

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