

ANUSANDHAN NATIONAL RESEARCH FOUNDATION: INTELLECTUAL PROPERTY POLICY & GUIDING PRINCIPLES FOR GRANTEES

ANRF INTELLECTUAL PROPERTY POLICY

1. The Anusandhan National Research Foundation (“**the Foundation**”) is a statutory body established under the Anusandhan National Research Foundation Act, 2023 to provide high level strategic direction for research, innovation and entrepreneurship in the fields of natural sciences including mathematical sciences, engineering and technology, environmental and earth sciences, health and agriculture, and scientific and technological interfaces of humanities and social sciences.
2. In line with the vision of the National Intellectual Property Rights Policy, 2016, that creativity and innovation are stimulated by intellectual property for the benefit of all, the core objective of the ANRF IP Policy is to ensure support for research, innovation and entrepreneurship.
3. The IP arising out of the research funded by the Foundation is an asset that must be appropriately harnessed for maximizing socio-economic impact and achieving public good.
4. IP resulting from research funded by the Foundation shall vest with the grantee institution which receives the grants.
5. In respect of grants provided to an individual for internships or fellowship programmes at a host institution, the IP policies of such host institution shall apply.
6. The Guiding Principles specified in Annexure-A provide the basis on which the grantee may commercialize the IP.
7. The Foundation may specify binding principles for licensing of the IP, including open licensing, where the Foundation determines the need for wider public dissemination, or rapid technology acceleration of the research in India.
8. The Foundation may, from time to time, also specify certain deviations from the general principle of IP vesting with the grantee in exceptional situations involving grants for research in critical, sensitive or strategically important sectors, such as nuclear or atomic energy, defence, aerospace or public health.

GUIDING PRINCIPLES FOR GRANTEES

1. Following are a set of guiding principles to enable grantees to undertake wider dissemination of IP generated from their research.

General Principles

2. Grantees should make efforts to disseminate knowledge arising out of their research to the society for achieving public good. This could be in the form of peer-reviewed publication or through development of a product, process or technology for deployment on a scale through IP protection and transfer.
3. Grantees may, based on an assessment of the findings of the research undertaken, decide on the appropriate approach for IP protection. This could include an assessment of whether the research has novelty, inventiveness and applicability capable of IP protection, or whether its relevance is in respect of deciphering of new concepts, understanding and theoretical frameworks.
4. It is important for the Foundation to know the outcomes of research resulting from the grant provided by it. This will enhance the ability of the Foundation to leverage evidence for future policy initiatives and suitable reforms. Grantees are therefore encouraged to keep the Foundation apprised of the steps taken by the grantee, including in respect of publications or development and filing of IP, and commercialization of IP.
5. Grantees are also encouraged to follow the principles set out below:
 - (a) Grantees should publicly acknowledge the Foundation's support in any milestones relating to the research undertaken, including by tagging, or other similar steps as suggested by Foundation, and ensure a similar obligation in its IP licensing and transfer agreements;
 - (b) Grantees should ensure that publications relating to the research undertaken should acknowledge the Foundation's support;
 - (c) Grantees should inform the Foundation about filing of IPR applications and grant of IPRs, as well as licensing of IPRs to enable subsequent impact tracking; and
 - (d) In case two or more grantees are partnering in the research, they may enter into an IP sharing agreement, and keep the Foundation informed regarding the same.
6. Where IP protection is obtained, grantees should ensure that the products and technologies are commercialized for larger societal impact.
7. Grantees may undertake any licensing in accordance with the principles explained below.

I. Commercialization of the IP

8. The grantee may decide the means and modes of licensing IP, on a case-by-case basis and in a transparent manner, based on considerations like, nature of the technology, technology

readiness level, market, risk assessment, investment requirement and how much development is required for a technology to be commercialized.

9. For IP developed by a grantee in a laboratory set up to be realized as a product and be deployed for public good, focused up-scaling and other development is needed and this may require significant investments. The capacity and ecosystem to convert promising research leads into technology and products for public good would lie in the industrial and start-up ecosystem. Accordingly, while considering licensing, the grantee should give preference to small and medium enterprises and start-up entities that undertake manufacturing in India.
10. Before any licensing is undertaken, the grantee shall make reasonable efforts to assess the potential capability and competence of the proposed licensee (institution or corporate entity) to scale-up the innovation. Timelines for commercialization may also be clearly defined in the licensing mechanism determined by the grantee.
11. Any licensing arrangement should consider preserving for the Government of India the irrevocable, royalty-free right to practice or require the licensee to grant sub-licenses to responsible applicants, on reasonable terms, when it may be necessary to fulfil public interest, including, health or safety or security needs of the country. This is without prejudice to the right of the Government of India under law for compulsory licensing.
12. A standard licensing agreement framework may be developed by the grantee that would ensure a share of the revenue earned by the licensee, and inform the Foundation regarding the same.
13. If there are requests for any IP assignment, the grantee could consider undertaking such assignment based on the Foundation's prior written approval, especially where such assignment may encourage spin-outs and formation of start-ups.
14. The grantee shall give preference to non-exclusive licensing, keeping in view the objectives of encouraging competition and bringing out high quality and affordable products in the market at a swifter pace. License fees shall be decided on a case-to-case basis.
15. Where the grantee considers exclusive licensing, it shall be subject to the following principles:
 - (a) such agreements must be for a limited time period, geography and usage; and
 - (b) public interest concerns should be considered by ensuring availability of the products or technologies resulting from the research in the Indian market at affordable prices, especially in circumstances where the relevant products or technologies have the potential for large scale public deployment.
16. The grantee may set up a committee comprising of experts, including from the scientific, industry, finance, legal and other relevant fields, to ensure review of IP filing, granted

status, as well as their transfer or licensing, in order to ensure that IP that has been created does not remain without being transferred or licensed. Such committee may undertake evaluation of the IP and advice on the modalities for commercialisation, and whether exclusive or non-exclusive licensing should be considered in a specific context, keeping in view the principles set out in paras 8 to 15 of these Guidelines.