



AI-99011/1/2023-MED-DBT-Part(3)

Dated: 22.01.2025

## OFFICE MEMORANDUM

### **Sub: Operational Guidelines for Implementing Scientific Entrepreneurship and Research Commercialization at iBRIC**

The Department of Biotechnology hereby notifies the Operational Guidelines for Implementing Scientific Entrepreneurship and Research Commercialization at iBRIC. The guidelines are appended to this OM. The operational guidelines includes details on process for approvals, time that can be spent by a Scientist wishing to avail the provisions of the Scheme while in employment at iBRIC and revenue sharing provisions amongst other things. The detailed deliberations carried out for drafting these guidelines is annexed.

2. The guidelines have been approved by the Governing Body of BRIC in the meeting held on 18<sup>th</sup> November, 2024 at New Delhi.

3. This has the approval of Hon'ble Minister of State (IC) of the Ministry of Science and Technology; President, BRIC Society.

(Dr. Kalaivani Ganesan)

Scientist 'F', DBT

Ph. No. 011- 24365321

Copy to:-

1. PSO to SBT
2. PPS to AS&FA
3. Sr. PPS to Scientist-H (AS)
4. PPS to JS (A)
5. All Nodal Officers of iBRIC
6. All the concerned Directors/Executive Directors of iBRIC



**BIOTECHNOLOGY RESEARCH AND INNOVATION COUNCIL (BRIC)**  
A DEPARTMENT OF BIOTECHNOLOGY ORGANIZATION

**OPERATIONAL GUIDELINES FOR  
IMPLEMENTING SCIENTIFIC  
ENTREPRENEURSHIP AND RESEARCH  
COMMERCIALIZATION AT iBRIC**

**December 2024**

## **1. Preamble**

The Department of Biotechnology (DBT) has recently created one Autonomous Body, BRIC (Biotechnology Research and Innovation Council) subsuming the governance of 13 elite autonomous research institutions while retaining their distinct research identities and local autonomy for maximizing biotech research impact. Towards this, BRIC aims to facilitate academic research translation. Therefore, these guidelines are notified for promoting translation and commercialization of research from institutions of BRIC (iBRIC) as well as scientific entrepreneurship amongst the iBRIC faculty.

The ethos is to encourage and promote Scientists having original research ideas to further translate and take it towards commercialization by turning into entrepreneurship while ensuring that their commitments and responsibilities for the institutions are fulfilled.

## **2. Background**

The Department of Scientific and Industrial Research (DSIR), Ministry of Science and Technology have, conveyed the approval of Government of India (GoI) to the proposal of DSIR on the subject 'Encouraging Development and Commercialization of Inventions and Innovations: A New Impetus'. The proposal as approved by Government of India (available online at <http://www.dsir.gov.in>), inter alia, is applicable to Department of Biotechnology (DBT) and the autonomous institutions under DBT. Accordingly, DBT, vide OM no. BT/NBDB/13/01/2018 dated October 26, 2018 has notified the Revised Rules and Regulations for 'Encouraging Development and Commercialization of Inventions and Innovations.' The Scheme as approved by GoI permits:

- i. Researchers to have an equity stake in a Scientific Enterprise or create a spinoff while still in professional employment with their 'Scientific Establishment';
- ii. 'Scientific Establishments' to invest knowledge base as equity in a Scientific Enterprise;
- iii. 'Scientific Establishments' to set up incubation centers; and
- iv. Facilitating the mobility of researchers between Industry and Scientific Establishment.

Biotechnology Research and Innovation Council (BRIC) based on the Rules and Regulations notified by DBT has framed the operational guidelines detailing the responsibilities and approval processes for availing the various provisions of the Scheme.

### **3. Definitions**

3.1 "Scientific Establishment" or "Institute" means the 'institutions of BRIC (iBRIC)'.

3.2 "Scientist" means Scientists and engineers in scientific cadre as well as academic staff such as Distinguished Professors, Senior Professors, Investigators, Associate Investigators, Assistant Investigators, Senior Fellows and those with other designations in the scientific and academic groups, in professional employment with iBRIC.

3.3 "Knowledge Base" means all inventions/innovations (whether patentable or not), invention and innovation disclosures, trade secrets, know-how, proprietary information, technical data documentation, data collections, databases, concepts, processes, developed software, original design drawings, original materials, research resources, support services and the like, whether or not the foregoing are in tangible or intangible form, developed at or existing in iBRIC.

3.4 "Entity" means a company or any Special Purpose Vehicle created to commercialize, spinoff or develop further the Knowledge Base towards commercialization.

3.5 "Scientific Enterprise" means a special class of new "Entity" that leverage scientific research, inventions and innovations and transform them into commercializable technologies/products.

