



جامعة الإمام عبد الرحمن بن فيصل  
IMAM ABDULRAHMAN BIN FAISAL UNIVERSITY

وكالة الجامعة للابتكار وريادة الأعمال  
Vice Presidency for innovation & entrepreneurship

# INTELLECTUAL PROPERTY POLICY, Imam Abdul Rahman bin Faisal University IAU

## Introduction

The purpose of this document is to present the intellectual property policy of Imam Abdulrahman bin Faisal University. This policy includes the promotion of scientific production and the regulation of ownership, management and distribution of intellectual property's revenues resulting from commercial marketing. Imam Abdulrahman Bin Faisal University is aware of the importance of intellectual property rights as it fulfills its commitment to transfer scientific knowledge, technical know-how and discoveries for the general social and economic benefit.

Imam Abdulrahman Bin Faisal University is interested in encouraging potential inventors by protecting intellectual property rights and sharing the scientific and financial benefit resulting from the development of commercial marketing of intellectual property. This policy provides guidelines and directives for commercial marketing and for the protection and management of the university's intellectual property.

Intellectual property can be protected through various patents, copyrights, database rights, trademarks, trade secrets, relevant cryptographic images, plant variety protection and other laws and agreements on property.

Unless otherwise stated, this policy should not be interpreted as limiting the ability of Imam Abdulrahman Bin Faisal University to fulfill its obligations under any grant, contract or agreement with a third party of any kind. The purpose of this policy is to comply with the intellectual property laws of the Kingdom of Saudi Arabia, and in line with international agreements and laws, and it must be interpreted accordingly.

**This policy is designed with consideration of the following goals:**



1. Contribution to building a knowledge-based economy at Imam Abdulrahman bin Faisal University by encouraging the transfer of technology and scientific knowledge emanating from the university in a way that contributes to the economic development in the Kingdom of Saudi Arabia.
2. Encouraging the conduct of applied research by providing university inventors with financial and moral opportunities and incentives.
3. Assurance of Scientific quality through the encouragement of programs that support the protection of intellectual property and through reasonable potential commercial marketing.
4. Providing simple and flexible guidelines to facilitate and encourage efficient technology transfer.
5. Collecting revenues to provide funding for more research and scientific activities at Imam Abdulrahman bin Faisal University.

This policy applies to the Imam Abdul Rahman bin Faisal University community and must be a condition of the following: (a) employment, (b) enrollment of students in the university, (c) the right to enter and join the university as well as the permission to do so by visitors, research colleagues, Consultants, researchers who may participate in research at Imam Abdulrahman bin Faisal University or use the resources and / or facilities of the University, ....etc

#### **1. Abbreviated names used (in the Arabic version)**

University: Imam Abdulrahman bin Faisal University

Policy: Intellectual Property Policy

#### **2. Definitions:**

**Imam Abdulrahman bin Faisal University community:** includes, but is not limited to, the faculty members of Imam Abdulrahman



bin Faisal University (or its centers and branches), those of similar rank, its employees, administrators, consultants and students (as well as the university alumni who conducted their research inside the university during their study). Moreover, other partners who may participate in Imam Abdulrahman bin Faisal University research and / or use Imam Abdulrahman bin Faisal University facilities or resources are included to the University community.

**Commercial Marketing:** Means any form of intellectual property exploitation, including assignment of intellectual property, licensing, internal exploitation within the university, and commercial marketing through any subsidiary institution.

**Confidential Information:** It includes information and disclosures about the intellectual property rights of Imam Abdulrahman bin Faisal University, legal documents, research results and commercial information belonging to the university that may have commercial or legal value when withheld in strict confidence.

**Development Expenses:** All of the university's petty expenses that it incurs for research (after registering a patent), evaluation, maintenance, commercial marketing, legal protection, and commercial marketing of the university's intellectual property, without being limited to any taxes, government fees, or financial procedures imposed by or against the university.

**Total Revenues:** All the money that Imam Abdulrahman bin Faisal University collects in exchange for selling, renting, transferring, referring to intellectual property and all license issuance fees, administrative fees, and capital shares paid to the university by the intellectual property licensee.

**Intellectual Property:** the moral rights or the actual embodiment



of any work or invention.

