
- *If the budget proposed for the start-up is Rs. 50 lakhs or higher:* BIRAC contribution to the start-up (primary applicant or collaborator) which have not received Grant-in-aid under any scheme of BIRAC in past will be Rs. 50 lakhs + up to 70% of the amount exceeding Rs. 50 lakhs

- (B) Start-ups (date of incorporation less than 10 years at the time of closure of the call for proposals) which have ALREADY RECEIVED Grant-in-aid under any scheme of BIRAC in past and ALL OTHER COMPANIES THAT HAVE BEEN IN EXISTENCE FOR MORE THAN 10 YEARS at the time of closure of the call for proposals

- Irrespective of the project cost BIRAC contribution will be restricted to a maximum of 70% of the total budget of the respective entity (*Minimum 30% of the total budget will be contributed by the respective Company*)

### **Funding to Research Institutions (As collaborator only):**

- (A) **For Centre/State-owned research institutions/ universities/ Societies/Trusts**

Up to 100% Grant-in-aid shall be provided by BIRAC irrespective of the total cost of the project

- (B) **For Private Research institutions/Universities/Societies/Trusts**

- (i) Private Research Institutions (as primary applicant or collaborator) which have NOT RECEIVED Grant-in-Aid under any scheme of BIRAC in past

One time Grant-in-aid (subject to a maximum of Rs. 50 lakhs) will be provided by BIRAC to those Private Research Institutions which have not received Grant-in-aid under any scheme of BIRAC in past.

- *If the budget for the Private Research Institution in the proposed project is below Rs. 50 lakhs :* upto 100% Grant-in-aid shall be provided by BIRAC
- *If the budget proposed for the Private Research Institution is Rs. 50 lakhs or higher :* BIRAC contribution to the research institution (primary applicant or

collaborator) which have not received Grant-in-aid under any scheme of BIRAC in past will be Rs. 50 lakhs + upto 70% of the amount exceeding Rs. 50 lakhs

**(ii) Private Research Institutions (as primary applicant or collaborator) which have ALREADY RECEIVED Grant-in-aid under any scheme of BIRAC in past**

- Irrespective of the project cost, for the Private Research Institution which have already received Grant-in-aid in past under any BIRAC scheme, BIRAC contribution will be restricted to a maximum of 70% of the total budget of the respective entity (*Minimum 30% of the total budget will be contributed by the respective academic institution*)

**8.2 Guidelines for disbursement of funds - Category IV (Infrastructure) Funding**

- The funding assistance under Category IV will be in the form of grant-in-aid without the obligation of payment of Royalty
- The funding guidelines have been explained below:

Model	Investment, cost-sharing and sharing of benefits
Facility for research/testing/validation/manufacturing of products/technologies to be established, operated and managed by a private industry	<ul style="list-style-type: none"> <li>• No ceiling on the project cost</li> <li>• Upto 50% grant-in-aid by BIRAC</li> <li>• In cases where BIPP support is restricted to equipment cost only, the first instalment would be released when 80% of the civil/construction work has been completed.</li> <li>• Differential user fee for academia/ researchers/start-ups</li> <li>• Should devote 10 % of time for education and training of DBT/BIRAC identified trainees for capacity building (when requested)</li> <li>• Repayment modalities, if any will be worked out as per the recommendations of the Apex committee</li> </ul> <p><b>Eligibility for application:</b></p> <ul style="list-style-type: none"> <li>• Single or consortia of Company (ies)* incorporated under the Companies Act, 2013 or</li> <li>• Limited Liability Partnership (LLP)** incorporated under the Limited Liability Partnership Act, 2008</li> </ul> <p><i>Singly or jointly with the following:</i></p> <ul style="list-style-type: none"> <li>• Public/private university/colleges in India</li> </ul>

	<ul style="list-style-type: none"> <li>• National research laboratories</li> <li>• Not-for-profit private research organizations/ societies/foundation/NGO</li> </ul>
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### 8.3 Fund disbursement

- The approved funds would be released by BIRAC to the participating industry and collaborating partners in instalments, the first on signing of the Agreement and the subsequent instalments on satisfactory progress of the Project in compliance with the agreement as assessed by the Project Monitoring Committee through site visit/online evaluation or presentation in TEC.
- Appropriate Grant Award Letter will be issued by BIRAC for the funds disbursed providing for the governing terms and conditions and these will be accepted by the fund recipient(s) within the time period of four (4) weeks from the date of issue.
- The templates having the governing provisions shall be provided to the shortlisted applicants at the time of carrying out the site visit. It is to be noted that except for very specific and case dependent technical aspects, the terms and conditions of the funding shall be uniformly applicable on all fund recipients.
- A separate Royalty Agreement will be entered into between BIRAC and the Company/LLP fund recipient(s) for disclosure of the sale of the Product(s) and ensuing royalty. “Product” for this purpose shall mean products, services, processes, technologies, materials, software or other innovations resulting from this Project which would generate commercial income

