



YENEPOYA

(Deemed to be University)

Recognized under Sec 3(A) of UGC Act, 1956
Accredited by NAAC with 'A' Grade

University Startup Policy

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ARTICLE 1- PREFACE

1.1. University Mission and Context

- 1.1.1. The core mission of the Yenepoya (Deemed to be University) is creation of knowledge through scientific research which can reach the masses and impact the society.
- 1.1.2. The University recognises the impact entrepreneurship can have in terms of identifying and solving scientific and technical challenges and acknowledges the role of Startups in commercialising the Intellectual Property (IP) emanating from its Research activities.
- 1.1.3. The University will endeavour to promote entrepreneurship to be taken up by its Staff and Students and it prioritises commercialisation of its IP in a manner that encourages and fosters entrepreneurship by Staff Members and others.

1.2. Purpose of the Startup Policy

- 1.2.1. **Promotion of Entrepreneurship.** The intent of the Startup Policy is to foster entrepreneurial ecosystem which encourages co-creation by involving students, faculty and professionals from multiple disciplines. Also, it lays down guidelines for the involvement of the University's Staff and Students.
- 1.2.2. **Entrepreneurship management.** The Startup Policy seeks to set the framework for the involvement of the University's Staff and Students in Commercialising University's Research into products, services and processes. It encourages Staff Members, Students and Visitors to become Entrepreneurs. It also establishes clear rules and procedures for the creation/participation of Staff and Student led Startups which may or may not be based on the University IP.
- 1.2.3. **Entrepreneurship guidance.** The University has established Technology Incubator in the University campus to provide the entrepreneurs with the necessary guidance, mentorship and infrastructure support in order to nurture their ideas and help translate them into successful Startups.
- 1.2.4. **Balance of interests.** The Startup Policy seeks to reiterate that the employee's primary commitment of time and intellectual contributions should be to the education, research and other obligations of the University and they have a primary professional obligation to act in the best interests of the University. Hence, care must be taken to avoid any cases of Conflict of Interest (COI) and Conflict of Commitment (COC) by all the Staff Members, Students and the Visitors of the University.

ARTICLE 2 -DEFINITIONS

Without prejudice to any applicable laws, in this Policy the definitions set out below shall apply:

- 2.1 **Appointment.** A formal agreement for a Visitor at the University, which is a pre requisite to participate in or conduct Research, scholarship, creative work, or teaching at the University.
- 2.2 **Author.** Any person to whom this Policy is applicable, who individually or jointly with others makes a design, a mark or copyrightable work and who meets the criteria for authorship under the IP laws of India.
- 2.3 **Conflict of Commitment (COC).** Any situation in which an individual Staff Member's or Visitor's primary professional loyalty is not to the University because the time devoted to outside activities adversely affects their capacity to meet their responsibilities as set out in their employment contract of Appointment.
- 2.4 **Conflict of Interest (COI).** Any situation in which real or perceived interests of an individual Staff Member, Visitor or Student may run counter to the interests of the University or negatively affect their employment or duties.
- 2.5 **Gross Non-IP Revenue.** All revenue received by the University for Execution of Projects / Scientific or Clinical Work as part of the Research Contract before any cost recovery or deductions for the incurred Expenses, as defined in Article 7.
- 2.6 **University.** Yenepoya (Deemed to be University).
- 2.7 **University IP.** IP owned or co-owned by the University.
- 2.8 **Intellectual Property (IP).** All outputs of creative endeavour in any field at the University for which legal rights may be obtained or enforced pursuant to the law. IP may include:
 - a. Literary works, including publications in respect of Research results, and associated materials, including drafts, data sets and laboratory notebooks;
 - b. Teaching and learning materials;
 - c. Other original literary, dramatic, musical or artistic works, sound recordings, films, broadcasts, and typographical arrangements, multimedia works, photographs, drawings, and other works created with the aid of University resources or facilities;
 - d. Databases, tables or compilations, computer software, preparatory design material for a computer program, firmware, courseware, and related material;
 - e. Patentable and non-patentable technical information;
 - f. Designs including layout designs (topographies) of integrated circuits;
 - g. Plant varieties and related information;
 - h. Trade secrets;

