
Building Capacity
of Serbian Agricultural
Education
to Link with Society



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srpskog obrazovanja
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Guidelines for Intellectual Property Rights



office of IP and TT

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1. Summary

The purpose of this document (IPR Guidelines) is to offer short, practical information about basic concepts and principles related to Intellectual Property Rights (IPR) and relevant for the staff and students from the Faculty of Agriculture and also two other interesting in this issue. It provides a brief overview of the most relevant form of Intellectual Property Protection (IPP) in agricultural and biotechnology sectors.

The text provides examples of the different types of subject matter that IP can protect and that could be important for agriculture and biotechnology and also for publishing teaching and research material and results. The list is not exhaustive and is only intended as a guide to identifying the types of IP that may arise as a result of the current and future Faculty of Agriculture activities. The Guidelines also shortly explain the procedure dealing with IPR as activities of a new Faculty's established Office for Intellectual Property and Technology Transfer (OIPTT Office).

The Guidelines are prepared by the leader and staff of the mentioned office of the Faculty of Agriculture University of Belgrade working within the newly established OIPTT Office. These Guidelines are not a substitute for professional legal advice.

2. Introduction

The generic term *Intellectual Property* (often abbreviated to 'IP') is used to describe the output of all creative or innovative human activities. Such outputs might have commercial value and be used for commercial purposes. The term of *Intellectual Property Rights* (or IPR), refers to the legal rights granted with the aim to protect the creations of the intellect. Generally, these rights include Industrial Property Rights (e.g. patents, industrial designs and trademarks) and Copyright (right of the author or creator) and Related Rights (rights of the performers, producers and broadcasting organisations).

The intellectual property concept was established in 1883 under the Paris Convention for the Protection of Industrial Property, while the World Intellectual Property Organization (WIPO) is established by the United Nation in 1967. The goal of WIPO is to support and promote IPR concept and issues. WIPO Convention defines "intellectual property" as rights relating to:

- *Literary, artistic and scientific works*
- *Performances of performing artists, phonograms and broadcasts*
- *Inventions in all fields of human endeavour*
- *Scientific discoveries*
- *Industrial designs*
- *Trade marks service marks and commercial names and designations*
- *Protection against unfair competition and*
- *All other rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields.'*

The Kingdom of Serbia was one of the 11 founding countries of the Paris Union in 1883. The term "intellectual property" began to enter wider use only since the seventies of the

twentieth century, from the time of the entry into force of the Convention on establishing the World Intellectual Property Organization.

Intellectual property is a general, legal-technical term for certain creations of the human mind, and commercial symbols that represent intangible assets. These goods can be protected on the basis of different levels of exclusive rights. In essence, it is about the rights that are the most similar to property rights and it allows the commercialization and exploitation of these goods on the market. IPR allow the holder to exercise and grant a monopoly for a specific item during certain period of time.

3. Intellectual property and innovation (IPI) at the universities

Intellectual property (IP) is inherent to many of the research, teaching, and other activities at the universities, and IP issues can occur in all phases of the corresponding research and teaching programs and projects. Most universities govern intellectual property policies by specialized offices and with the aim to help academics (both staff and students) to develop their knowledge, ideas and inventions into opportunities that are attractive for commercialization. It is not expected that all university staff members become experts in IP management and technology transfer, but just to be aware of the importance of IP issues and specialized IP or Technology Transfer offices that could find the commercial partners, investors and research founders to transfer their commercially oriented knowledge and technologies to market.

Intellectual property rights must not be an obstacle to successful realization of projects where several partnering institutions work together and share project's data. To guarantee an adequate regulatory protection and the use of the project's results, a Consortium Agreement signed by all partners should be prepared in agreement with relevant national and international legislation (for international projects). The IP rules concentrate on managing IP resources during the project, with a focus on the use of the results obtained from the project. These rules deal with four main aspects:

1. Ownership of the results obtained during the project;
2. Protection of results (by means of IP rights);
3. Access rights (licensing);
4. Use and dissemination of results.

