

De La Salle University  
POLICIES ON INTELLECTUAL PROPERTY

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- 2.2. *"Business Incubator"* refers to an entity, whether internal or external to the University, created to help develop new ventures through the provision of business support services such as entrepreneurship training, office space, and other resources.
- 2.3. *Commercialization* is the process of generating revenue.
- 2.4. *Commissioned Work* or *Work for Hire*









the ownership rights over the work and the sharing of revenues. In the absence of an agreement, the ownership rights over the work shall be discussed with the Department Chair.<sup>9</sup>

- 5.5.2. In cases falling outside the scope of Section 5.2(a), the faculty member/s and the student/s concerned are encouraged to enter into an agreement specifying, among others, the ownership rights over the work and the sharing of revenues.
- 5.5.3. Notwithstanding ownership by students of their works, the University or any member of



- 5.8.2. In cases where the creator assigns the patent rights to the University, the University shall be responsible for preparing and filing the application and payment of the required fees with the Intellectual Property Office of the Philippines (IPOPHL). Foreign applications shall be managed on a case-by-case basis.
- 5.8.3. The University reserves the right to abandon a patent right for patents owned thereby
- 5.9. Utilization and Commercialization of University-Owned Patents
  - 5.9.1. Request for utilization of University-owned patents, without any intention to commercialize, shall be expressed in writing to the DIPO.
  - 5.9.2. Commercialization on the other hand shall proceed according to the Knowledge and Technology Transfer Policy of the University.
- 6. Ownership of Copyright
  - 6.1. Owned by Creator
    - 6.1.1. Rights to copyright shall belong to the creator, subject to exceptions stated in Section 6.2 of these policies.
    - 6.1.2. In the case of works created by multiple creators and not covered by Section

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6.8.2. The University, at its discretion, may submit copies of the work to the National Library, Supreme Court Library, or to other appropriate government agencies.

6.9. Special Provision on Audiovisual Materials and Software

The provisions stipulated in Sections 6.1 to 6.8 shall apply. Intellectual Property



11.2. Manage Knowledge and Technology Transfer Activities

- 11.2.1. Lead efforts in implementing the Knowledge and Technology Transfer Policy and in drafting strategies, guidelines, and procedures concerning knowledge and technology

11.4.3. Communicate periodically the performance of the office to

- 12.2.3. Help capacitate internal and external stakeholders on matters relating to University Knowledge and Technology Transfer and the utilization and commercialization of IP.
- 12.2.4. Coordinate internally with other functional units to achieve its objectives.
- 12.2.5. Analyze and communicate the results of its activities and programs to relevant stakeholders.
- 12.2.6. Co-represent the University in events, organizations, and societies relating to Intellectual Property, and Knowledge and Technology Transfer.
- 12.2.7. Supervise and manage the activities of UNBOXD, a student start-up organization.
- 12.2.8. Provide patent services to the University and to third parties.<sup>17</sup>
- 12.2.9. In meritorious cases, assist University employees and units in the utilization of non-University-owned Intellectual Property, including know-how such as, but not limited to, industry engagement for specialized services.<sup>18</sup>

### 12.3. Management of Office Operations

- 12.3.1. Manage budget and expenses for activities related to its functions.
- 12.3.2. Manage in-house Intellectual Property filing activities for cases referred to it.
- 12.3.3. Prepare and execute a document management system for recording its transactions.



- a) To serve as an advisory committee to the VCRI on all University-owned IP (e.g., patents, utility models, copyright, trademark, confidential information, etc.), especially with regard to University policies on these matters.
- b) To serve as an advisory committee for any case IP issue.
- c) To help resolve disputes concerning the implementation and interpretation of these IP policies for resolution by the VCRI.
- d) To review and recommend changes to these IP policies implementing Rules and Regulations for approval by the University management.
- e) To discuss emerging issues affecting the IP rights of the University, University students and employees.
- f) To perform other functions analogous to the foregoing.

### 13.2. Composition of the UCIP

#### 13.2.1. The UCIP shall be composed of the following:

- a) VCR as Chair
- b) DIPO Director as Secretary
- c) Vice President for Lasallian Mission or appointed representative
- d) Vice Chancellor for Academics or appointed representative
- e) Vice Chancellor for Administration or appointed representative
- f) DITO Manager
- g) A representative from the Association of Faculty and Educators of DLSU (AFED), Inc.
- h) A representative from the DLSU University Student Government (USG)
- i) One (1) retired University Fellow.

#### 13.2.2. The UCIP may invite technical expert(s) as resource person(s).

### 14. Intellectual Property Offenses

The University recognizes the exclusive rights of creators over their works. The following are the Intellectual Property offenses covered by these policies:

- a) Photocopying of printed materials or copying of computer software without the permission of the author/s or creator/s, subject to the rules on fair use of copyrighted work and the other exceptions thereto stated in the Intellectual Property Code of the Philippines (RA8293);
- b) Violation of the confidentiality rule under Section 8 of these policies;
- c) Deliberate failure to comply with the prior disclosure requirement under Section 4 of these policies;
- d) Negotiating with a third party regarding the exercise of ownership rights over University-owned IP without authority from the University; and
- e) All other acts analogous to the foregoing.

#### 15. Penalties

Any violation of these policies shall be considered a major offense and shall be dealt with and penalized in accordance with the applicable employee or student manual or policy of the University.

#### 16. Final Provisions

##### 16.1. Amendment or Revision

Any member of the DLSU academic community may propose changes to these Intellectual Property Policies by writing a letter addressed to the VCRI specifying the proposed changes and the reasons for the proposed changes. The UCIP shall review these Intellectual Property Policies annually in one of its meetings.

##### 16.2. Waiver of IP Policies

The University President shall have the sole discretion to waive or vary any or all of the provisions of these policies on a case-by-case basis if a strict application of these policies shall not result in fairness and equity in a particular case. A waiver or variance of the IP policies made in one case shall not serve as a precedent to any future or subsequent case.

##### 16.3. Preservation of Existing Rights

Nothing herein shall adversely affect the rights acquired in good faith prior to the