### 9.0 ROYALTY GUIDELINES- Payment of Royalty

- The Company shall pay royalty to BIRAC at the rate of 5% (Five per cent) on annual Net Sales of the product(s) developed with BIRAC’s assistance. Payment of royalty shall fall due beginning with the first sale of the product(s) and the liability to pay royalty will terminate upon the first of any of the following two events to occur: - a) 5% royalty has been paid to BIRAC till the royalty amount paid becomes equal to the grant disbursed and that was not returned to BIRAC as unutilized funds; or (b) in case of Foreclosure or Termination of Project as per the terms of GLA.
- Royalty for each financial year shall be payable to BIRAC within 60 (sixty) days of close of corresponding financial year.
- If the Company gets grant-in-aid assistance for more than one Project that will culminate into the same Product(s), then also the Company shall pay royalty to BIRAC at a cumulative rate of 5%.(five per cent) on annual Net Sales of the product(s) developed with BIRAC’s assistance
- If the Company gets grant-in-aid assistance for more than one Project that will culminate into the distinct Product(s), then the Company shall pay royalty to BIRAC @ 7% (Seven per cent) on annual Net Sales of each such distinct Product(s) developed with BIRAC’s assistance in the same manner as provided above
- If the Company intends to transfer or sell the Product, it shall take prior written permission from BIRAC and BIRAC will recover the Royalty amount or 5% of the resultant income excluding GST tax, as certified by the Chartered Accountant, whichever is less before grant of such permission. Provided, this Project is not determined as a “Nationally Important Project”, to be governed through



a specific Order of BIRAC. Such cases of “Nationally Important Project” shall have specific terms of licensing, pricing or March-in-rights for the purposes of public interest/ demand of Government of India

## **Nationally Important Projects**

Nationally Important Projects will be recommended by TEC and further ratified by the Apex committee headed by Chairman, BIRAC. If Apex Committee recommends certain Projects as nationally important Projects, then BIRAC will issue a specific “Order” to make the following provisions applicable:

- A.** In such cases of national importance BIRAC shall retain a royalty-free, non-exclusive, irrevocable licence to the Product developed with the funding support of BIRAC with right to sub-license for the purposes of public interest/Government of India and/or as decided by the Apex committee. The licensor of such Product will ensure that where the Product has been produced in collaboration with entities not in receipt of BIRAC’s Grant-in-aid, such collaborators will also grant license to BIRAC in the same way.
- B.** Nationally Important Projects shall mean such Projects that will serve specific purposes notified by Government of India in public interest.
- C.** In cases of national importance, if BIRAC determines that such - (a) Action is necessary because the Fund Recipient or licensee/s has not taken, within the period of four (4) years from the date of completion of the Project, effective steps to commercialize the Product in such field of use; (b) Action is necessary to meet requirements for public use or national interest and such requirements are not reasonably satisfied by the Fund Recipient or licensee/s; Then, March-in- rights are applicable whereby;
  - i.** BIRAC along with retainment of royalty-free, non-exclusive, irrevocable licence to the Product BIRAC, after taking into consideration the fund recipients requirement for reasonable expansion and the demand supply gap at the appropriate time, shall have the right to require the Fund Recipient to transfer the technical know-how of the Product developed under the Project to other entrepreneur(s) and train them, on such terms and conditions as may be mutually agreed among BIRAC, the fund recipient and such other entrepreneur(s). Provided, BIRAC shall reserve its right to require that the Product must be manufactured and sold in India.
  - ii.** If the fund recipient (s) does not agree with the terms of above sub section (i), then BIRAC shall require that all rights and interests associated with the Product including Intellectual Property (IP) Rights to be assigned to BIRAC. The Fund Recipient(s) and co-owners of the IP shall undertake all necessary actions to affect the assignment.

## **10.0 INTELLECTUAL PROPERTY GOVERNING FRAMEWORK**

### **A. SCOPE OF IP GENERATED DURING THE CONDUCT OF THE PROJECT**

- The New Intellectual Property (IP) rights belong to the recipient of funds, in a joint manner unless mutually agreed otherwise.

Provided, this Project is not determined as a “Nationally Important Project” to be governed through specific Order of BIRAC. Such cases of “Nationally Important

Project” shall have specific terms of licensing, pricing or March-in-rights for the purposes of public interest/ demand of Government of India.

- It is the responsibility of the Fund Recipients to protect the New Intellectual Property (New IP). They shall bear the expenditure **involved in protecting the New IP**.

## **B. GLOBAL ACCESS**

The Fund Recipient(s) jointly and severally agree to conduct and manage the Project and the resulting products, services, processes, technologies, materials, software, data or other innovations (collectively, “Product”) and any IP that arises (New IP) in the manner that ensures “Global Access.”

Global Access requires that

- The knowledge and information gained from the Project be promptly and broadly disseminated or published.
- Project Developments and/or New IP are made available and accessible at an affordable price to people most in need within developing countries.
- In this regard, ensure Global Access in all present and future research and development agreements in a suitable form.

NOTE: For the purpose of this GLA, New IP means intellectual property generated during the conduct of the Project by the Fund Recipient(s), but excluding the intellectual property generated by the Fund Recipient(s) before execution of this GLA and any IP generated outside the scope of this GLA even during the term of this GLA.

