



UNIVERSITY
OF BAHRAIN

Regulations of Intellectual and Industrial Property Rights

Authority / Owner of Regulation: Deanship of Graduate Studies and Scientific Research

Effective: March 31, 2019



Regulations of Intellectual and Industrial Property Rights

Title:	Regulations of Intellectual and Industrial Property Rights
Regulation Description:	Intellectual and industrial property management – Procedures for approving and registering patents, University ownership thereof and assignment of rights, the system for appealing Deanship decisions, and the rights and obligations of inventors. Copyright and other intellectual property rights.
Regulation Scope:	<input checked="" type="checkbox"/> Academic <input type="checkbox"/> Administrative <input checked="" type="checkbox"/> Research <input checked="" type="checkbox"/> Student <input type="checkbox"/> general
Regulation Status	<input type="checkbox"/> New regulation <input checked="" type="checkbox"/> Revision of existing regulation
Approval Authority:	University of Bahrain Council
Authority / owner of Regulation:	name of entity responsible for implementing the regulation
Approval Date:	Insert the University Council approval date of the regulation
Effective Date:	Insert the regulation effective date
Approval Date of Last Revision:	31 March 2019
Date of Next Revision:	2025
Reference Code:	
Document Number:	Version: 01/2024 [Serial number of the version since the first adoption of the regulation/year of adoption of the last version of the regulation
Confidentiality Classification:	
Related Documents:	Law No. (22) of 2006 on the protection of copyright and attendant rights- Graduate Studies Regulations, Academic



UNIVERSITY
OF BAHRAIN

Anti-Plagiarism Regulation, Scientific Research
Regulation, the Bylaws of Faculty Members at the
University of Bahrain, the Misconduct Bylaws.



University of Bahrain Council Decision
Number (150) of (2019)
Regarding Regulations of Intellectual and Industrial Property Rights

Approval of University President / Date: 31 March 2019
University Council:

Article I

The provisions of the Regulations of Intellectual and Industrial Property Rights shall apply. All provisions and decisions that contradict it shall be canceled.

Article II

[The Dean of Graduate Studies and Scientific Research and concerned parties, each within its competence, shall implement these Regulations, which shall come into force from the date of its issuance.]



Introduction:

In order to disseminate knowledge, support and develop research activity at the University of Bahrain, motivate researchers and encourage their research activities, publish their works and research, register their patents, and work to exploit them commercially and industrially, in order to achieve the benefit of society in general and the University in particular, it was important to regulate intellectual property rights at the University of Bahrain according to clear rules that are consistent with the provisions of relevant international laws and agreements, such as Law No. (22) of 2006 on the protection of copyright and attendant rights and its amendments of special provisions, Law No. (1) of 2004 on patents and utility models and its amendments under Law No. (14) of 2006, and international agreements, such as the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), established by the World Trade Organization and other agreements.

These Regulations was made as one of the important links in the scientific research system with the aim of organizing the relationship between the University and researchers in the fields of intellectual property rights, and defining the procedures and policies for registering patents of the researchers at the University, from faculty members, students or other employees and affiliates, and obtaining a license to exploit such patents, as well as organizing the rights and duties of authors of works that the University prints and publishes.



General Provisions and Definitions

Article (1)

For the purposes of these Regulations, the following words and phrases shall have the meanings assigned to them below, unless the context requires otherwise:

University:	University of Bahrain.
President:	President of the University of Bahrain
Deanship:	Deanship of Graduate Studies and Scientific Research at the University of Bahrain
Dean:	Dean of Graduate Studies and Scientific Research at the University of Bahrain
Patent:	The official certificate granted by the competent authorities for an invention that is original, creative, and industrially exploitable, in accordance with the provisions of Law No. (1) of 2004 on patents and utility models and its amendments.
Members:	Faculty members of the University of Bahrain and those of equivalent status, such as lecturers, instructors, or research and teaching assistants.
Students:	Students enrolled in the University of Bahrain



Chapter I

Intellectual and Industrial Property Management

Article (2)

The Deanship of Graduate Studies and Scientific Research at the University of Bahrain shall manage intellectual and industrial property, utilizing the University's specialized members with experience and competence in the technical and scientific fields of intellectual and industrial property.

