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**REGULATIONS FOR THE
COMMERCIALIZATION OF IDEAS
DEVELOPED BY ACADEMIC STAFF AND
STUDENTS**

Pristina, 2023

The Regulation on the commercialization of ideas developed by academic staff and students has been drafted in support of the Decision of the Higher Scientific Education Council, based on Law No. 04/L-037 "On Higher Education in the Republic of Kosovo", the College Statute, **Article 21, point h and Article 71 , 72** and all other legislation in force and has been approved by Decision of the Higher Scientific Education Council 29/09/2023

REGULATION FOR THE COMMERCIALIZATION OF IDEAS DEVELOPED BY ACADEMIC STAFF AND STUDENTS

Purpose

This regulation aims to define the principles, procedures and institutional mechanisms for the identification, protection, development and commercialization of ideas, innovations and results of research and creative activity developed by academic staff and/or students of the College of Business.

Specifically, this regulation aims to:

- to foster a culture of innovation, creativity and academic entrepreneurship within the institution;
- to create a clear and transparent framework for intellectual property management;
- to protect the moral and material rights of the authors of ideas and innovations;
- to enable the transformation of research results and creative ideas into products, services or solutions with economic and social value;
- to strengthen the connection between education, scientific research and the labor market;
- to contribute to economic, social and technological development through the transfer of knowledge and technology.

The implementation of this regulation also aims to ensure compliance with applicable legislation, institutional policies and quality assurance standards, guaranteeing that the process of commercializing ideas is carried out in an ethical, fair and sustainable manner.

Article 1 Scope of application

This regulation applies to all academic staff, research staff, students and other parties involved in the development of ideas, innovations and research results within or on behalf of the College of Business.

The scope of application includes, but is not limited to:

- ✓ ideas and innovations developed within the framework of teaching, research, scientific and creative activities;

- ✓ research, development and innovation projects carried out individually or in groups, within study programs or institutional activities;
- ✓ activities developed in collaboration with external partners, including public institutions, private companies, local and international organizations, when these activities are carried out under the authorship, supervision or representation of the College of Business;
- ✓ ideas and results developed by utilizing the infrastructural, financial, human or intellectual resources of the institution.

This regulation also applies to any case where academic staff or students represent the Business College in innovative, research or commercial processes, regardless of the form of engagement. Its implementation aims to ensure equal treatment, transparency and clarity at all stages of the idea commercialization process.

Article 2 Definitions

For the purposes of this regulation, the following terms have the following meanings:

➤ **Idea / Innovation**

It means any new or improved solution, including but not limited to products, services, processes, methods, business models, digital platforms, applications, technologies, organizational concepts or research and creative results, which have the potential for practical application, further development or economic exploitation.

➤ **Commercialization**

It means the planned and structured process of transforming an idea, innovation or research result into a product, service or solution applicable in the market, with the aim of creating economic, social or technological value. This process may include stages such as evaluation, legal protection, development, licensing, technology transfer, creation of spin-off companies or collaboration with third parties.

➤ **Intellectual property**

It means all legal rights arising from the intellectual creativity of academic staff and/or students, including inventions, patents, utility models, copyrights, trademarks, industrial designs, scientific works, teaching materials and other research or creative creations, in accordance with applicable legislation and relevant sub-legal acts.

➤ **Author / Co-author**

It means the person or persons who have directly contributed to the creation or development of an idea, innovation or research result, individually or collectively.

➤ **Institution**

It means the Business College, as a legal entity responsible for the management, protection and commercialization of ideas and innovations developed within or on its behalf.

➤ **Innovation and Commercialization Committee**

It refers to the internal institutional body charged with evaluating, overseeing and recommending processes related to the commercialization of ideas and innovations .

Article 3
Basic principles

The commercialization of ideas and innovations at the College of Business is based on the following fundamental principles, which guide all phases of their identification, evaluation, development and exploitation:

➤ **Promoting innovation and academic entrepreneurship**

The institution encourages creativity, innovative thinking, and entrepreneurial initiative of academic staff and students, creating conditions for ideas and research results to be transformed into concrete solutions of value for society and the economy.

➤ **Transparency and equality**

The commercialization process is conducted in an open, fair and equal manner for all participants, without discrimination, ensuring equal access to information, fair treatment in evaluation and decision-making based on clear and documented criteria.

➤ **Intellectual property protection**

The institution guarantees the protection of the intellectual property rights of authors and co-authors, ensuring the registration, preservation and use of ideas and innovations in accordance with applicable legislation and institutional policies.

➤ **Fair and proportionate sharing of benefits**

Financial and non-financial benefits arising from the commercialization of ideas are shared fairly and proportionally, taking into account the individual or collective contribution of the authors and the supporting role of the institution.

➤ **Compatibility with the mission and academic ethics**

Any activity related to the commercialization of ideas must be consistent with the mission, vision, and values of the College of Business, as well as with the principles of academic ethics, scientific integrity, and social responsibility.

