



## **Intellectual Property Rights**

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# Intellectual Property Rights

Intellectual assets (IA) include ideas, inventions, literary creations, unique names, business models, industrial processes, computer programs, etc., resulting from human intellectual effort. When an asset is protected by legal means it is termed as an intellectual property (IP). The owner of such Intellectual property holds the Intellectual Property Rights (IPR) to it.

Intellectual property laws protect intellectual property rights (IPR) of persons and organizations. Following are some of the forms of Intellectual Property that may be protected

- Copyright
- Trademark
- Patent
- Trade Secret

In addition, the IP laws also deal with publicity rights, misappropriation, unfair competition etc.

While working with Infosys, all IP created by an employee, belongs to Infosys. In case of a client project, the ownership is defined as per the contract (Master Services Agreement) clauses.

**Copyright:** Copyright protects original works of authorship such as literary, dramatic, musical, artistic, and certain other intellectual works (software codes, algorithms, documents, books etc.) from unauthorized reproduction, distribution, preparation of derivatives, public performance, and public display.

An original content is considered to be automatically copyright protected when it is created. It is not mandatory to get a copyright registered. The copyright owner may assign the rights to a third party through an agreement or terms.

All the pictures, graphics, text, videos, music etc. on the internet are content owned by the third party. Some are allowed by their owners to be used without attribution to the owner. If any material is available through a search engine, it should not be treated as "free for use" Before using any such material, the usage terms and conditions should be verified. It is a compliance requirement at Infosys to use such material only with permissions from the owner

**Trademark:** It is a distinctive word, design, or symbol used to create a unique identity for a company, brands, goods or services Using a third-party Trademark without permission may lead to Trademark violation. Before using a client logo in any presentation, or any other artifacts outside the service engagement, please ensure to take client's permission for such usage. A trademark should be used in "AS-IS" form without tampering with any of its attributes.

Infosys IP Team can help you with a Trademark check for your product name to see if a mark is already being used or registered.

**Patent:** A patent is an exclusive right granted for an invention or innovative idea, which is a product or a process that provides, in general, a new way of doing something, or offers a new technical solution to a problem.

Conditions to be met to get patent protection:

Novelty - The invention must show an element of uniqueness. It should have some new characteristic which is not known in its technical field.

**Inventive Step** – The invention must involve an “inventive step” or “non-obvious” to the skilled persons in the relevant technical field, which means it can’t be a simple aggregation, combination or adaptation of existing technology or technical process.

**Industrial Application** – It must be capable of being used for an industrial or business purpose beyond a mere theoretical phenomenon

For applying for a patent, employees/ inventors need to reach out to the IP Team who will guide with the process to submit the invention.

It is imperative to ensure that we do not infringe on third party patented concepts in our Assets or projects. IP Team performs Patent Risk Assessment for Infosys Assets that are to be commercialized.

**Trade secret:** A trade secret is any information, data, client lists, compilation, program, device, or any information that is kept secret and that derives independent economic value from being kept secret. This protection is valid only when an organization, employees put sufficient efforts to protect the trade secret from leaking out.

### **Protecting customers' IPR**

Employees have to make sure to get client's approval for publishing Client related data. For example, permission must be obtained from the client to use their case study while preparing a presentation for internal or external purposes. Ensure to classify documents, artifacts, collaterals appropriately At Infosys, classification labels to be used are: Confidential, Internal, Public. One must respect but not violate confidentiality agreements with the customer.

### **Publishing material**

Content published in a book, journal, or on the Internet (E.g., website) is protected by copyright laws. One must not use such content in Infosys publications, documents, artifacts or materials unless the permission for such use is obtained from copyright owners or the content is released into the public domain or rights have been enabled for such use.

As per Infosys Publication policy, a publication or an artifact, be it internal or external, created by an employee has to be submitted on [Infosys Collaborative Publishing Platform \(CPP\)](#) and obtain the approval of reviewer(s) before publishing internally or externally. CPP can be accessed on InfyMe → Webapps → Infosys Collaborative Publishing Platform → Publication Approval Tab.

