

Costa Rica Technological Institute Institutional Guidelines on Intellectual Property

1. The protection of intellectual property rights must comply with the Objectives and Principles of the Institute and the following principles:
 - i. Protection of rights arising from intellectual activities.
 - ii. Regulate and protect the ownership of research, extension results or those of any other type that qualify as intellectual property.
 - iii. Foster the creation and dissemination of knowledge.
 - iv. Foster a culture for the protection of intellectual property rights within the Institution.
 - v. Promote the commercial sale of intellectual property copyrights produced within the Institution.
 - vi. Encourage, through the protection intellectual property, the production of results from academic activities that contribute to the development of the country.
 - vii. Contribute to the projection of the Institution on a national and international scale.
2. The results arising from the academic activity of the Institution will be protected by means of intellectual property copyrights, such as the rights of authors and similar rights, patents, industrial models, confidentiality agreements, trademarks and more, when pertinent, timely and necessary to achieve appropriate use of the latter as a function of the public good.
3. ITCR will be the owner of the industrial property copyrights for results arising from academic activities, while the inventors retain the right to being recognized as such and to financial compensation for the commercial sale of their invention.
4. With regard to creations concerning authors' rights, ITCR will retain the patrimonial rights.
5. For work developed by students of the Institution, either from practical specialization work, graduation projects or projects for a course that derive intellectual property rights, the ownership of those rights shall be held by the students, with the exception of those involving contractual conditions with the Institution or with companies, as well as those projects that have been duly registered with the Vice Rector for Research and Extension (VIE in Spanish), which will be governed by the pertinent Agreement or contract.
6. When the activity involves mixed financing or total financing by private or public external organizations (research grants), the ownership of the intellectual property rights will belong to the institution, except when there is a prior written agreement with said organization.
7. VIE will have the responsibility, with the support of the Legal Department, of providing advisory services in the field of intellectual property.

8. VIE, at the request of the school, will evaluate the need for protecting the intellectual property rights of its employees and students based on an analysis of the patentability, opportunity, pertinence and financial potential.
9. VIE will be responsible for negotiating, in line with the criteria of the inventors and authors, the terms of the licensing, transfer and confidentiality agreements with third parties.
10. VIE will have the responsibility of monitoring intellectual property copyrights and the contracts derived from them and making pertinent recommendations in that regard.

Approved at Institutional Council Meeting No. 2477, held on August 24, 2006