➤ **Institutional sustainability and accountability**

The commercialization of ideas aims to create long-term value and sustainable institutional development, balancing academic, economic and social interests and avoiding practices that undermine the academic quality or reputation of the institution.

Article 4

Rights of academic staff and students

Academic staff and students of the College of Business enjoy full and protected institutional rights in the process of developing and commercializing ideas and innovations. In particular, they have the right to:

- a) **To propose ideas and innovations for commercialization**
To freely and independently present ideas, initiatives, projects and research results for evaluation and commercialization, without discrimination and without violating academic freedom.
- b) **To be recognized as authors or co-authors of ideas and innovations**
To be officially recognized and registered as authors or co-authors of ideas, innovations or research results, in accordance with their real contribution and the principles of academic integrity.
- c) **To benefit from revenue sharing**
To benefit from financial and non-financial revenues arising from the commercialization of ideas and innovations, in accordance with the principles and benefit-sharing mechanisms set out in this regulation and in relevant agreements.
- d) **To receive institutional support for the development of ideas**
To benefit from institutional support in the form of professional counseling, academic mentoring, administrative and legal assistance, as well as access to the institution's infrastructural and technical resources, for the development, testing and advancement of their ideas.
- e) **To be informed about the process and decision-making**
To be transparently informed about the procedures, evaluation criteria, decisions of the Innovation and Commercialization Committee and further steps in the process.
- f) **To protect their rights**
To seek the protection of moral and material rights arising from authorship and intellectual property, in accordance with applicable legislation and institutional acts.

The exercise of these rights is carried out in accordance with this regulation, institutional policies and the principles of academic ethics, guaranteeing a safe, transparent and stimulating environment for innovation.

Article 5

Obligations of the institution

The Business College is obliged, within the framework of the implementation of this Regulation, to undertake concrete and continuous measures to support the development, protection and commercialization of innovative ideas created by academic staff and students. In this regard, the institution is committed to:

- 1) to create and develop institutional support mechanisms for innovation and commercialization, including structures, procedures and responsible units that facilitate the identification, development and transfer of innovative ideas to the market;
- 2) to provide professional, administrative and legal advice to academic staff and students, particularly in the areas of intellectual property, copyright, patenting, licensing, as well as in the drafting of cooperation and commercialization agreements;
- 3) to take measures to protect the intellectual property of ideas, projects and research results, guaranteeing respect for the moral and property rights of the authors, in accordance with the legislation in force and the internal acts of the institution;
- 4) to ensure transparency, objectivity and equality in the process of evaluation, approval and decision-making regarding ideas for commercialization, through clear procedures, pre-defined criteria and regular information of the parties involved for each stage of the process.

Article 6 **Procedure for submitting ideas**

The idea for commercialization is presented by academic staff or students in writing, in official form, to the competent unit of the institution, according to the procedures and forms determined by the Biznesi College.

The idea proposal must contain, at least:

- a) a clear and detailed description of the idea;
- b) its purpose and potential for development and commercialization;
- c) data on the authorship, co-authorship and respective contribution of each author;
- d) preliminary information on the use of institutional resources, if any.

After submission, the idea is officially registered in the relevant institution's registry and is provided with a reference number.

The institution is obliged to treat each submitted idea confidentially, ensuring the protection of data, authorship and the interests of the authors, until a final decision is made.

Any use, publication or distribution of the idea, before the completion of the evaluation procedure, may only be done with the written consent of the author or authors of the idea.

The procedure for submitting ideas is implemented in accordance with this Regulation, other internal acts of the institution and applicable legislation.

Article 7 **Evaluation of ideas**

Ideas submitted in accordance with Article 7 of this Regulation are subject to an evaluation procedure by the Innovation and Commercialization Committee, established by the Biznesi College according to the internal acts in force.

The Innovation and Commercialization Committee is a collegial body responsible for the professional and objective review of ideas, and exercises its powers in an independent and impartial manner.

During the evaluation process, the Commission examines and analyzes, at least, the following elements:

- a) the academic and scientific value of the idea
- b) economic potential and opportunities for commercialization;
- c) compatibility with the mission, strategy and capacities of the institution; d) ethical, legal aspects and respect for intellectual property rights; e) potential risks and impacts for the institution and the parties involved.

The Commission may request clarifications, additions or additional documentation from the author or authors of the idea, if it deems this necessary for making an informed decision.

After completing the assessment, the Commission takes a reasoned decision to approve, approve with conditions or reject the idea, in accordance with the criteria set out in this Regulation.

The Commission's decision is communicated to the author or authors in writing, within the deadline set by the institution's internal acts, including the relevant reasoning and instructions for further steps, if any.

The Commission's decision constitutes the basis for the continuation of further commercialization procedures, according to the provisions of this Regulation.