The entire process, from pure research to the exploitation of research results, has to be successively addressed, planned and regulated between partners in Consortia. The agreement on IP issues among participants should be prepared in the pre-project phase in order to create a consortium that will be able to properly implement and manage national or international projects. During the project phase, IP rules must be followed and in some cases also during post-project phase since some of the rights and obligations related to IP rules could last beyond the project's end.

4. Intellectual property and innovations in agriculture and biotechnology

The areas of agriculture and biotechnology are the field where currently there is a significant increase in advanced technologies and products and therefore it is important for inventors to protect the resulting innovations.

Biotechnology is usually subdivided into three sectors that may overlap, namely¹:

- **Healthcare biotechnology** or **red biotechnology** which plays an important role in drug discovery (insulin, erythropoietin, etc.) and today is improving outcomes for patients and addressing unmet medical needs for the future;
- **Agriculture biotechnology** or **green biotechnology** that is used to enhance plants in order to improve their resistance to disease, tolerance for herbicides or difficult environment conditions, or to achieve higher yields with less inputs (water, fertilizers, etc.);
- **Industrial biotechnology** or **white technology**, representing the “third wave” in biotechnology, because it follows innovation in the health and agricultural areas; this sector encompasses the application of biotechnology-based tools to traditional industrial processes (“bioprocessing”) and the manufacturing of bio-based products (biofuels, bio-plastics and bio-based chemicals). In this technology enzymes and/or micro-organisms, such as fungi, yeast, bacteria (also referred as “biocatalysts”), are used to make intermediate and end-products more efficiently, reduce environmental impacts of processes and products and/or enable the creation of new products from renewable resources.

Generally, innovation in the agricultural sector involves the development of healthier, safer and more nutritious food for human and animal consumption, new breeding techniques, and fuel for industrial use. Agricultural innovation has the potential to increase the productivity and adaptability of crops, diversify the variety of agricultural crops, enhance the nutritional value of food, feed increasing farm animal populations, and provide fuel for a growing range of industrial uses without depleting available land, water and biodiversity resources².

5. Types of IP protection

The text below provides examples and explanation of the different types of subject matter that can be protected by IP. The list is prepared to take into account EU³ and national lists of IPR, but it is not exhaustive. It is only intended as a guide to identifying the types of IP that may arise as a result of current and future teaching and research activities of the Faculties of Agriculture, members of NaRA. Also, it is important to note that material may be subject to

¹ European IPR Helpdesk ,Fact Sheet Intellectual property in Biotechnology, June 2014
(<https://www.iprhelpdesk.eu/Fact-Sheet-IP-in-Biotechnology>)

² Agricultural Innovation Systems. A Framework for Analysing the Role of the Government, June 2013
(<http://www.oecd.org/tad/agricultural-innovation-systems-9789264200593-en.htm>)

³ Guide to Intellectual Property Rules for FP7 projects
(http://ec.europa.eu/research/participants/data/ref/fp7/89593/ipr_en.pdf)

more than one form of IP protection. For example, some computer programs may be protected by copyright and be the subject of a patent.

For the Faculties of Agriculture, whose teaching and research activities are related to agriculture and biotechnology, the most important types of IP protection are:

- Copyrights
- Patents and small patents (new biotechnological or technological procedures, new biotechnical or food products, etc.);
- Plant breeder's or plant variety rights;
- Protection of geographical origin;
- Trade marks (logo and other symbols of FA);

5.1. Copyright

By international definition copyright is a bundle of exclusive economic rights in original literary, dramatic, musical and artistic works and similar, but more limited rights, in sound recordings, films, television and sound broadcasts and the typographical arrangements of published editions of works. Copyright also gives protection to the rights of performers in their live performances.

Because of the particular importance of copyrights for the CaSA project, special attention is given in this manual to this IP right.