The Duties and Responsibilities of the Deanship Regarding Intellectual Property

Article (3)

The Deanship of Graduate Studies and Scientific Research is the main authority at the University for all matters related to intellectual and industrial property. It provides consultations related to patents and intellectual property rights in general, and undertakes the following tasks in particular:

First: Determining the feasibility and methods of investing in innovations and protecting ideas, receiving and examining innovation projects submitted by faculty members and students, and reviewing them to assess their feasibility for registration under the umbrella of industrial property.

Second: Undertaking the administrative and regulatory procedures with the relevant authorities to register industrial property rights, especially patents obtained by researchers from the faculty, students, and others, in order to obtain a license from the competent authorities to exploit and develop the patent.

Third: Examining and evaluating project types, writing reports on inventions developed by faculty members and students, and making decisions regarding proceeding with the registration,



guided by the success of the registration process and the commercial and industrial benefits of the invention, in accordance with the University's policy and regulations.

Fourth: Submitting a recommendation to the University President regarding the distribution of the financial exploitation proceeds from the patent between the inventor and the University, in accordance with these Regulations.

Fifth: Monitoring the intellectual, artistic, and literary output of students or faculty members, as long as it is related to the University of Bahrain, even if it results from the use of the University's tools, materials, or expertise.

Sixth: Carrying out the procedures for filing and registering transactions related to the financial rights of artistic and literary works with the relevant department in the Kingdom.

Chapter II

Patents

Approval and Registration Procedures

Article (4)

The Deanship shall conduct intensive research on submitted patent applications to ensure the originality of the ideas, their suitability for registration, and the feasibility of initiating the necessary legal procedures to obtain a patent from the competent authority. The office must decide on accepting or rejecting the patent application within 30 days of its submission.

If the Deanship approves the application, it must immediately, after the President's approval, initiate the application process with the competent authorities and notify the inventor of the acceptance of the patent application. The University shall bear the expenses of registering and commercially exploiting the invention and retains ownership of the patent. These expenses shall be recovered from the proceeds of the invention's financial exploitation, in accordance with Article (10) of these Regulations.



If the Deanship rejects the application and deems the patent unfeasible, it must notify the applicant within one week of the rejection. The applicant has the right to appeal this decision to the committee mentioned in Article (5) of these regulations within fifteen days of being notified.

Whether or not registration is practically feasible, the University has the right to accept or reject the patent registration process.

Grievance Committee

Article (5)

The committee shall be formed by a decision of the President and shall consist of three faculty members, one of whom must be from the College of Law, for a renewable one-year term. The committee shall be responsible for considering grievances against the Deanship's decisions, and it must investigate the reasons for rejecting the request and their validity, summon the applicant for a hearing and discussion, take their statements in person, hear from a representative of the Deanship, and discuss the arguments presented by both parties. The committee may seek assistance from specialists and technicians from within or outside the University as it deems appropriate.

The committee shall convene as needed to decide on grievances submitted to it, and it shall issue its recommendations by majority vote and submit them to the President.

The University's Ownership of Patents

Article (6)

Ownership of inventions, resulting directly or indirectly from a research project assigned to a member or student during their affiliation with the University, shall be granted to the University. The University is the owner of the patent, which entitles it exclusively to the right to exploit the invention financially in all ways.

Ownership of an invention for which the inventor submits a registration application within the year following the termination of their employment with the University shall also establish the



University's ownership of said invention, unless the inventor proves that they began the invention after the termination of their employment with the University.

Inventor's Duties

Article (7)

Every member, student, or employee of the University who discovers an invention or innovation related to their work or affiliation with the University must inform the Deanship and cooperate with it in providing all the documents and paperwork required to complete the registration process.

Moreover, they shall be obligated not to betray the confidentiality of the invention, publish it, or submit it for publication without obtaining written approval from the Deanship. If they betray the confidentiality of the invention during the application and registration procedures or offer it commercially, the Deanship may take any immediate measures it deems appropriate in such cases.