3.6 "Approving Authority" and "Competent Authority" mean the Director of iBRIC, unless otherwise defined separately, who Shall have the authority to approve and accord permissions or reject an application made under these Rules.

3.7 "Rules" and "Rules and Regulations", as the context requires, mean the "Rules and Regulation for Encouraging Development and Commercialization of Inventions and Innovations"

#### **Note:**

- i. Definitions in singular form shall also denote the plural form thereof and vice versa.

- ii. Terms that appear in lower case shall have the same meaning as defined in upper case in these definitions.
- iii. Any word depicting masculine gender will also mean its feminine counterpart.

## **Operational Guidelines for Implementation of the Scheme**

### **4. Scientists to have an equity stake in a Scientific Enterprise/spinoff while in professional employment at iBRIC**

#### **4.1 Preamble**

The Institute encourages Scientists to translate their Knowledge Base into products and processes in order to effectively impact society as well as create commercial value. The Institute considers this as an important activity to provide returns on investment of public funding received by the Institute. The following has been framed with these objectives in view.

#### **4.2 Eligibility**

The Scheme is applicable for all permanently employed Scientists of iBRIC.

#### **4.3 Procedure**

- (i) The Institute shall notify the Institutional Steering Committee for handling requests from Scientists of the Institute seeking permission to have an equity stake or create a spin off in a Scientific Enterprise.
- (ii) Any eligible Scientist of the Institute desiring permission shall apply to the Institutional Steering Committee under sub clause (i) herein above, in prescribed form (Form-1) seeking permission to have an equity stake in a Scientific Enterprise or create a spin off.
- (iii) In the event of more than one eligible Scientist of the Institute collectively investing in the Scientific Enterprise taking equity, each one of these Scientists will have to apply separately to seek permission to have a stake in the Scientific Enterprise.
- (iv) In the event of more than one Scientist belong to different Scientific Establishments collectively investing in the Entity, each one of the Scientists will have to seek permission to have a stake in the Entity from their respective Scientific Establishments.

- (v) The Institutional Steering Committee may make recommendations considering, whether proper process was followed and the invention disclosure has been filed.
- (vi) If the invention disclosure has been filed and either a patent has been obtained or, after initial review, the Institutional Steering Committee recommends that there is novel intellectual property that can be monetized, then due processes will be deemed to have been followed.
- (vii) While seeking permission from institute to establish an Entity/Scientific Enterprise, iBRIC Scientists will provide
  - a. details of knowledge base and/or intellectual property generated solely at institute or in collaboration with other parties,
  - b. a tentative business plan of the Entity/Scientific Enterprise,
  - c. details of the promoters of the Entity and,
  - d. details of the Board of Directors.
- (viii) Where the Institute has exclusive ownership of the Knowledge Base, due process will be deemed to have been followed. If not, the Institute and all the other owners of the Knowledge Base shall agree, in writing, to provide exclusive right for the specific purpose (exclusive in all domains/exclusive to a particular vertical/exclusive to a particular geographical area) to the Entity and when evidence to that effect is available, due process will be deemed to have been followed.
- (ix) The Institutional Steering Committee will decide if there is any conflict of interest between other institutional responsibilities of the Scientist(s) and the Scientific Enterprise. If there are conflicts of interest these will be resolved based on the submission of the "Conflict of Interest Disclosure" form reviewed by the Director of respective iBRIC. The Competent Authority may recommend resolution of the conflict of interest before providing approval for the Scientist(s) to either create a spinoff or take equity in a Scientific Enterprise that possesses license for the Knowledge Base. The approval communicated to the Scientists(s) in such cases must specifically indicate the extant instructions of the Institute to avoid anticipated conflict of interest in the form of dos and don'ts.
- (x) The recommendation of Institutional Steering Committee under sub clause (i) herein above to the Director in respect of the applicant Scientist(s) shall be independent of any possible negotiation by the Institute for benefit-sharing for the Knowledge Base generated in the institute, and it shall have no bearing on the application of the Scientist(s).

- (xi) If the Scientist has requested taking equity stake in a Scientific Enterprise that does not require license for the Knowledge Base from the Institute only sub section (viii) herein above need to be followed. This will not be considered a spinoff, but would be considered as a request for equity in exchange for "know-how or other forms of Knowledge Base other than a patent". In these cases, the designated authority (Institutional Steering Committee) may recommend to the Competent Authority that either royalty or other forms of compensation may be provided (if warranted) to the Institute for sharing the "non-patentable" Knowledge Base.
- (xii) If the Director is himself/herself the Scientist seeking to create a spinoff or take equity, approval must be obtained from DG, BRIC.
- (xiii) The percentage of equity to be taken by a Scientist in a Scientific Enterprise will not be the prerogative of the Institute, but will be governed by the rules of the concerned Scientific Enterprise and the Registrar of Companies.