Infosys publication process ensures that there is no infringement or violation of copyrighted material, no leakage of Infosys confidential information.

### **Handling third party IP**

The copyright of published material does not always belong to the author. It often belongs to the publisher of the material or copyright owner. Publications usually contain a copyright notice that you can read for contact information. Get permission from the appropriate authority before using such copyrighted material.

Any use of Open-Source Software (OSS) in the client project should happen only on approval from client. Use of OSS in Infosys proprietary products shall be in compliance with [Open-Source Software \(OSS\) Policy](#). ‘FOSS Validation process’ that is available on InfyMe → PRIDE portal shall be referred to before use of OSS.

Third party tools should be used only upon approval from client and should be used only as per the terms of usage granted. Any tampering with such third-party tool may be in violation of the usage terms and may lead to legal action.

## **Handling of AI related software**

Employees are advised to not to use any client data for training the AI models. For any guidelines regarding such usage IP Team shall be consulted.

Employees are required to comply with the Infosys compliance framework while using, deploying AI related models or relevant work products, refer to [Infosys AI policy](#) and [Responsible AI Process](#) for further information.

Creating any synthetic data (i.e. using output of one AI system to train another AI system) should be done only in consultation with IP Review team ([IPReview@infosys.com](mailto:IPReview@infosys.com))

## **Respecting other's IP**

Employees are directed not to use the previous employers' IP while they work on Infosys or its client projects. Similarly, Infosys's or it's client's IP shall not be used anywhere else after they move out of Infosys. While developing a new Asset one must ensure that is the Asset is not infringing on others' patents. Approach IP Team for Patent Risk Assessment.

## **Protecting our IP**

Do not share Infosys' internal information with non-employees, unless there is a business need. All the documentation, artifacts, Source code files etc. must be labelled with classification label as per Information Classification and Document Labeling Policy. You may share Infosys' internal information with customers on a need-to-know basis. However, a non-disclosure agreement (NDA) signed by the customer must exist before the information is shared.

During your employment at Infosys, if you work on an inventive idea, reach out to the IP Team for evaluating protection of the idea through a Patent.

## **Piracy**

Pirated information (software/ content) should not be kept on Infosys' network since it's a clear violation of Infosys IP Policy and Infosys information security policy. If pirated software is found being used for official work, then employee and Infosys may be subject to legal action by a third party.

Sharing pirated songs or movies on Infosys network is a violation of Infosys policies. Please report such incident to [InfyIPTeam@infosys.com](mailto:InfyIPTeam@infosys.com).

## **IP Pre-Commercialization Checks**

Every Infy IP Asset must obtain IP clearance through [Service Store](#) portal. IP Team conducts the following pre-commercialization checks on [IP Clearance Portal](#):

1. Tradename Check
2. IP Ownership and Declaration Checks (IP Asset Version and Module(s))
3. Open-Source Check
4. Patent Risk Assessment

To know more about Intellectual Property Rights, please refer the below links:

Intellectual Property Risk Primer - Real Life Scenarios:

[https://lex.infosysapps.com/en/app/toc/lex\\_auth\\_01330327016335769624868/overview](https://lex.infosysapps.com/en/app/toc/lex_auth_01330327016335769624868/overview).

IP Basics Training: [https://lex.infosysapps.com/app/toc/lex\\_auth\\_01282257157594316868030/overview](https://lex.infosysapps.com/app/toc/lex_auth_01282257157594316868030/overview).

IP Reuse: [https://lex.infosysapps.com/web/en/app/toc/lex\\_auth\\_012751827021586432193/overview](https://lex.infosysapps.com/web/en/app/toc/lex_auth_012751827021586432193/overview)

Free Open Source Software (FOSS):

[https://lex.infosysapps.com/app/toc/lex\\_auth\\_012768715700281344306/contents](https://lex.infosysapps.com/app/toc/lex_auth_012768715700281344306/contents)

For all the IP related queries reach out to IP Team at [InfyIPTeam@infosys.com](mailto:InfyIPTeam@infosys.com).