Legal protection of copyright works is subject to the protection of areas of the law called Copyright. Copyright is sub-branch of a larger area that is called intellectual property rights (IP).

Copyright protects authors' works, ie. original intellectual creations of the author, expressed in a certain form, regardless of their artistic, scientific or other value, its purpose, size, contents and the way of manifestation, as well as the permissibility of public communication of their contents.

Originality should be understood as a minimum level of individuality by which the work is different from all existing works.

To be under the protection, the work does not need to be original in the sense that brings exceptional innovation in its field but original enough that it is not a plagiarism of existing work and that there is at least something different.

Determination of form means that it does not protect copyright works in the form of ideas but they must be in a particular form that is applicable for work presentation to the public (written, verbal, electronic form ...).

Author:

The author is the natural person who created the work.

Exceptionally, as author can be considered a legal entity if it is indicated in the usual way.

By the law, as author is considered the person whose name, pseudonym or mark is stated on copies of works or mentioned when publishing the work, until proven otherwise.

Besides one author, there is a possibility that one work has more authors.

Then it is a co-authorship. Co-authors are persons who together created a work.

Persons who have only helped in some way in the creation of the work (financial, procuring materials, ceding space to work) are not considered as co-authors, since they did not participate in work creation.

Co-authors are holders of joint copyright, but also there is a possibility to arrange their mutual relations in a different way through a contract.

Co-authors realize the copyright jointly and for the transfer of copyright agreement of all co-authors is needed.

As this can cause many problems in practice, the Law stipulated that co-author may not withhold its consent contrary to the principle of good faith, and that can not do anything that harms or could harm the interests of other co-authors.

Co-authors share the economic benefit from exploiting a co-authored work in proportion to their contribution in creating work, but their relations through contracts can be arranged in different way.

Copyright work considers:

- Written works (books, brochures, articles, translations, computer programs including preparatory material for their production, etc.);
- Voice work (speeches, lectures, etc.);
- Dramatic, dramatic-musical, choreographic and pantomime works and works originating from folklore;
- Musical Works;
- Film works;
- The works of fine art (drawings, prints, paintings, sculptures, etc.);
- The works of architecture, applied art and industrial design;
- Cartographic works (geographical maps, topographic maps);
- Plans, drawings, photographs and models;
- Theatre director.

Law on Copyright and Related Rights of the RS states that even when the copyright work is protected, this protection do not apply to general ideas, procedures, methods of operation or mathematical concepts as such, as well as the concepts, principles and guidelines.

This means that, for example, scientific work which considers a particular mathematical principle represents a copyright work, but the principle itself is not under the protection of copyright and the author of a scientific paper could not call for a violation of his rights if someone else would use this principle or process it in other scientific work.

Copyright work can not consider:

- Laws, regulations and other regulations;
- Official materials of state bodies and bodies performing public functions;
- The official translations of regulations and official materials of state bodies;
- Submissions and other acts in administrative or judicial proceedings.

The main reason that the Law introduces this principle is that although at general principle given works can be considered copyright, the general trend in the world is that they are exempt from this system of protection because in this way their use in everyday life would be extremely difficult .

The emergence of copyright:

Copyright is generated at the moment of publication of the copyright work. Copyright work is considered published when in any manner it is available to the public. Copyright work is considered published when the corresponding numbers of issues are put into circulation by the author or a person authorized by the author.

The rights that constitute copyright:

Copyright comprises moral and property rights. The moral rights belong to the author or his successor, while property rights may be subject to a contract of assignment or transfer of rights.

The moral rights of authors are:

- The author has the right to be recognized as the author of the work;
- The author has the right to indicate his name or pseudonym on each copy of the work or be quoted at each public communication;
- The author has the right to publish his work;
- The author has the right to oppose changes of his work or public communication of the work in an altered or incomplete form;
- The author has the right to give permission for reprocessing of his work;
- The author has the right to oppose the use of the work that would harm his honor and/or reputation.