#### **4.4 Competent authority for approvals**

The Approving Authority shall be Director of respective iBRIC except in cases where he/she, himself/herself is a party. In such cases the Chairperson of Governing Body will be the Approving Authority.

#### **4.5 Exemptions from operation of CCS (Conduct) Rules 1964 and other relevant Rules**

Government has exempted Scientists of the Scientific Establishment from the provision of CCS (Conduct) Rules 1964 such as rule 15 (relating to private trade and employment), rule 16 (relating to investments, lending and borrowing), rule 18 (relating to movable, immovable property) and relevant provisions of the Fundamental Rules and other related rules for the limited purpose of implementing these Rules and Regulations. However, only those Scientists will be exempted from CCS (Conduct) Rules 1964, who are permitted to have equity stake in a Scientific Enterprise by the Competent Authority as prescribed above. Remaining Scientists will continue to be governed by the CCS (Conduct) Rules 1964.

#### **4.6 Competent authority for granting exemptions from operation of CCS (Conduct) Rules 1964 and other relevant Rules**

Director of respective iBRIC will be the Competent Authority for granting exemptions from operation of CCS (Conduct) Rules 1964 and/or any other relevant Rules.

#### **4.7 Responsibilities**

##### **4.7.1 iBRIC Scientist responsibilities**

- (i) iBRIC Scientists may provide professional advice to an Entity/Scientific Enterprise, upon request from Entity/Scientific Enterprise.
- (ii) iBRIC Scientist wishing to retain employment with the institution, should be associated with the Entity/Scientific Enterprise as non-executive Director, with due approval.
  - a) the total time commitment of iBRIC Scientist for external professional activities must not exceed 20% of her/his time spent on iBRIC duties. Exceptions to this must be discussed and agreed by the Director.
  - b) the total 20% of time commitment for external professional activities include, association with the Entity/Scientific Enterprise that was created from knowledge base generated at iBRIC, and either in advisory or consultancy role in any other existing Entity which was not created from knowledge base generated at iBRIC.
- (iii) If iBRIC Scientist wishes to associate with the Entity/Scientific Enterprise that was created from knowledge base of the institute full time and guide the activities in the initial phase, s/he has to take lien from the institute. Such lien can be taken for a maximum period of 3 years; in such situations.
  - a) if iBRIC Scientist had completed 5 years of service at the institute, lien period may be counted towards the sabbatical period that may be availed by the Scientist, but without financial burden on iBRIC.
  - b) if an iBRIC Scientist had not completed 5 years of service at the institute, her/his tenure review process shall not be extended due to lien period.
  - c) the lien period shall be treated not only as a period of duty but also be counted for future benefits and assessments. Nonetheless the rigour of evaluation for professional advancement shall not be diluted.
- (iv) iBRIC Scientist shall, in the event of Entity/Scientific Enterprise's merger with another unit or acquiring another unit or coming out with an Initial Public Offering (IPO) or disinvesting her/his share in the Entity, inform the institute of the same.

#### **4.7.2 Entity/Scientific Enterprise/Spin-off responsibilities**

A Scientific Enterprise

- (i) should not be construed as an agent or representative or part of iBRIC. Scientific Enterprise is solely responsible for the activities undertaken by the Entity/Scientific Enterprise and for any liabilities that may arise from the activities of the Entity;



- (ii) can utilize the resources of iBRIC (the term 'resources' shall be broadly construed widely and include, without limitation, laboratories, equipment, personnel and space) with prior approval in writing and on such terms and conditions as iBRIC may prescribe;
- (iii) shall, subject to the existing rights or licenses, have the option to license knowledge base from iBRIC by paying royalty (upfront or staggered with milestones or a combination of both);
- (iv) shall continue to be liable to iBRIC for payment of royalty even if the Scientist concerned disinvests her/his stake in the Entity/Scientific Enterprise;
- (v) can source the knowledge base from anywhere in India or Abroad; for the Scientist to take equity stake the knowledge base need not be from iBRIC.

#### **4.7.3 iBRIC responsibilities**

- (i) iBRIC notwithstanding anything contrary contained in any other rule, order or notification but subject to the provisions of this scheme, shall permit a Scientist to have any equity stake in Scientific Enterprise;
- (ii) iBRIC shall license knowledge base to the Entity/Scientific Enterprise on terms that are no worse than the terms on which iBRIC would have licensed the knowledge base to another person on arms-length basis;
- (iii) iBRIC in its discretion may take equity stake in the Entity/Scientific Establishment in lieu of royalty;
- (iv) iBRIC if decides to disinvest the equity, it will be first offered to the promoters of the Entity/Scientific Enterprise;
- (v) if iBRIC acquires equity, it can offer its equity to be placed under the IPO, in the event the Entity/Scientific Enterprise decides to go public with an IPO offer.