**Invention:** Includes any discovery, invention, process, method, formula, or substance, or technical knowledge, design, machine, software and computer tools, technological development, biological material, strain, plant, chemical substance, variety, cultivation of any living organism, or medical products such as medicinal drugs and devices, Technologies, tools, records, or research. Moreover, it includes any part, amendment, translation or extension of these elements.

**Standing Committee for Intellectual Property:** It is the Standing committee for intellectual property at Imam Abdulrahman bin Faisal University, formed by a decision of the university president. Head of the Intellectual Property Committee: Chair of the Standing Committee for Intellectual Property appointed by the President of the University is the Vice President for Innovation and Entrepreneurship.

**Patent and Technology Transfer Office:** The university's patent office is responsible for receiving requests for disclosure and information necessary to evaluate inventions submitted by inventors and present them to the appropriate patent offices, whether inside or outside the Kingdom of Saudi Arabia. The office is also responsible for marketing those inventions and granting licenses, etc.

**Transfer of Intellectual Property or Commercial Marketing:** Intellectual property can be exploited in a number of ways, for example: copyright arrangements (such as publishing contracts), patent licenses, software licenses, industrial designs rights, joint ventures and subsidiary companies.

**Net Revenue:** The amount of revenue after deducting



development expenditures.

**Inventor:** Is the inventor, creator, author or any other product of intellectual property – among members of the Imam Abdulrahman bin Faisal University community or whoever qualifies as an inventor or author under the laws of the country in which Imam Abdulrahman bin Faisal University applies for legal protection of intellectual property.

**Subsidiary Bodies:** means any entity established for the purpose of exploiting the intellectual property emanating from the university.

**University:** means the Imam Abdulrahman bin Faisal University referred to in this document.

**University Resources:** means any form of funds or facilities, including but not limited to: equipment, consumables, information, libraries, and human resources that Imam Abdulrahman bin Faisal University provides, whether directly or indirectly.

**Work:** includes any material protected by copyright, printing and publishing rights, such as publications, software, databases, audio-visual materials, circuit diagrams, technical data, engineering and architectural drawings, lectures, musical compositions, paintings, other artistic works, medical products such as Medical drugs, devices, technologies, tools, or computer applications.

### **3. Management policy**

#### **1.3 Senior Management Policy.**

##### **1.1.3 The University President assumes the supreme supervisory**



authority in all matters related to intellectual property.

**2.1.3** The Vice President for Innovation and Entrepreneurship is responsible for managing the University's intellectual property policy and all other matters related to intellectual property.

### **2.3 Standing Committee for Intellectual Property.**

Its main role is to properly manage intellectual property in accordance with the policy established by the University to facilitate its protection and commercial exploitation. Its membership includes members who have knowledge and experience in the field of intellectual property and who are familiar with intellectual property policies and laws locally and internationally, and who represent the various specialized tracks of the university. Each member of the Intellectual Property Committee must declare that his / her interests do not conflict with any of the decisions related to the commercial marketing of the product (s) arising from the intellectual property.

The committee is formed under the chairmanship of the Vice President for Innovation and Entrepreneurship by a decision of the President of the University. Members of the committees are appointed upon the nomination of the Chairman of the Committee for a period of two years.

The committee is responsible for performing the duties listed below:

- Seeking to protect intellectual property rights.
- Proposing amendments to the intellectual property policy.
- Provide explanations for this policy.
- Generating new financing support through the exploitation of intellectual property.
- Evaluating the different areas of intellectual property protection.



- Submitting annual report to the President of the University regarding the implementation of the intellectual property policy and making recommendations to better achieve the university's goals.
- Reviewing policy implementation guidelines and procedures.
- Facilitating assistance in all areas related to intellectual property.
- Ensuring compliance with the legal framework for intellectual property in the Kingdom of Saudi Arabia.

### **2- 3 Chairman of the Intellectual Property Committee**

Based on the recommendation of the Standing Committee for Intellectual Property, the Chairman of the Intellectual Property Committee is responsible for carrying out the following responsibilities, as they are within the scope of his duties:

- Supervising the implementation of the university's intellectual property policy.
- Supervising the mechanism and procedures for intellectual property applications that were disclosed at the university in coordination with the relevant authorities.
- Supervising the protection and commercialization of disclosed intellectual property.
- Providing appropriate recommendations for protecting the intellectual property that were disclosed to the Standing Committee on Intellectual Property.
- Coordination with the Scientific Council to ensure that the university adheres to intellectual property policies.
- Informing the university president about the total and net proceeds resulting from the university's intellectual property.
- Supervising the maintenance of adequate records of disclosed intellectual property and knowledge transfer agreement.



