

National Yang Ming Chiao Tung University

Regulations Governing the Implementation of Academia and Industry Collaboration

Approved at the 1st Interim University Assembly
for the 2nd Semester of 2020 Academic Year on February 3, 2021

- Article 1 These procedures are based on the Fundamental Science and Technology Act, Government Scientific and Technological Research and Development Results Ownership and Utilization Regulation, and Regulations Governing the Implementation of Academia and Industry Collaboration in Colleges and Universities.
- Article 2 The academia and industry collaboration referred to in these regulations refers to the collaboration between the University and government agencies, enterprises, foundations, private organizations, and academic research institutions (hereinafter referred to as collaborating organizations) for the purpose of promoting the accumulation and diffusion of knowledge, fulfilling the functions of education, training, research and development, and benefiting the educational and economic development of the country in one of the following matters:
1. Research and development and related applications: Including the provision of special research, material exchange, materials, testing and inspection, technical services, consultation and advisory services, patent applications, technology transfer, innovation incubation (including fostering students' innovation competence and fostering startups), etc.
 2. Various types of human resources training: Including education, training, workshops, seminars, and internships for students and staff of collaborating organizations, etc.
 3. Other matters related to the use of intellectual property rights of the University.
- Article 3 Except for the second paragraph of the preceding Article, the matters related to academia and industry collaboration provided for in these regulations shall be coordinated by the Office of Research and Development of the University and handled by business-related units. The Center for Industry-Academia Collaboration under the Office of Research and Development may assign tasks according to the matters of academia and industry collaboration, and may set relevant regulations according to the nature of business.
- Article 4 The moral rights of the results of scientific and technological research and development or academia and industry collaboration (including intellectual property rights and other research and development results) obtained with University endowment funds or government-owned funds are vested in the creator, and the property rights are vested in the University.
- The creators referred to in the preceding paragraph are the teachers, staff, researchers, project personnel, hired staff, and students of the University who actually participated in the research, and who acquired the moral rights of the creations in accordance with the laws related to intellectual property rights.
- The creator shall not provide the University's research and development results to industry or participate in the establishment of a profit-making business in violation of these regulations, except for the publication of academic results such as papers, journals, books, and works.
- The University accepts external commissions for academia and industry collaborations on the basis of compensation or other means of repayment to the University. Except as otherwise provided by law or in the case of government

subsidies, the University may authorize the use, co-ownership, partial ownership, or full ownership after technology transfer to the entrusted partner institution, taking into account the ratio of capital to labor and the contribution of research and development. The related rights and obligations shall be stipulated in the contract.

Article 5 If the application and implementation of academia and industry collaborations are otherwise stipulated by governmental laws or contracts, the University shall abide by the regulations. If there are no such regulations, the following regulations shall apply:

1. If a full-time instructor or a full-time researcher (hereinafter referred to as a faculty member) of the University acts as one of the principal investigator or co-investigator, the application and execution of the project shall be in accordance with the relevant regulations of the University.
2. If a collaborating organization consults with the relevant unit of the University, the unit shall assign the above-mentioned faculty member to be the principal investigator for application and execution.

If a full-time instructor of the University accepts a project in the name of a society, association, or foundation, he or she should be approved by the administrative procedures of the University. If the use of school resources is involved, the user fee shall be paid in accordance with the user charge principle and shall be included in the university endowment fund for coordinated use.

Article 6 The University shall sign a written contract with the collaborating organization to stipulate the following matters according to the actual needs of the collaboration:

1. The objective, name, schedule, and deliverables of the academia and industry collaboration.
2. The necessary funding, payment and other resources to be provided by the parties to the contract.
3. If the collaborating organization requires the University to guarantee that the technology or other matters authorized by the University do not infringe upon the rights of others, the scope of compensation to be borne by the University in the event of infringement shall be specified.
4. The ownership of intellectual property rights or results of academia and industry collaboration.
5. If a collaborating organization is required to use the name or logo of the University or its affiliated organization, the method of authorization, method of use, and scope shall be specified.
6. Management of books, periodicals, instruments, equipment, and surplus funds purchased by the University for academia and industry collaboration.
7. Conflict of interest avoidance and confidentiality of related personnel.

Article 7 The funds for faculty members to carry out industrial-academic cooperation should be allocated as administrative fees and injected into the university endowment fund in accordance with the regulations on the management of revenue and expenditure of academia-industry collaboration of the University.

Article 8 Applicants or participants of sensitive technology projects who wish to actively or passively publicize sensitive technological research results should submit an application in advance and attach relevant information about the public activity. With the consent of the University, the application shall be sent to the government funding agency for examination or review according to the level of sensitivity.

The above items involving project results, submission of written reports, business related to the application for public activities and project contracts shall be handled in a confidential manner.

In case of irregularities or leaks, the University shall immediately contact the

relevant units and take emergency remedial measures to reduce damage in accordance with the University's administrative procedures, and report the results to the government funding agency.

The definition of terms related to sensitive technology, sensitive technology projects, competent authorities, handling procedures, application documents, research indicators, and control mechanisms in this Article are not exhaustively listed, but are governed by the current "Government-Funded Science and Technology Research Projects of National Core Security Controls Operations Manual".

Article 9 In the case of academia-industry collaboration involving the dignity of life or professional ethics, the research indicators and control mechanism shall be determined by the relevant committee of the University in accordance with the "Human Subjects Research Act" and the "Animal Protection Act", and the committee shall handle related matters.

Article 10 Unless explicitly provided for by governmental authorities or laws, the Office of Research and Development shall, in accordance with its scope of responsibilities, formulate relevant regulations or implementation details and convene relevant committees to deliberate on the following matters:

1. Management and application of the results of academia-industry collaboration.
2. Attribution and allocation of benefits derived from the use of collaborative achievements and related intellectual property rights.
3. Conflict of interest avoidance and information disclosure mechanism.
4. Management of the innovative business derived by the University's faculty, staff and students.
5. Other matters related to the protection of rights and interests, risk control and notes on academia-industry collaboration.

Article 11 These regulations shall come into effect after being approved in the administrative meeting and university assembly and shall be amended in the same manner.