### **5. Enabling iBRIC to invest knowledge base as equity in a company/entity**

#### **5.1 Preamble**

One of the ways to ease the burden of initial investment of a Scientific Enterprise is to offer the Knowledge Base of iBRIC in exchange for equity in the Scientific Enterprise. Recognizing the intangible benefits, the Government has permitted Scientific Enterprises such as iBRIC to invest their Knowledge Base and/or the cost of support services as equity in a company/Entity.

## **5.2 Eligibility**

The Scheme to invest Knowledge Base as equity is applicable for iBRIC

## **5.3 Procedure**

- (i) The Institutional Steering Committee will evaluate the need and the value of the Knowledge Base/support services, the need for taking equity and determine the valuation of the equity by negotiating with the Scientific Enterprise that wants to part with its equity in exchange for of the Knowledge Base/support service;
- (ii) Any Scientific Enterprise desiring to utilize the Knowledge Base and/or support services of iBRIC shall apply to the Institutional Steering Committee for the purpose, in the prescribed form (Form-2) seeking permission for equity participation in lieu of the cost of Knowledge Base and/or support services. On receipt of such application, iBRIC may have option to seek equity in cases of:
  - a) Scientist(s) of iBRIC continuing to contribute non-IP protected know-how knowledge to the Scientific Enterprise while still in iBRIC employment, if the Scientific Enterprise is less than three years old;
  - b) if the Company/Entity seeks services provided by iBRIC, if the company is a startup company and has no revenue streams;
  - c) if the Company/Entity seeks to license an IP and in exchange of milestone based payments chooses to provide equity in the Company/Entity.
- (iii) The Institutional Steering Committee shall examine each application in accordance with the procedures established by it and make an appropriate recommendation to the Director. While submitting its recommendation, the Institutional Steering Committee shall also reflect on the knowledge base from Security and Sensitivity angle and may not recommend the case for approval in case any possibility of compromise of security/sensitivity;
- (iv) On receipt of the recommendation of the Institutional Steering Committee, the Director shall exercise his/her judgment to either approve or reject the application. In case of approval, a legal agreement shall be entered into between iBRIC and the company/Entity for equity incorporating all the relevant clauses of the approval.

## **5.4 Competent authority for approvals**

- (i) The Competent authority for approvals for the institute shall be the Director, iBRIC;

- (ii) The approval shall specifically state the quantum of the equity for the knowledge base and/or support services. It would also specify the type of support services it shall provide and for how long;
- (iii) The Competent authority may reject an application if the Knowledge Base impinges on the security of the nation or has any aspect of a sensitive nature detrimental to the institute, society, or the nation.

## **5.5 Responsibilities**

### **5.5.1 iBRIC responsibilities**

- (i) Institutional Steering Committee shall finalize the terms & conditions for knowledge base and/or support services to be invested as equity in the Company/Entity taking into consideration the overall investment and efforts required in translating such knowledge base into commercializable product/process by the company/Entity;
- (ii) iBRIC shall only invest knowledge base and/or support services as equity and under no circumstances can invest cash for equity in the Company/Entity;
- (iii) if iBRIC owns equity, iBRIC shall have a right to nominate its representative as independent Director on the Board of Directors of the Company/Entity;
- (iv) iBRIC shall not take the management of such Company/Entity in hand. Management of such Companies/Entities shall vest in the promoters or next majority stakeholder;
- (v) iBRIC shall not involve directly or indirectly any Scientist, who has taken an equity stake in the Company/Entity in any process that pertain:
  - a) to license knowledge base to the Company/Entity
  - b) to the purchase or hiring of goods and services from the Company/Entity
- (vi) upon request from the Company/Entity, iBRIC may provide technical personnel/professionals under the mobility scheme (section 7.3), on such terms and conditions as the iBRIC may prescribe;
- (vii) iBRIC shall divest their equity, at an appropriate opportunity on their discretion, as per the Financial norms; in such an event the Company/Entity shall be given the first right to buy back the equity, without compromising on financial returns. However, iBRIC shall reserve the right to decide about its equity stake as it deems appropriate, in the event of the Company's/Entity's merger with another unit or acquiring another unit or coming out with an Initial Public Offering (IPO);

- (viii) iBRIC shall plough back its share of dividend received from the income of such Companies/Entities as well as the amount received due to divestiture of equity stake in furthering its research objectives.

### **5.5.2 The Company/Entity/Scientific Enterprise responsibilities**

- (i) the Company/Entity shall not view iBRIC as a promoter of the Company/Entity and it shall be viewed only as an investor;
- (ii) the Company/Entity shall not use the name of iBRIC without its expressed written permission;
- (iii) the Company/Entity shall permit iBRIC to nominate a person on the Board of Directors if iBRIC owns equity in the Company/Entity.