### 3.3 The Patent and Technology Transfer Office

This office is responsible for performing the duties listed below:

- Receiving requests for disclosure and information necessary to evaluate inventions (innovations) from inventors (inventors).
- Initial evaluation of the inventions submitted.
- Examining and reviewing patent applications and submitting periodic report to the Standing Committee for Intellectual Property on the office's achievements.
- Reviewing the validity of the research published annually by the university, the scientific dissertations, and the student projects to obtain a patent.
- Ensuring the availability of the necessary documents and whether laboratory results or specific designs are required, etc.
- Examining the possibility of granting patents with the assistance of the relevant advisory authorities.
- Submitting the inventions submitted according to the initial evaluation.
- Directing inventions according to a preliminary market study, (to be prepared by the office) and with the advice of the Intellectual Property Committee and its recommendations to determine the appropriate patent office for registering them according to the economic value of the invention.
- Maintaining complete records, within an automated information system, for the intellectual property that has been disclosed.
- Providing an information system to ensure the efficiency and effectiveness of administrative processes and make decisions related to that information and statistics, according to need.
- Striving to protect intellectual property in a manner consistent with the patent office in which the invention will be



registered, whether inside or outside the Kingdom.

- Follow up on all matters related to the definition of protection for intellectual property and follow-up procedures for registering the invention in the appropriate invention offices.
- Managing and facilitating commercial marketing of intellectual property with the help of local and international specialized partners in this field.
- Requesting legal aid when needed in matters that include, but are not limited to, commercial marketing and licensing procedures.
- Recommending the continuation or stopping the payment of fees for the maintenance of periodic inventions according to clear justifications and grounds, in consultation with specialists and submitting such recommendation to the authorized person.

#### **4. Legal Issues Related to Policy Implementation**

**1.4** Prior to any research activity, university staff and students (whether undergraduate or postgraduate students) must sign an agreement, binding them to the intellectual property policy. University faculty members who supervise research activities must also ensure that the aforementioned agreement is implemented before undertaking activities.

**2.4** The Standing Committee for Intellectual Property shall ensure that all potential inventors, in case they are not part of the university community, abide by the scope of this intellectual property policy during their enrollment in the university.

**3.4** The University has the right to take the necessary legal measures against any violation of the intellectual property policy



or any subsidiary agreement.

## **5. Ownership and Intellectual Property Rights**

### **1.5 Ownership of Imam Abdulrahman Bin Faisal University**

Unless there are other specific written agreements that are legally valid, prior to or contrary to what is stipulated in this policy, the university must be the sole and exclusive owner of all intellectual property that arose or produced by all members of the university community during their stay at the university. This ownership continues until upon the termination of their contract with the university, which is related to their academic activities, or their employment contract, or which arose under a contract between them and the university or between the university and a third party (third parties).

### **2.5 Assignment of Intellectual Property Rights to the University**

With reasonable reasons and a recommendation from the Standing Committee for Intellectual Property, the university may assign its intellectual property rights upon a decision from the university president or his delegate. The responsibility for considering any requests for transferring rights from the university to the inventor (inventors) or any third party, for example, shall be upon the recommendation of the Standing Committee on Intellectual Property. Then, the Standing Committee on Intellectual Property submits its reports rejecting or approving the application based on a case-by-case judgment. In the event that the university president (or whoever he delegates) agrees to do so, the inventor (inventors) will be notified in writing and he/they will have exclusive rights over the transferred intellectual property.

### **3.5 Assignment of Rights to a Third Party**



The university may, at any time, assign its rights to third parties - such as research sponsors, commercial marketing partners, or otherwise - upon the recommendation of the Standing Committee for Intellectual Property and with the approval of the University Council.