## **11.0 Project Monitoring & Mentoring**

### **11.1 Project Monitoring Committee (PMC)**

The projects under BIPP are monitored/and mentored regularly by an Expert Committee constituted by BIRAC for each project. Site visits are conducted by specially constituted Expert Committees comprising two to three Technical experts and one Financial expert. The Project Monitoring Committee (PMC) is responsible for:

- Monitoring the progress of the Project in conformity with the outputs, milestones, targets and objectives as contained in the Agreement.
- To keep track of funding from any other source for the particular Project.
- To assess the global developments impacting the domain of the Project.
- Based on the foregoing, to assess and suggest:
  - ✚ the release of next instalment or part release thereof by the BIRAC.
  - ✚ recommend revision of project duration
  - ✚ closing or dropping or modifying any of the components of the Project, within the overall approved objectives, budget and time-frame,
  - ✚ inclusion of additional industrial/institutional partner(s), if the Company/LLP request involvement of such partner(s), in the overall interest of the Project,
  - ✚ mentor(s) to assist in overcoming any technological problem faced in the

Project implementation; and  
✚ revision of the financial assistance.

- To advise on issues related to securing of IPR; and
- To advise on any other matter as referred to it by BIRAC/BMA and/or otherwise reasonably necessary for effective discharge of its duties and/or achievement of aims and objectives of BIPP Scheme.

## **11.2 Reporting of Progress:**

- 5.2.1.** On Successful completion of each Milestone the Company/LLP and other Collaborators are required to submit a detailed Milestone Completion Report (MCR) as per prescribed format.
- 5.2.2.** The MCR is assessed by the PMC for its completion. On recommendation of the PMC, the next Milestone budget is released.
- 5.2.3.** The Company/LLP and the Collaborator shall submit UC and SOE duly certified by internal finance personnel/auditor to BIRAC in the format provided on the completion of the respective milestones Both Company/LLP and BIPP Contribution are to be accounted for.

### **Format for Milestone Completion Report (MCR), Utilization Certificate and Statement of Expenditure are at:**

[https://birac.nic.in/webcontent/1711086842\\_Format\\_of\\_milestone\\_and\\_project\\_completion\\_report.pdf](https://birac.nic.in/webcontent/1711086842_Format_of_milestone_and_project_completion_report.pdf)

and

[https://birac.nic.in/webcontent/1711086888\\_Format\\_of\\_UCSOE\\_financial\\_documents\\_company.pdf \(Annexure III and IV\)](https://birac.nic.in/webcontent/1711086888_Format_of_UCSOE_financial_documents_company.pdf_(Annexure_III_and_IV))

## **12.0 Terms & Conditions and Requisites for Fund Disbursement**

### **12.1 Agreement of funding**

On announcement of Award, all concerned applicants need to sign the Grant-in-aid Letter Agreement (GLA) with BIRAC. A separate Agreement for governing the terms of Royalty shall be entered into between BIRAC and the Company/LLP.

### **12.2 Other Requisites for Funds Disbursements to Company/LLP**

In addition to signing of agreement between all the concerned parties, following requirements need to be completed before the first instalment can be released:

- A Board Resolution needs to be passed for acceptance of the Grant-in-aid offer by the BIRAC under BIPP
- Opening up a No-Lien Account with a scheduled/nationalized Bank and a ZBSA account in case of a Company/LLP
- Letter of Authorization in case of Institute in the prescribed format of BIRAC

### **13.0 Guidelines for Extension**

Extension of projects is DISCOURAGED. Request for extension of project on account of Change in Coordinator/Principal Investigator, delay in purchase of equipment, hiring of manpower, submission of Milestone Completion Reports, Statement of Expenditure (SoE), Utilization Certificate (UC), Bank Guarantee (wherever applicable) or any other financial/technical document by the company/LLP/collaborator necessary for release of funds by BIRAC will NOT BE ENTERTAINED.

Request for extension of milestone/project can be considered (without any additional financial implications) only in selective cases where accomplishment of technical milestone is prolonged due to delay in securing regulatory approvals, or where the TEC feels that some additional studies are needed to take the project to a logical conclusion/product development or due to any other technical reasons not envisaged at the time of submission of proposal. However, such request must be communicated to BIRAC at least TWO MONTHS before the scheduled date of completion of milestone/project with proper justification.

### **14.0 Acknowledgement of BIRAC support**

Acknowledge the assistance of BIRAC while publishing, marketing the resultant Product or presenting in any manner the details of the Project, its progress or its success along with the “Disclaimer” that reference therein to any specific commercial product, process, views or service by trade name, trademark, manufacturer, or otherwise does not necessarily constitute or imply its endorsement, recommendation, or assuming liability of any sort by the BIRAC. Use of BIRAC logo is not permitted without prior approval.

### **15.0 Contact Information**

Further information can be obtained at BIRAC website

**Contact Person for query and feedback:**

GM & Head – Investment, Email: [investment.birac@gov.in](mailto:investment.birac@gov.in)