## **6. Setting up of Technology Incubation Centres (TIC) by iBRIC**

### **6.1 Preamble**

Nurturing early stage innovation and developing them into technologies is a measure of the strength of the National Innovation System (NIS). The concept of Technology Incubation Centre (TIC) has served well in moving innovations to market place thus limiting the initial capital investments by the entrepreneur. Recognizing the fact, Government has approved setting up TICs by various institutes/scientific establishments. These multipurpose TICs, aim to provide high quality infrastructure and ecosystem to entrepreneurs so as to help nurture start-up Companies/Entities through appropriate hand holding mechanisms.

### **6.2 Objectives**

- (i) to accelerate the commercialization of new inventions and innovations;
- (ii) to nucleate, nurture and mentor new Entities/Scientific Enterprises, mainly in the area of biotechnology;
- (iii) to assist new Entities/Scientific Enterprises to forge appropriate linkages with other companies, academia and government;
- (iv) to encourage technological innovation and entrepreneurship in the country.

### **6.3 Scope**

TICs established by iBRIC shall facilitate setting up Entity/Scientific Enterprise that

- a) translate inventions and innovations into products/processes, and
- b) provide R&D services on contract basis to national and international clients

#### **6.4 Eligibility**

iBRIC is eligible to set up Technology Incubation Centre under this scheme.

#### **6.5 Procedure**

If iBRIC is wishing to set up a TIC, it shall prepare a comprehensive report and seek the approval of BRIC Governing Body. The comprehensive report among others shall include objectives, scope, R&D capacity and major facilities of iBRIC, IP portfolio, SWOT analysis, proposed operations of TIC, management of TIC and financial analysis.

#### **6.6 Operation of TIC and Management of TIC**

TIC to be set-up in a hub & spoke model culminating the strengths of the existing incubation centres and managed at the iBRIC adopting best practices.

### **7. Facilitating mobility of researchers between Industry and iBRIC and vice versa**

#### **7.1 Preamble**

Building newer skills, competencies and capabilities in Scientists is a continuous endeavour of all Scientific Establishments. One of the effective ways of building such skills is 'mobility' of researchers from one organization to another. Temporary movement of Scientists/Engineers from one Scientific Establishment to another and to Industry and vice versa is termed as 'mobility' of researchers. Mobility helps in seamless transfer of knowledge, skills and competencies across the spectrum. For example, Scientists working in iBRIC might acquire entrepreneurial skills with the exposure to industrial working environment; similarly, shortage of competent manpower may be eased in newer institutes temporarily. These provisions will cover personnel engaged in research, teaching, R&D activities including further development of innovation and inventions, as well as associated functions such as technology dissemination & diffusion, business development, knowledge management, technology & IP management, quality assurance etc.

## **7.2 Eligibility**

The scheme for facilitating mobility of researchers between iBRIC and Industry and vice versa shall be applicable to all permanently employed Scientists in the scientific cadre of iBRIC who have at least 2 years of residual service after completion of the mobility period. Director will not be eligible for this scheme.

## **7.3 Procedure**

- (i) iBRIC shall notify Institutional Steering Committee for handling requests from Scientists/engineers seeking permission under the provision;
- (ii) Any eligible Scientist who desires permission under the provision shall apply to the notified authority in the prescribed form (Form-3);
- (iii) Institutional Steering Committee shall examine each application in accordance with the procedures established by it and make an appropriate recommendation to the Approving Authority;
- (iv) The approval shall specifically state the period for which the Scientist is being permitted to avail the mobility provision;
- (v) Mobility shall be permitted only within the country;

## **7.4 Competent authority for approvals**

The Approving Authority shall be the Director, iBRIC;

## **7.5 Operative provisions**

- (i) The mobility of Scientists/engineers may be permitted between iBRIC, industry and approved Scientific and Industrial Research Organizations (SIROs) recognized by the Department of Scientific and Industrial Research;
- (ii) In utilizing the provision, two scenarios are envisaged viz.
  - a) mobility into iBRIC from industry and
  - b) mobility out of iBRIC to industry. Both the scenarios are permissible;
- (iii) An iBRIC Scientist seeking mobility out of institute within five years of appointment at iBRIC, may move to Company/Scientific Enterprise, which was formed based on the knowledge base generated at iBRIC;
- (iv) The provision of mobility can be permitted for research, teaching, R&D activities including further development of innovation and inventions as well as associated

functions such as technology dissemination & diffusion, business development, knowledge management, technology & IP management, quality assurance, etc.;