#### **4.5 Inventors Pursuing Research Activities in Other Institutions**

The inventor(s) or potential inventor(s) of the university community may be required to sign special agreements when visiting or pursuing research or study or in scientific communication or the researchers who have contracts with other institutions. Such agreements may affect the rights and policy of the university for intellectual property; therefore, an express written consent of the Intellectual Property Committee and the University President is required before signing any external document and agreements so as to preserve the university's rights. The inventor(s) has the right to sign the agreement if it has no effect on the intellectual property rights of the university that is governed by this policy, with the necessity of existence of an agreement signed by the scholarship holder prior to starting his scholarship so to preserve the university's rights, within the conditions and controls signed.

#### **5.5 Visiting Researchers**

The intellectual property that was created during the time at the university, a visiting inventor(s) or potential inventor(s) is required to transfer to the university. These individuals will be treated as if they were part of the university community, therefore they will be subject to this policy.

**6.5** The rights assigned to the original inventor (original inventors) are established, according to a case-by-case judgment, only by the Standing Committee for Intellectual Property as detailed in Article 5.



**7.5** The intellectual property rights are not due to the university: in cases where the intellectual property rights belong to the inventor

In all these cases, the intellectual property must be disclosed in accordance with Article No. (6) of this policy, and the burden of proof must be borne by the inventor.

**1.7.5** Any literary work, invention, or any other type of intellectual property that arose before joining the university.

**2.7.5** Intellectual property that has been created by members of the university community in their personal time without using the university's resources, provided that such intellectual property is outside the scope of their research fields and outside the scope of their contract with the university.

**2.7.5** Intellectual property created by the student, provided that it has not been developed in cooperation with other non-student members of the university community, or governed by a third-party agreement, or has been developed through the use of the university's resources and facilities, other than those incidental resources generally available for all members of the Imam Abdulrahman bin Faisal University community.

## **6. Copyright Policy**

**1.6 Student Work:** The work carried out by students as a part of an academic project at the university or carried out in cooperation with members of the university's non-student community.

**2.6 Assigned Works and Publications:** The university may involve



faculty members or employees in writing publications or works as part of their professional duties. The inventor's academic workload will be reassessed to ensure time is available for such tasks, or to reward them for their efforts.

The university will own all of these materials and it might offer the relevant licenses and facilities upon request, unless the Standing Committee for Intellectual Property agrees otherwise in advance.

**3.6 Copyright Notice:** All published works owned by the University must contain a copyright notice fixed and put in accordance with the Kingdom of Saudi Arabia's copyright law. The materials that are owned by the university must include the notice (symbol): Imam Abdulrahman bin Faisal University© (publication year). No other department, research center, or other university unit may be included in the copyright notice.

## **7. Confidentiality**

**7.1** The confidentiality of information must be maintained to the extent necessary for the efficient and smooth running of business. Only third-party confidential information should be disclosed under a non-disclosure agreement.

Confidential information must be disclosed to the third party only according to a non-disclosure agreement signed by the relevant parties, and the university community must adhere to the following procedures when dealing with confidential information.

It is expected from the relevant parties, and the university community must adhere to the following procedures when dealing with confidential information.

**7.2** Dealing with ongoing research, unpublished research results,



and proprietary information received from a third party shall be with caution, with due consideration being given to the possibility of registering the invention.

**7.3** The information that the university receives from a third party shall not be disclosed under the confidentiality agreement except to people who need to know this information within the university.

**7.4** When an infringement is detected on the university's intellectual property rights, it is then prohibited to publish any research results that may lead to the loss of intellectual property unless the Chairman of the Intellectual Property Committee (or whomever he delegates) explicitly issues a written permission to do so.) (As stated in Article 6).

## **8. Disclosure of Intellectual Property**

The potential inventor(s) must:

**8.1** Disclosure of all intellectual property rights owned by members of the university community to the Office of Patent and Technology Transfer, which in turn sends a confidential disclosure form attached to it with all the necessary documents on intellectual property and notifies the Standing Committee for Intellectual Property of that.

**8.2** Disclose all intellectual property rights that they think may be exploitable as soon as they become aware of them.

**8.3** When the inventor(s) has intellectual property and believes it is exploitable, he (they) must:

**8.3.1** Inform the Patent and Technology Transfer Office of its



existence before disclosing any invention to a third party.