Property rights of the author are:

- The right to commercial exploitation of the its work;
- The right to compensation for the use of copyrighted work by another person unless the agreement provides otherwise;
- The right to prohibit or permit any other recording or reproduction of his work;
- The right to prohibit or permit another to trade in copies of copyright works;
- The right to prohibit or permit any other lease copies of copyright works;
- The right to prohibit or permit any other lending of copies of copyright works if the author's work is computer program;
- The right to prohibit or allow the performance of his work;
- The right to prohibit or permit presentation of his work;
- The right to prohibit or allow the broadcast of his work;
- The right to prohibit or permit public communication of the work;
- The right to prohibit or permit adaptation, arrangement or other alteration of the work;
- The right to prohibit or permit that his work, which is broadcasted, can simultaneously be presented to the audience at public places.

Territorial limitations of copyright:

Copyright is limited to the territory of the countries with which Serbia has concluded multilateral or bilateral agreements in the field of copyright. Although we can not say that the copyright is territorially unlimited, now the copyright recognized in Serbia is also recognized in much of the world.

Holders of economic copyright are:

- The author / co-authors;
- The author's heirs;
- Third persons who are the copyright ceded or transferred by contract.

The moral rights of the author:

The moral rights of the author may not be the subject of a contract for ceding or transfer of copyright work, ie. cannot be assigned or transferred to third parties.

Assignment or transfer of the copyright by a contract:

The contract which assigns copyright is called contract - author contract.

Copyright can also be renounced by other named and unnamed contracts if such contracts are made in writing and contain all the necessary elements on the basis of which authorship can be determined, for which territory it is assigned and for which period it is assigned.

The contract can assign the copyright to the exclusive or non-exclusive manner.

By exclusive assignment of copyright, the holder of copyright is the only authorized to use copyright work and to transfer it to third parties with the consent of the author. The right of copyright transfers to third parties is non-exclusive, but the agreement may be differently specified.

The acquirer of the non-exclusive copyright cannot continue the right transfer by the contract, nor third parties may prohibit the use of a copyrighted work.

If the contract does not specify whether it is one or the other form of transfer, it shall be deemed to have been non-exclusive assignment.

Duration of copyright:

Economic copyrights last for the life of the author and seventy years after his death.

Moral rights do not have limited duration.

Registration of copyright works:

Copyright work cannot be registered in the sense in which this can be said for industrial property rights, but the copyright work can be recorded and deposited to the Department for Intellectual Property of Serbia. Copyright work is recorded and deposited by filing an application for introduction into the records and depositing work of authorship.

The significance of the performed registration and deposit of copyright works:

The fact that a person has committed a recording and depositing author's work does not mean that the person actually owns the copyright because the Department does not examine such facts. When the recording and storage of copyright works is concluded by the person who owns the copyright, then such a recording and depositing can serve as additional evidence in the case initiated judicial proceedings concerning copyright work which was the subject of recording and depositing.

Thus, copyright does not need to be registered. It happens "automatically" as soon as the work is created. Each original, creative, intellectual or artistic expression is protected by copyright. In order to establish copyright statements "all rights reserved" or "copyright belongs to ..." are not necessary. These statements are only used to improve the position of the right holder in a possible court proceedings in which those rights are violated.

Copyright and related rights and the advancement of technology:

Field of copyright and related rights has been extended in the last few decades with the spectacular progress of technological development, which brought new ways of dissemination creativity through new forms of communication, such as satellite broadcasting to the whole world, compact discs and DVD.

Placing work via the Internet is a more recent development, which drives up new questions concerning copyright and related rights in this global media.

World Intellectual Property Organization (WIPO) is an organization deeply involved in the ongoing international debate on the formation of new standards for copyright protection in cyberspace.