- (v) The objective of the mobility must be clearly defined;
- (vi) Not more than 20% of the eligible staff of the iBRIC may be permitted to avail the provision at any given time. The host institute may engage temporary staff, if necessary, during the period for sustaining the activities;
- (vii) Eligible staff member may utilize not more than 15% of her/his total service period during their career on mobility. This could be in small tranches subject to a minimum period of two months or at a stretch not exceeding two years;
- (viii) The permitted iBRIC Scientist shall be considered to be on sabbatical with provisions and benefits, if any, as appropriate, Accepting organization shall provide dislocation allowance of a minimum of 20% of their basic salary in addition to TA/DA;
- (ix) The industry Scientist who is availing mobility into iBRIC shall receive her/his salary from the parent organization. S/he will be eligible for suitable honorarium for the period of their work in iBRIC not exceeding 6 months. iBRIC may provide accommodation and charge for the same as per institute rules;
- (x) The parent organization shall extend medical facilities to his/her family members retained at the parent organization, as applicable to other staff members in the same grade;
- (xi) The mobility period shall be treated not only as period on duty but also be counted for all future benefits and assessments. Nonetheless the rigour of evaluation for professional advancement shall not be diluted;
- (xii) The accepting organization which is iBRIC/industry/SIRO must provide all logistic support to the person it accepts under the provision of mobility and to that extent a commitment from the accepting organization may be obtained;
- (xiii) The Scientist/engineer availing the mobility and the Scientists/engineers of the accepting institution shall be encouraged to write joint project proposals for collaborative research and jointly guide the research students;
- (xiv) iBRIC may provide a specific working space or facility to enable Scientists/engineers availing the mobility from industry, and define clear objectives of generation of intellectual property;
- (xv) iBRIC and parent organization of Scientists/engineers availing the mobility from industry should sign a Memorandum of Understanding stating clarity about ownership and sharing of jointly developed intellectual property.

## **8. Sharing of revenue**

Revenue sharing model in all the cases between different parties will be 60% to 40% between Scientists and institutes respectively.

## **9. Modification to these Rules**

Modifications to these Rules can be effected by iBRIC only with the concurrence and approval of the Governing Body of BRIC.

## **10. Disputes**

All disputes between a Scientist and iBRIC relating to the permission granted under these Rules shall be settled by arbitration. Such disputes may be referred to the DG, BRIC as single arbitrator. The decision of the Arbitrator shall be final and binding on the parties. The arbitration proceedings shall take place in accordance with the Indian Arbitration and Conciliation Act 1996 as in effect at the time of the dispute. The place of arbitration shall be the office of the DG, BRIC or any other place as chosen by the DG, BRIC. The expenditure arising out of arbitration proceedings shall be equally shared by both parties. The language of arbitration shall be English.

The above Rules have the approval of the Governing Body of BRIC.

## **11. Relaxation**

In case of any of the above conditions requires any relaxation due to any reason, whatsoever, the power of relaxation vests only with the Chairperson, Governing Body, BRIC.



**Form-1**

**Application for seeking approval of the iBRIC for investing in the equity stake of an Entity/  
Scientific Enterprise/ Spinoff**

**1. Details of the Scientist:**

- I) Name:
- II) Designation:
- III) Division in which he/she is working:
- IV) Address for communication including telephone, mobile, fax, and email (office):
- V) Residential address including telephone, mobile, fax, and email:

**2. Details of the Entity:**

- I) Registered name of the Entity:
- II) Registration number and other relevant registration details:
- III) Registered address of the Entity with telephone, mobile, fax, and email:
- IV) If the Entity is operating from another location other than the registered office, please give details of the location and complete address including telephone, mobile, fax, and email:
- V) Profile of the Entity including broad outline of the activities:
- VI) Business Plan of the Entity (enclose a copy):
- VII) Give brief details of Knowledge Base. Where Knowledge Base is acquired, enclose proof of acquisition:
- VIII) Details of the promoters of the Entity (including address, telephone and mobile numbers, fax, and email), their brief background and their personal equity stake in the Entity:
- IX) Details of the Board of Directors (including address telephone and mobile numbers, fax and email), their brief background and their personal equity stake, if any, in the Entity:
- X) Details of the present functioning of the Entity including the name and contact details of the Chief Executive Officer/Managing Director etc. In the event the Entity is yet to be established, give details of the proposed functioning of the Entity and the role of the Scientist who is seeking to take equity stake in the Entity:

**3. Details of Equity stake proposed to be acquired by the Scientist:**

- I) Face Value of each equity:
- II) Number of equity shares to be acquired:
- III) Total value of the equity shares (in Rupees) :
- IV) How is the acquisition of equity shares proposed to be financed?
- V) In case the acquisition is in a phased manner, please indicate the phases and approximate number of shares and their value in each phase.
- VI) Do the family members of the Scientist (wife or husband and children only) hold or propose to hold equity shares in the Entity? Please give details:

**4. Other permissible provisions:**

- I) Does the Scientist intend to take lien?
- II) If yes, state the period and date from which the Scientist intends to take the lien:
- III) Does the Scientist wish to be associated with the Entity as Non-Executive Director on the BoD?
- IV) If yes, specify the role of the Scientist as Director on BoD:
- V) Does the Scientist propose to offer consultancy to the Entity?
- VI) If yes, give the approximate consultancy man days per year:  
(in the event of iBRIC permitting the Scientist to offer consultancy to the Entity, a separate agreement will have to be entered between Scientist and the Entity for the consultancy assignment as per the iBRIC norms)

**5. Conflict of Interest Disclosure:**

**i) Please state the possible /anticipated conflicts of interest:**

(Extant approvals if any, in force in regard to conflict of interests in relation to the applicant Scientist may also be brought to the notice of the appropriate authority of iBRIC)

**6. Approvals are being sought for :**

- Creating spinoff with the Knowledge Base (IP) generated at iBRIC
- to take equity stake in the Entity - number of equity shares (% of the equity in

relation to the authorized share capital)

- to take lien for a period of ----- years beginning *(dd/mm/yyyy)*
- to associate with the Entity as Non-Executive Director
- to provide professional consultancy to the Entity

[strike off whichever is not applicable]

**7. Undertaking:**

I resolve to undertake that:

- My primary responsibility is towards iBRIC and I shall abide by the instructions of the iBRIC from time to time;
- I am personally responsible for the Activities of the Entity and the liabilities arising out of it;
- I shall not invoke the name of iBRIC, without its express permission, in matters pertaining to the Entity;
- notwithstanding any permission granted to me, I shall not directly or indirectly associate myself:
  - a) with any process to license Knowledge Base to the Entity
  - b) with any process for the purchase or hiring of any goods and services from the Entity;  
and
  - c) with the evaluation of any goods or services that compete with the goods or services of the Entity.

Signature \_\_\_\_\_

Name of the Scientist:

**Form-2**

**Application for seeking approval of the Scientific Establishment/iBRIC for investing in the knowledge base and/or support services as equity in the Company/Entity**

**1. Details of the Company / Entity:**

- I) Registered/proposed name of the Company / Entity:
- II) Registration number and other details (in case to be registered give the likely time frame when it will be registered and where):
- III) Registered Address of the Company/Entity with telephone, mobile, fax and email (in case to be registered Company/Entity give details of proposed address)
- IV) If the Company/Entity is operating from another location other than the registered office, please give details of the location and complete address including telephone, fax, mobile and email:
- V) Face Value of Equity share (in Rs.):
- VI) Authorized Equity capital of the Company / Entity (in Rs.):
- VII) Subscribed value of the Equity capital (in Rs.):
- VIII) Give details of the promoters including address with telephone, mobile, fax and email, brief back ground and their individual equity stake in the Company/Entity:
- IX) Give details of the Board of Directors including address with telephone, mobile, fax and email, brief back ground and their individual equity stake, if any, in the Company/Entity:
- X) Give details of the present functioning of the Company/Entity including the name and contact details of the Chief Operating Officer/Managing Director etc. In the event the Company/Entity is yet to be established, give proposed functioning of the Company/Entity:
- XI) Profile of the Company/Entity including broad outline of the activities or proposed activities:
- XII) In case of new start up, briefly outline the Business Plan of the Entity (also enclose a copy of Business plan):
- XIII) Give brief details of product range, in case of existing company and list the Knowledge base it had acquired:

**2. R&D capacity of the Company/Entity:**

- I) Does the Company/Entity have a R&D unit Yes                      No

**If yes, provide following information**

- II) Has it been recognized by DSIR (if yes give details)
- III) Give details of Staff strength
- IV) Give names of the staff having Ph.D. degree
- V) R&D expenditure in the last 3 years
- VI) List major R&D facilities
- VII) Describe current R&D activities
- VIII) IP generated due to the R&D activities in the last 3 years
- IX) Does the Company/Entity have expertise in translating the knowledge base into product/process? If yes give details of two such examples:
- X) Give current portfolio of IP:

**3. Knowledge base proposed to be acquired by the Company/Entity as equity:**

- I) Name of the knowledge base
- II) Brief details of knowledge base
- III) Brief plan of action for translating the knowledge base into product /process

**(Questions to be answered by iBRIC/Scientific Establishment)**

- IV) Is the knowledge base IP protected, if yes give details
- V) Is a report on the knowledge base available, give details?
- VI) Who are the inventors of the knowledge base, give names and percentage of their contribution?
- VII) Please classify the knowledge base as per the definition of knowledge base given in the section 2 of the main notification.