**8.3.2** Refrain from public disclosure of research results prior to consideration of intellectual property protection in eligibility for protection by the patent office. In the event that the inventor(s) wishes to publish for acceptable reasons, the Patent and Technology Transfer Office shall ensure that intellectual property protection is considered immediately, and in the event of a desire to protect the patent, a request for obtaining patent must be submitted so that the inventor can publish without unjustified delay.

**8.3.3** Complete the Intellectual Property Disclosure Form along with all the necessary documents attached to it, and then submit it to the Patent and Technology Transfer Office.

**8.3.4** Take all the necessary actions at all times to maintain the confidentiality of any intellectual property that can be exploited, and never do anything that would prejudice the right to request registered protection.

**8.3.5** In the event that the intellectual property is not fully disclosed, the form may be resubmitted to the inventor to request additional information. The Disclosure Date will be the date on which the Patent and Technology Transfer Office receives the full disclosure, which in turn must record all relevant information.

**8.3.6** The inventor must assist the university in applying for and following up on any registered intellectual property, based on the university's request and at its expense.

**8.3.7** Edit all documents and perform all procedures that may be necessary to obtain approval to grant such requests for



intellectual property rights and to obtain them.

**8.3.8** Refrain from disclosing any confidential information related to intellectual property or discussing it with a third party, until authorized by the head of the Intellectual Property Committee in writing and concluding a non-disclosure agreement with this third party.

**8.3.9** The inventor receives a lump sum amount for each successfully registered patent.

**8.3.10** The calculation of the patent is considered among the points of promotion for a faculty member based on the policies of the Scientific Council.

## **9. Processing the Intellectual Property Disclosure Form**

**9.1** Disclosure on intellectual property should be submitted to the Patent and Technology Transfer Office, which in turn submits it to the relevant authorities for patent registration.

**9.2** The University's Patent and Technology Transfer Office receives applications from the applicant and other interested parties, and coordinates and liaises with them regarding the disclosure and protection of intellectual property and evaluates the possibilities of making profits from its marketing.

**9.3** The Patent and Technology Transfer Office reviews intellectual property disclosures and all detailed information on the invention, and the patent office recommends whether the university should seek to protect the disclosed intellectual property by granting patents or other means.

**9.4** If the university decides, based on the recommendation of



the Standing Committee for Intellectual Property, not to protect the disclosed intellectual property, the inventor(s) must be informed of the decision in writing within 30 days, according to the university's discretion alone. The Intellectual property shall be limited to the university unless it is waived in accordance with Article 25- of this policy.

**9.5** The Patent and Technology Transfer Office shall manage and administer the marketing the disclosed intellectual property. The inventors also have to provide reasonable support for the marketing activities.

## **10. Intellectual Property Transactions and Their Revenues:**

**10.1** The Chairman of the Intellectual Property Committee shall be responsible for protecting, managing and marketing the university's intellectual property, with the support of specialists from the university and / or outside it, in order to achieve meaningful results. The university launches the process of obtaining legal protection and proceeds with due diligence to protect and commercialize inventions.

**10.2** The Chairman of the Standing Committee on Intellectual Property (or whoever he delegates) represents in negotiations related to intellectual property and is responsible for protecting the university's interests in these transactions.

**10.3** The intellectual property agreements are concluded upon the recommendation of the Standing Committee for Intellectual Property, and they are reviewed by the university's competent specialized advisor and legal advisor.



**10.4** It is not permissible for anyone other than the University President or the Vice-President for Innovation and Entrepreneurship, to have the authority, with respect to intellectual property agreements, to represent the university or use the university's name or logo in intellectual property without obtaining prior written consent.

**10.5** The scope of intellectual property protection is subject to the sole discretion of the university, however recommendations may be requested from the inventor(s), and from the Standing Committee on Intellectual Property.

The inventors should provide the necessary support to the university so as to ensure the protection of intellectual property. The University rewards the inventor for his efforts as determined by the Standing Committee for Intellectual Property.

## **11. Marketing of Intellectual Property**

**11.1** The Patent and Technology Transfer Office and the inventor(s) should jointly develop an appropriate marketing strategy. This strategy defines the tasks of each party involved in the marketing process and sets deadlines for specific actions.

**11.2** The Patent and Technology Transfer Office is responsible for implementing the marketing plan and should make specific proposals.

**11.3** The University Vice President for Innovation and Entrepreneurship may make business decisions, such as those relating to the terms of the assignment / licensing agreement or the establishment of a separate company, on case-by-case basis.