In this regard, the Organization administers the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT), which is often referred to as "Internet

Treaties". These Internet contracts clarified international norms aimed at preventing unauthorized access to and use of copyright works on the Internet.

Judicial protection:

Infringement of copyright occurs when someone without authorization performs some of the exclusive moral or property powers of the authors (eg. unauthorized upload of professional course on the internet), if it's not any permitted exceptions when this authorization may be made without the consent of the author (eg. use of copyright works for the purpose of a judicial procedure).

In this sense, the action infringing someone else's copyright is identical to the actions that the author perform by using his powers, but the difference is that a person who violates the law, this action makes **unauthorized**.

Civil proceedings relating to copyright are the responsibility of the courts.

In addition to court protection in civil proceedings, the copyright can be protected from violation in the criminal procedure as well, as our Criminal Code predicts three offenses related to copyright infringement:

1. Infringement of moral rights of authors and performers;

2. Unauthorized use of copyright works or objects of related rights;
3. 3.Unauthorized removal or alteration of electronic information on copyright and related rights.

For these offenses fines and imprisonment are foreseen.

University and copyright:

Copyrights are of particular importance for the Universities. In accordance with academic tradition, universities generally do not claim for themselves copyrights in books, articles, theses and similar works which are intended to disseminate the results of the academic research, scholarship, and artistic expression of faculties, staff, and students.

Availability of published research results is also of special interest. The European Commission encourages researchers to publish their results after the completion of their project in an open-access (OA) journal without an embargo (Gold Open Access journal) or to make their articles available through an open-access repository. The green road to OA is to publish in conventional (non-OA) journals and to make the articles OA (free for the user online) by self-archiving them in the author's institutional repository.

The OpenAIRE initiative (Open Access Infrastructure for Research in Europe) aims to support the implementation of the Open Access policies of the European Commission and the European Research Council. The OpenAIRE portal provides extensive information, statistics and explanations about open access in Europe and allows research participants to locate their open access directory, deposit their publications or data therein, and link research results to funding. OpenAIRE also provides an efficient search tool for publications, data, and projects as well as a very thorough support service (<https://www.openaire.eu/>)

In the Republic of Serbia, copyright is regulated by the Law on Copyright and Related Rights.

5.2. Patents

A patent is by definition a legal document, through which a right is granted for an invention, a product or a process that provides a new way of doing something or offers a new technical solution to a problem. A patent provides exclusive rights for a fixed period of time in exchange for public disclosure of the invention. A patent enables the patent owner/holder to exclude unauthorised third parties from making, using, selling, offering for sale, or importing for those purposes a product, a process, or a product obtained by a patented process for the term of the patent.

Different technology innovation in agricultural production and protection of the environment could be patented as well as different technology in food processing. According to the EU IPR¹ the detailed patent list in biotechnology, may include:

- isolated polynucleic acids, peptides and polypeptides, enzymes, microorganisms, viruses, vectors, antibodies, probes, vaccines, compositions, expression systems, cell lines, plants, seeds, transgenic organisms, methods for preparation or use of the above;
- medical devices.

Some subject matters that are *excluded* from patenting include:

- human beings and the biological processes for their generation
- mathematical models, plans, schemes or other purely mental processes
- inventions which are contrary to law or generally inconvenient to the public
- mixtures of known ingredients being used as a food or medicine, and
- artistic creations.

More details are on The European Patent Convention (<https://www.epo.org/law-practice/legal-texts/epc.html>).

A patent may be granted only for technical inventions. In order to obtain a patent, it is mandatory to file a patent application. Patent applications are examined in an appropriate procedure. Patents generally have the 20-year shelf life from the date of the filing. In Europe, the patent belongs to the inventor who first filed a patent application.

At the Faculties of Agriculture, artistic creations are not protected. In the Republic of Serbia, this industrial property right is regulated by the Law on Patents.