**4. Support services proposed to be utilized in lieu of equity by the Company/Entity:**

- I) Please list the equipment /facilities proposed to be used by the Company / Entity and the likely time requirement per month and the period of requirement
- II) Please list any other services that the Company/Entity propose to use and give details

**5. Undertaking:**

In case the Scientific Establishment agrees to invest its knowledgebase and/or support services in the company, I \_\_\_\_\_, the authorized signatory of the company on behalf of the company solemnly resolve to undertake that:

- i) the Company/Entity shall have the nominee of the Scientific Establishment as non-executive director on the Board of Directors;
- ii) the Company/Entity shall not use/involve the name of the Scientific Establishment without its express permission;
- iii) the Company/Entity shall make all reasonable efforts in translating the knowledge base into a commercial product/process;
- iv) upon receiving communication from the Scientific Establishment of its willingness to invest knowledge base as Equity, the Company/Entity shall pass a board resolution to that effect indicating the number of equity shares it would be allotting to the Scientific Establishment;
- v) mere participation in the equity by the Scientific Establishment does not construe that the Company/Entity is part of the Scientific Establishment;
- vi) the Company/Entity shall not directly or indirectly influence the Scientific Establishment in purchase or hiring of any goods and services from the company;
- vii) the Company/Entity shall inform in advance the Scientific Establishment of any acquisition, merger or IPO.

**Signature of the Authorized Representative of the company**

Name and designation \_\_\_\_\_

Witnesses (signature with complete address):

1. \_\_\_\_\_

2. \_\_\_\_\_

**Company Seal**

**Form-3**

**Application for seeking permission of the iBRIC for utilizing the Mobility scheme**

**1. Details of the Scientist / Engineer:**

- I) Name:
- II) Designation:
- III) Division in which he or she currently working:
- IV) Date of joining the Scientific Establishment /iBRIC:
- V) Date of superannuation:
- VI) Address for communication including Telephone, mobile, fax and email (office):
- VII) Residential address including Telephone, mobile, fax and email:
- VIII) Proposed period of mobility: From \_\_\_\_\_ To \_\_\_\_\_
- IX) Give details of study leave/lien, if any used by the applicant:
- X) Give details of the mobility used by the applicant:

**2. Details of the Scientific Establishment where the applicant proposed mobility**

- I) Name of the Scientific Establishment/Industry /SIRO:
- II) Department/Division where the applicant proposes to work:
- III) Address of the Scientific Establishment/industry/SIRO with telephone, mobile, fax and email:
- IV) Brief profile of the Scientific Establishment and the division/department where the applicant proposes to work:
- V) Objective of the proposed mobility:
- VI) Define the area of work and the benefits that are expected to accrue to the parent institution
- VII) Attach a acceptance letter from the Accepting Scientific Establishment /industry /SIRO
- VIII) Details of remuneration being offered by the Accepting organization
- IX) Any other relevant information:

**3. Associated Information:**

- I) Does the applicant wish to retain the official accommodation?

II) Does the applicant intend to utilize the medical facility (from the parent institute) for his family members:

**Signature of the applicant**

Witnesses (signature with complete address):

1. \_\_\_\_\_

2. \_\_\_\_\_



**Deliberations held for drafting Operational Guidelines for Implementing Scientific Entrepreneurship and Research Commercialization at iBRIC**

<b>S.No.</b>	<b>Meetings</b>	<b>Dates</b>
1.	Discussion held in ' <i>Chintan Shivir 4.0</i> ' <i>Secretary, DBT; iBRIC+ Directors; DBT Officials</i>	28 <sup>th</sup> Sept, 2024
2.	<b>Committee constituted</b> a) Prof. Chandrabhas Narayana, Director, RGCB b) Prof. Maneesha S. Inamdar, Director, inStem c) Prof. G. Karthikeyan, Executive Director, THSTI d) Dr. Kalaivani Ganesan, Scientist 'F', DBT (Member Secretary) e) Dr. Shingar Sharma (Consultant, BRIC Secretariat)	28 <sup>th</sup> Sept, 2024
3.	Discussion meetings of Committee	24 <sup>th</sup> Oct, 2024 - 07 <sup>th</sup> Nov, 2024
4.	Discussion held with iBRIC+ Directors in ' <i>Pre-GB meeting</i> ' chaired by Secretary, DBT/DG BRIC	10 <sup>th</sup> Nov, 2024
5.	Guidelines shared with iBRIC+ Directors for institutional comments	12 <sup>th</sup> Nov, 2024
6.	Guidelines presented during the <i>second meeting of the BRIC Governing Body (GB)</i> held under the Chairmanship of Secretary, DBT/ DG, BRIC	18 <sup>th</sup> Nov, 2024
7.	Suggestions received from the Committee members and other iBRIC+ Directors compiled and discussed with the Committee	18 <sup>th</sup> Dec, 2024
8.	Suggestions incorporated and <b>final Guidelines</b> submitted for the approval of Hon'ble Minister of Science and Technology	27 <sup>th</sup> Dec, 2024
9.	<b>Approval</b> received from <b>Hon'ble Minister of Science and Technology</b>	20 <sup>th</sup> Jan, 2025