**11.4** The complete description of the Intellectual property should



be disclosed to third parties during the evaluation and marketing period, through following all confidentiality conditions stated in Article 7.

## **12. Revenue Sharing**

This policy aims to encourage the participation of inventors in technology transfer and commercialization of intellectual property. Incentives are provided to inventors by sharing with them any revenue generated from marketing intellectual property. Revenue sharing depends on the party which gained the marketing opportunity. The inventor also receives a portion of the net revenues according to the following:

**12.1** In the event that the returns, to property rights resulting from the their exploitation by the university and / or the inventor after the marketing efforts, made a commercial opportunity, the proceeds are distributed provided that the inventor receives a percentage of not less than 25% of the net revenues. And the Standing Committee for Intellectual Property may recommend adjustment of this percentage according to Investment opportunities and efforts made by the relevant parties.

**12.2** The inventors' revenues are calculated on a cumulative basis, and the university should deal with the inventors (if there are multiple) as one group. Inventors are responsible for sharing their net revenues reported in this Article.

**12.3** In the event that a separate company is established, an agreement must be concluded between the university and the inventor(s) regarding their proportions of the share. The terms of the agreement are determined on a case-by-case basis, following the direct or indirect contribution of the inventor(s), the



university, or any third party to the exploitation of intellectual property.

The Standing Committee for Intellectual Property takes the decision regarding the establishment of the separate company, and it should be approved by the university president or his designee.

**12.4** This policy acknowledges that the university may participate in different types of partnerships, different funding arrangements, and different types of cooperation agreements. Therefore, it is possible for the University's Vice President for Innovation and Entrepreneurship to negotiate and approve revenue sharing agreements on a case-by-case basis, using the primary revenue sharing model for this policy as a guide.

**12.5** In the event that the invention is shared between the university and other parties, an agreement should be reached between all parties through an agreement prepared by the university's legal department for this purpose.

### **13. Payment Terms**

**13.1** The amounts paid to the inventor are subject to all laws in force in the Kingdom of Saudi Arabia and agreements concluded with other parties.

**13.2** The amounts are usually paid once a year at the end of the budget cycle. These payments are not considered part of an individual's salary.

**13.3** The person receiving these amounts is solely responsible for compliance with all tax laws and any obligation under these laws.

**13.4** In the case of retirement of the Payee, the payments must



continue as specified in this Policy.

**13.5** Payments made to a retired beneficiary or beneficiary whose contract was terminated shall stop in the following fiscal year after accepting full-time work outside the university.

**13.6** In the event of the death of the beneficiary, these payments shall continue to the beneficiary, to the extent permitted under the laws of the Kingdom of Saudi Arabia.

#### **14 Disputes and Appeals:**

**14.1** If the inventor has an objection to the university's ownership of intellectual property or to other interpretations of this policy, he may submit a written complaint to the Chairman of the Intellectual Property Committee, attached with information and documents that help solving the problem fairly.

**14.2** All documents submitted by the Chairman of the Committee shall be referred to the Standing Committee on Intellectual Property.

**14.3** The Standing Committee on Intellectual Property appoints a committee to investigate the matter of the complaint within one month from receiving it. All documents submitted to this committee shall be referred to the Chairman of the Standing Committee for Intellectual Property. The committee may seek the assistance of external consultants and / or arbitrators in order to achieve justice and fairness.

**14.4** The consideration committee shall meet within 30 calendar days (except for the days of the summer semester) after receiving the appeal to consider all the submitted materials and make



recommendations to the Chairman of the Standing Committee for Intellectual Property.

**14.5** The Standing Committee on Intellectual Property takes the final decision on this matter, and this decision should be communicated in writing to the support provider no later than 60 calendar days (excluding summer semester days) after the appeal is lodged.

## **15. Exceptions and Modifications**

**15.1 Exceptions:** For individual cases, the University Vice President for Innovation and Entrepreneurship may, with the approval of the University President, make exceptions to this policy, if this is fair and just for the community of Imam Abdulrahman bin Faisal University or if it is of strategic importance to the University. The University Council shall be informed of these exceptions.

**15.2 Amendments:** This policy can be amended based on the recommendations of the Standing Committee for Intellectual Property and with the approval of the University Council.