5.3. Plant breeder's rights

Plant breeder's rights are also known as plant variety protection rights. They are rights granted to the breeder of a new variety of plant which is distinct, uniform and stable. They provide for the breeder exclusive control over the propagating material (including seed, cuttings, divisions, tissue culture) and harvested material (cut flowers, fruit, foliage) of a new variety for a number of years.

In the Republic of Serbia, this industrial property right is regulated by the Law on the Protection of Plant Breeders' Rights.

A variety shall be recognized if it is, on the basis of test results (in field and laboratory trials), found that the variety is:

- Distinct, uniform and stable (DUS test)
- To have a better value for cultivation and use (VCU test)
- The name of the variety is in accordance with the prescribed requirements.

After completing the procedure of testing the variety and its recognition-approval, the variety shall be entered in the Register of Agricultural Plant Varieties (List of Varieties) and can be found in circulation.

The Register of Varieties shall be regularly supplemented and published on the website of the Ministry of Agriculture and Environmental Protection: www.sorte.minpolj.gov.rs

5.4. Protection of geographical origin

According to the Serbian Law on Indications of Geographical Origin, the geographical indications shall be indications which identify particular goods as goods originating from the territory of a specific country, region or locality within such territory, where a given quality, reputation or other characteristics of such goods can be essentially attributed to their geographical origin, and such goods are produced and/or processed and/or prepared within a defined geographical area.

In the EU there is three schemes⁴ known as PDO (protected designation of origin), PGI (protected geographical indication) and TSG (traditional speciality guaranteed) promote and protect names of quality agricultural products and foodstuffs. These EU schemes encourage diverse agricultural production, protect product names from misuse and help consumers by giving them information concerning the specific character of the products in the form of:

- *Protected Designation of Origin - PDO*: covers agricultural products and foodstuffs which are produced, processed and prepared in a given geographical area using recognised know-how.
- *Protected Geographical Indication - PGI*: covers agricultural products and foodstuffs closely linked to the geographical area. At least one of the stages of production, processing or preparation takes place in the area.
- *Traditional Speciality Guaranteed - TSG*: highlights traditional character, either in the composition or means of production.

In the Republic of Serbia, this industrial property right is regulated by the Law on Indications of Geographical Origin.

5.5. Trade marks

A Trade Mark is a “distinctive sign” that identifies certain goods or services as those produced or provided by a specific person or enterprise. It can be a word, phrase, letter, number, sound, smell, shape, logo, picture, aspect of packaging or a combination of these. Trade mark may be obtained for the brand name of a particular institution, product or process.

The Faculties of Agriculture are protected by the logo of the Faculty and certain products (wines and spirits) by trademark.

In the Republic of Serbia, this industrial property right is regulated by the Law on Trademarks.

5.6. Trade secrets/know-how

Trade secret and know-how are valuable forms of IP. Trade secrets include any protected business information – whether technical, financial, or strategic– that is not generally known and that provides a competitive advantage to the owner (know-how). The term “confidential business information” know-how and “trade secrets” are often used interchangeably, but strictly speaking, the two latter are a subset of confidential information in the context of business, commerce or trade, but also for research (examples laboratory notebooks, design workbooks, documented internal processes, etc).

A trade secret is information: that is not known to the public, which is more valuable if it is not known to the public, and which requires reasonable efforts to preserve its secrecy. Such reasonable efforts include, for example, non-disclosure agreements.

⁴ EU Agriculture and Rural Development
(http://ec.europa.eu/agriculture/quality/schemes/index_en.htm)

Trade secrets are valuable as long as they are kept secret which can be done through confidentiality or non-disclosure agreements. In fact, although considered as other forms of IP, no rights are granted by the system. Famous examples of products protected by trade secrets are Chartreuse liqueur and Coca-Cola.

By a know-how agreement, one party, a provider of know-how, undertakes to transfer the know-how to the other party, the recipient of know-how, so that the other party would use it.

Know-how can be communicated in material form: documents, photos, technical plans, computer maps, microfilms, etc.