- i. Know-how, information and data associated with the above; and
 - j. Any other University-commissioned works not included above.
- 2.9 **IP Management Cell (IPMC).** The administrative unit established in terms of Article 4.2, responsible for day-to-day management of all IP-related activities of the University.
- 2.10 **Policy.** This, Yenepoya (Deemed to be University) Start-up Policy.
- 2.11 **Staff Member.** Any person who is under a contract of employment with the University including academic, research, technical, administrative and adjunct staff, whether full-time or part-time or on a temporary basis.
- 2.12 **Student.** Any student registered for an approved course at the University.
- 2.13 **Substantial Use.** Extensive use of the University's resources which include but are not limited to facilities, equipment, human resources or funds. Not included is routine use of libraries and/or office space or the IP has been written or developed in the personal (unpaid) time of the Inventor.
- 2.14 **University Incubator.** Yenepoya Foundation for Technology Incubation also referred to as Yenepoya Technology Incubator (YTI) or Incubator or Technology Incubator.
- 2.15 **Visitor.** Any person who is neither a Staff Member nor a Student of the University who engages in work at the University, including visiting professors, adjunct and conjoint professors, teachers, researchers, scholars and volunteers; and who concludes an Appointment agreement with the University.

ARTICLE 3 – SCOPE OF THE POLICY

- 3.1. **Applicability.** This Policy applies to all Staff Members, Students and Visitors who are willing to or may have started a commercialisation entity (Company/Startup) which may or may not be based on the University IP. Rights and obligations under this Policy shall survive any termination of employment, enrolment or Appointment at the University.
- 3.2. **Binding effect of the Policy.** This Policy constitutes an understanding that is binding on the University, Staff Members, Students and Visitors, once adopted by the Board of Management (BOM) of the University.
- 3.3. **Type of Companies.** This University encourages and promotes the following companies.
- 3.3.1. Companies jointly owned by the Staff Members and Graduating Students/Alumni (along with possibly others)
 - 3.3.2. Companies owned by the Staff Members (one or many) along with possibly others.
 - 3.3.3. Companies owned by the Graduating Students, Alumni along with possibly others

In such cases, the Staff Members and Students will be known as founding members of the board of the company. The use of the term 'company' in throughout this document refers to the types of companies mentioned above unless specified otherwise.

ARTICLE 4 – GOVERNANCE AND OPERATION

- 4.1. **Responsibilities.** The ultimate decision making authority in the determination of the permission to the Staff and Student led Startup will be the Vice Chancellor of the University.
- 4.2. Entrepreneurship Promotion Cell (EPC)**
- 4.2.1. **Purpose.** The University has established an Entrepreneurship Promotion Cell (EPC) to assist the University in promotion of entrepreneurship and organising relevant activities.
- 4.2.2. **Responsibilities.** The responsibilities of the EPC shall include, but are not limited to:
- a. Outreach/awareness;
 - b. Relationship management with potential entrepreneurs;
 - c. Coordinating with the IPMC for IP licensing;

- d. Organising entrepreneurship promotion activities and events;

ARTICLE 5—INVOLVEMENT IN THE COMPANY

5.1. Role of the Staff Members

It is expected that the staff members would be owners of companies defined in Article 3 and be a Director on the Board. Also, the staff member may choose to play an operational role (Technical Advisor, CEO, CTO, MD, etc).

- 5.1.1. **Startup engagement.** The staff member can choose one of the following options:
 - a. Take a sabbatical and work full-time in the business.
 - b. Dedicate up to 4 working days per month for the Startup related activities with due permission from the Registrar of the University.
- 5.1.2. **Conflict of Interest and Conflict of Commitment.** It should be noted that the staff should take all possible steps to ensure that his/her duties and responsibilities of the University take precedence over all other activities.

5.2. Role of the Students

During their enrolment the students will be allowed to be owners of the companies, as defined in Article 3, be a Director on the Board or be employed in a staff member led company. Also, they may be free to play an operational role (Technical Advisor, CEO, CTO, MD, etc).