Inventor's Rights

Article (8)

Notwithstanding the University's ownership of the invention, the inventor shall enjoy moral rights to the invention by having their name mentioned in the patent, in accordance with the provisions of the Bahraini Patent and Utility Models Law.

The inventor shall be entitled to receive financial compensation for exploiting their patent in accordance with the provisions regulating the distribution of financial returns in these Regulations.

If the inventor discovers negligence or deliberate delay by the Deanship in processing their invention registration application, they have the right to notify the President so that the President may take appropriate action based on his findings.



Duty of Confidentiality

Article (9)

Researchers entrusted with reviewing patent applications submitted to the Deanship for the purpose of verifying their validity must maintain the confidentiality of the invention and not disclose it.

University staff in general, and office employees in particular, must maintain the confidentiality of information they learn by virtue of their work that relates to inventions and intellectual property rights, and not disclose it to others. Anyone who violates this item shall be subject to legal accountability in accordance with the University's bylaws and regulations.

Distribution of the Invention's Financial Proceeds

Article (10)

After deducting all expenses incurred by the University for registering and protecting the patent, the financial proceeds from the invention shall be distributed as follows:

- 60% of the net income for the inventor(s), to be divided equally among them unless agreed otherwise.
- 10% to the college where the inventor works.
- 30% to the University's scientific research budget

The University's Waiver of Patent Rights

Article (11)

If the Deanship does not wish to register the patent rights, it must notify the inventor in writing within a period not exceeding three months. This notification shall be considered a waiver by the University of its patent rights, and ownership of the invention and all associated rights shall then transfer to the inventor. The inventor may then proceed with the registration and commercial exploitation of the invention independently, without the assistance of the



University, taking into account any existing special agreements between the University and the inventor.

The Deanship's failure to initiate the registration procedures within three months of notifying the applicant of the Deanship's approval of their patent application shall be considered as a waiver as well.

The preceding provision shall not preclude the University's right to purchase the invention or exploit it if doing so is in its best interest, for a financial consideration that the University undertakes to pay the inventor, taking into account the practical importance of the invention and its expected financial return. The University must request this within three months of becoming aware that the inventor has submitted a registration application to the competent authority in the country.

Chapter III

Copyright and Other Intellectual Property Rights

Article (12)

The special regulations in force in the field of authorship, publishing and scientific journals at the University shall apply to the scientific publications and research published by the University, taking into account what is stipulated by the laws regulating copyright.

Students are entitled to the rights granted to authors for their literary or artistic works. The provisions of Law No. (22) of 2006 concerning the Protection of Copyright and Attendant Rights shall be applied to determine whether the intellectual contribution of the supervising professor allows them to be a co-author with the student. This is without prejudice to any financial rights that may arise for the University from any expenses or costs incurred in connection with such works. The University shall have the right to retain copies of students' works and to reproduce and display them in exhibitions for scientific and academic purposes.



Article (13)

Other intellectual property rights, including audio or visual materials or media, integrated circuits, architectural drawings, lectures, utility models, and other forms and applications of intellectual property, shall enjoy the legal protection prescribed for them in accordance with applicable laws.

Chapter VI

General and Final Provisions

Article (14)

Intellectual and industrial property and all attendant rights shall accrue to the innovator, author, or inventor, as the case may be, in the following cases:

- a. If the faculty member completed the literary or artistic work or invention before joining the University of Bahrain
- b. If all connection between the University and the literary or artistic work or invention is severed, such as if the author or inventor completed their work in their own time and did not utilize official working hours, and the University did not provide any kind of financial support, materials, or other facilities in this regard.
- c. If the literary or artistic work or invention is not related to any of the tasks assigned to a faculty member or student, such as graduation projects.

Article (14)

These regulations apply to every invention under consideration, in the planning stage, or under negotiation regarding making an agreement between the University and funding institutions. Registration of patents by the Deanship shall be optional, not mandatory, if the invention results from research not supported or commissioned by the University.



Article (15)

Based on the recommendation of the Dean of Graduate Studies and Scientific Research, the University President shall issue the executive decisions for these Regulations and take the necessary organizational and administrative measures to give effect to its provisions.