Know-how can be also communicated in invisible form.

Transfer in invisible form is, for example, the case when the engineer, the provider of know-how, explains a process to the engineer, the recipient, or when there is a training of the workforce of the recipient with the provider of know-how.

Know-how can be referred to as “technical assistance” when know-how consists of the actual instructions such as planning, financial and personal management and the like.

The Faculties of Agriculture provide know-how in terms of plans for installations on farms, diagrams of the project equipment, drawings or technical drawings of machines, spare part lists, manuals or instructions for handling of machines, assembly of components, lists and specification of new machines, calculation of working time of machines and people, instructions for packing and storage, reports on stability and environmental aspects, job descriptions for technical and professional staff, as well as mentioned know-how in invisible form.

In the Republic of Serbia, these intellectual property rights are not regulated by legislation.

5.7. Domain names

A domain name is the main address of a web site. Domain names provide a system of easy to remember internet addresses, which can be translated by the Domain Name System into the numeric addresses used by the network. More precisely, a domain name consists of one or more parts that are conventionally concatenated, and delimited by dots, such as *something.com*. Domain names are susceptible to be protected as “distinctive signs”, if identifying the source of a product or service.

The Faculties of Agriculture have the registered main address within the academic domain in the Republic of Serbia. Projects of the Faculty and the Journal of the Faculty have registered pages within the main address of the Faculties.

6. Ownerships of intellectual property rights at the FA

The intellectual property and innovation could be produced by different categories engaged in teaching or research works at the universities or faculties. In the case of FA these categories include:

1. Persons who are employed at the Faculty;

2. Students working on research projects of the Faculty;
3. Other persons involved in the teaching or research at the Faculty
4. Persons who are engaged on a contract basis by the Faculty for certain services in the course of work or work-related activity.

The Faculty owns the rights to all intellectual property created by mentioned categories, in accordance with the Rulebook on intellectual property management and the Statute of the FA. Exception is in the case of teaching material. The rights to teaching works are owned by a member or members of academic staff who created such work.

The Faculty will be compensated for the support that it has been given to the creators in the development, protection and commercialisation of the IP, while the creator of IPI will be rewarded for his creation in accordance to its contributions.

7. Identifying, protecting and commercialization of intellectual properties

The protection, management and commercial exploitation of IP and the rights owned by the Faculties, depend on the early identification and protection of IP. Therefore, it is essential that research and other relevant projects are carefully monitored and their outcomes reviewed by members of Teaching and Scientific Council (TSC) and OIPTT Office staff with specific IP expertise.

The assessment of IPI value is a very important step. Usually IPI is valuing quantitatively (by its monetary value on the market), but it should be also assessed qualitatively (measuring its strategic importance for Faculty).

Staff, honorary appointees, visitors and students have a continuing obligation to report the creation of IP with potential commercial value to the Faculty Managing Board and TCA Council, in accordance with the terms of the Rulebook and Innovation policy of FA. That disclosure must include all particulars, data, results, findings and commercial interactions associated with the IP to enable informed decision making by the appropriate Faculty's body. In accordance with the established procedure for IPR at FA the request documentation is prepared and after contract is signed between contractor and FA, the process of managing IPR is started by the OIPTT Office.

However, commercialisation of IP is a complex and often long term process and requires involvement of IP trained staff. In the case of FA the procedure, which is often unique in every case, will be run by the staff of OIPTT Office. The IPI creators should be informed (or have the opportunity to participate) in processes associated with the protection and commercialisation of their IP.

8. Conclusion

Appropriate and efficient management of IPR will have a significant benefit for universities and faculties. It will increase not only the financial return from commercial activities and knowledge transfer, but also increase the impact of its research and reputation. The challenge is also how IP arising from their research can be best utilised to provide the maximum value to the economy and society. The presented Guideline intended to help in

understanding the basic of IPR that need to be considered in order to efficiently apply IPR concept at the universities.