- 5.2.1. **Startup engagement.** Students will be free to dedicate any time outside their regular academic hours and duties towards their companies. However, if deemed necessary, they may be allowed special leave towards startup activities subject to approval from the respective department heads and under no circumstance they will be allowed to avail this leave during the time of their scheduled exams.
- 5.2.2. **Theses or dissertations.** The Student may be allowed to base their Start-up on their theses or dissertation with due approval from their supervisor. All the University regulations related to Theses or dissertation including the University IP policy will apply.

5.3. Incubation

- 5.3.1. **University IP.** If a Staff or a Student intends to base their Startup on the University owned IP for which they may or may not be the inventors, they will be required to incubate their company in the University Incubator. Licensing or allocation of the IP will be governed as per the University IP Policy.
- 5.3.2. **No IP / External IP.** In case the Staff or Student led Startup is based on IP not owned by the University or if no IP is involved, they may be free to incubate their company either in the University Incubator or outside the University. However, if the company

is housed outside the University Incubator, the benefits outlined in Section 5.1.1 and Article 6 and 7 may not be applicable.

ARTICLE 6– USE OF UNIVERSITY RESOURCES AND IP RIGHTS

- 6.1. **Staff and Students.** The Staff Members and Students who are the promoters of the Startup housed in the University Incubator may be allowed to use University resources such as labs and other such facilities for their company purposes. Use of any such facilities and resources may not be charged during the incubation period, except for facilities and instruments which are not free for the internal users. To enable free access to the staff and student led companies, an equity may be retained by the University which will also ensure IP ownership by the company as detailed in the section 6.3. The use of space and resources of the University Incubator will be governed as per the norms of the University Incubator.
- 6.2. **Company Employees.** The University resources are generally not accessible to anyone who is not associated with the University, either as an employee or a student. When involving company employees who are not associated with the University, permission from the facility in charge or department head will be required.
- 6.3. **IP Rights and Ownership.** Any IP developed by the incubated company while using University resources shall be the property of the company. However, before filing such IP application the permission of IPMC is necessary. The company is expected to grant non-exclusive, royalty-free license to the University to the IP generated by the company while using University resources for non-commercial purposes.

ARTICLE 7– UNIVERSITY SUPPORT

- 7.1. **Incorporation.** The University may support the staff members and the students in the incorporation of the company in the form of incorporation fees and guidance. This may also include support extended to the company for annual maintenance of the company and any charges incurred towards its compliance.
- 7.2. **Funding.** The University may provide funding support to the companies in the form of grant in aid, seed grant and loan. Equity in the supported companies may be taken up as described in the Article 8.
- 7.3. **Mentorship and Guidance.** University will provide necessary mentorship and guidance through the Incubator free of cost.
- 7.4. **Special Leaves.** Staff Members are expected to ensure success of their Startups by dedicating efforts and time required. Keeping this in view University will allow Staff to involve in their companies in one of the following ways.
 - a. Take a sabbatical and work full-time in the company.

- b. Dedicate up to 4 working days per month for the Startup related activities with due permission from the Registrar of the University.
- 7.5. **Equity.** The University, either directly or through a designated individual or organisation, may exercise its discretion in taking up equity in the company in the following cases.
- 7.4.1 Equity against freedom to use University resources including the IP.
 - 7.4.2 Equity against incubation.
 - 7.4.3 Equity against seed grant and/or grant in aid.
 - 7.4.4 Equity against loan provided by the University.

For sections 7.4.1, 7.4.2 and 7.4.3 the maximum Equity University may take up in the company should not exceed 10%. Equity against any loan provided by the University will be independent of this equity limit.

ARTICLE 8 -DISPUTE

- 8.1. **Violation.** Breach of the provisions of this Policy shall be dealt with under the normal procedures of the University, and in accordance with the relevant provisions of laws and regulations in force.
- 8.2. **Dispute Resolution.**
- 8.2.1. Any internal disputes or questions of interpretation arising under this Policy must in the first instance be referred to IPMCand EPC.
 - 8.2.2. If the matter cannot be resolved by the IPMC and EPC within two months, then the dispute or question of interpretation must be referred to the Vice Chancellor for mediation.
 - 8.2.3. The Vice Chancellor may at their sole discretion refer the matter to University's Executive Committee and/or an independent committee for arbitration as final arbiter of any disputed issues or for final determination.

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