Article 8

Forms of commercialization

- After approval of the idea by the Innovation and Commercialization Committee, in accordance with Article 8 of this Regulation, the commercialization of ideas developed by academic staff and students may be realized in one or more of the following forms.
- Commercialization through licensing is achieved by granting the right to use the idea, in whole or in part, to third parties, based on licensing agreements concluded in accordance with applicable legislation and the institution's internal acts.
- Commercialization through the creation of spin-off companies is achieved through the establishment of new legal entities, which are based on ideas, knowledge or research results developed within the institution, respecting the rules for the participation of the institution, academic staff and students in the ownership and management structure.
- Commercialization through collaboration with third parties is achieved through collaboration agreements with public or private entities, local or international, with the aim of developing, implementing or commercially exploiting the approved idea.
- Commercialization through joint research and development projects is achieved through the joint engagement of the institution, the authors of the idea, and external partners in projects aimed at further developing, testing, and practical application of innovative ideas.

- The selection of the form of commercialization is made based on the nature of the idea, its academic and economic potential, the interest of the institution and the authors, as well as the assessment of the risks and benefits for the parties involved.
- Any form of commercialization is carried out only on the basis of written agreements, which regulate the rights and obligations of the parties, including intellectual property, revenue sharing and relevant responsibilities, in accordance with this Regulation and applicable legislation.

Article 9 **Revenue sharing**

The income generated from the commercialization of ideas approved in accordance with this Regulation shall be divided between the author or authors of the idea and the Biznesi College, in accordance with the relevant commercialization agreement.

Revenue sharing is based on the principle of the real contribution of the authors and the institution to the development, support, protection and commercialization of the idea, as well as on the principles of transparency, fairness and proportionality.

When determining the division of income, the following factors are taken into account, at least:

- a) the intellectual and professional contribution of the author or authors;*
- b) use of institutional, infrastructural and financial resources;*
- c) the role of the institution in the protection of intellectual property and the commercialization process;*
- d) the risks and responsibilities assumed by the parties.*

The income allocated in accordance with this article is subject to financial and fiscal treatment according to the legislation in force.

The details of the distribution of income, including percentages, payment method and relevant deadlines, are regulated by a special act of the institution or by a contract concluded between the parties, in accordance with this Regulation.

No commercialization of the idea can be realized without prior determination, in writing, of the rules for sharing the income.

Article 10 **Conflict of interest**

The author or authors of ideas for commercialization, as well as members of the Innovation and Commercialization Committee and other bodies involved in the process, are obliged to declare, in writing and in a timely manner, any real, potential or perceived conflict of interest situation.

Conflict of interest is considered any circumstance in which the personal, professional or financial interests of the authors or members of the decision-making bodies may influence, or be

perceived to influence, the impartiality and objectivity of the evaluation, decision-making or commercialization process of the idea.

In the event of a conflict of interest being presented or declared, the relevant person is excluded from the review, evaluation and decision-making regarding the specific idea, in accordance with the institution's internal acts.

The institution is obliged to take measures to prevent, identify and manage conflicts of interest, guaranteeing the integrity, transparency and reliability of the commercialization process.

The handling of conflicts of interest, declaration procedures and disciplinary measures in case of failure to declare are regulated in accordance with the internal regulations of the Biznesi College and applicable legislation.

Article 11 Confidentiality

All parties involved in the process of presenting, evaluating and commercializing ideas, including authors, committee members, administrative staff and any other person involved, are obliged to maintain the confidentiality of ideas and relevant information.

The obligation of confidentiality includes all data, documents, materials, technical, financial and commercial information related to the idea, regardless of the form in which they are presented.

Information classified as confidential may not be used, published, distributed or made available to third parties without the prior written consent of the author or authors, except as provided by law.

The obligation to maintain confidentiality applies from the moment of submitting the idea and continues until the completion of the commercialization process, as well as after its completion, in accordance with the relevant agreements and internal acts of the institution.

Violation of the obligation of confidentiality constitutes a disciplinary violation and is dealt with according to the internal regulations of the Biznesi College and the legislation in force.

Article 12 Supervision and reporting

The implementation of this Regulation is supervised by the relevant institutional structures of the Biznesi College, in accordance with the competencies defined by the internal acts in force.

The responsible structures continuously monitor the process of presentation, evaluation and commercialization of ideas, ensuring compliance with the provisions of this Regulation, transparency and integrity of the procedures.

Supervisory structures are obliged to prepare periodic reports regarding the implementation of this Regulation, including data on the number of ideas submitted, decisions taken, forms of commercialization implemented and issues identified during implementation.

Periodic reports are submitted to the High Council for Strategic Management and Research (HCSR) for review, evaluation and, if necessary, for the implementation of corrective measures.

The HESC, based on the reports submitted, may provide instructions, recommendations or decisions to improve the implementation of this Regulation, in accordance with its competencies.

Article 13 **Entry into Power**

This regulation enters into force on the day of approval by the competent body of the institution and applies to all assessments after its entry into force.

Dean
Prof. Dr. Shyqeri Kabashi

Shyqeri Kabashi

