

Regulations on Handling of Tangible Research and Development Output of the University of Electro-Communications

March 14, 2007

Amended

April 1, 2007

April 1, 2009

February 26, 2014

Article 1. Objectives

These regulations, applying to the handling of tangible objects resulting from research and development (hereinafter, “tangible research output”) conducted by professors, associate professors, lecturers, assistant professors, research associates, and other employees working in the University of Electro-Communications (hereinafter, “the University”), or persons in an employment relationship with the University, who are or were engaged in research and development in the University (hereinafter, “employees, etc.”), have the objectives of raising the awareness of employees, etc. regarding tangible research output, achieving proper management and smooth administration with outside institutions, and promoting the academic research of the University.

Article 2. Definitions of Terms

“Tangible research output” in these regulations shall mean tangible objects (excluding those related to academic papers, presentations, or other works) having the academic value, value as property, or other value prescribed in the following items, such as materials, samples (microorganisms, new materials, soil, rock, new plant types), prototypes, and models.

- (1) Objects created or obtained from R&D to indicate that the purpose of the R&D has been accomplished
- (2) Objects created or obtained from R&D and used to obtain the objects described in the preceding item
- (3) Objects created or obtained as a derivative when creating or obtaining the objects described in (1) or (2)
- (4) Media recording or describing the objects indicated in (1) to (3)

Article 3. Ownership

Ownership of tangible research output obtained from research conducted with financial support from the University or using facilities and equipment managed by the University, and all rights and legal positions in such tangible research output, shall belong to the University unless otherwise stipulated.

Article 4. Management

1. Management of tangible research output shall in principle be performed by the employees, etc. who created or obtained the output.

2. Employees, etc. managing tangible research output shall properly and strictly store and manage that tangible research output such that it cannot be readily known or carried away by other persons.

Article 5. Provision to a Third Party

1. Employees, etc. managing tangible research output shall be able to provide that tangible research output for a fee to a person other than employees (hereinafter, "third party"). In the cases listed below, however, it can be provided for free.
 - (1) When used by an employee who is no longer employed by the University and who has obtained the tangible research output during the time of employment.
 - (2) When used by a third party engaged in joint research with the employee, etc. managing the tangible research output.
 - (3) In other cases when the University President determines that use for free is appropriate for academic or R&D purposes.
2. When providing tangible research output to a third party for a fee, the employee, etc. managing that tangible research output shall notify the Intellectual Property Office of the Center for Industrial and Governmental Relations (hereinafter, "Intellectual Property Office"), and the University shall conclude an agreement with that third party prescribing the conditions of provision, etc.
3. When providing tangible research output to a third party for free, the employee, etc. managing that tangible research output shall indicate to that third party in advance the conditions for handling of the tangible research output, and shall keep a record of the provision.

Article 6. Incentive Fees for Provision of Tangible Research Output

1. When tangible research output is provided to a third party for a fee, incentive fees for provision of the tangible research output shall be paid to the employee, etc. who created or obtained the output.
2. The provisions of the Detailed Regulations on Compensation for Inventions of the University of Electro-Communications shall apply mutatis mutandis to the payment of incentive fees for provision of tangible research output.

Article 7. Obtaining Tangible Research Output

1. Obtaining of tangible research output owned by a third party shall be performed by the employee, etc. who intends to obtain the output. The Intellectual Property Office shall cooperate in such cases as necessary.
2. Article 4 shall apply mutatis mutandis to the management of the tangible research output obtained as per the preceding clause.

Article 8. Consultation after Retirement, etc.

When employees, etc. leave the University, they shall consult with the University President regarding ownership of the tangible research output obtained during the time of employment. In such a case the University President shall endeavor to ensure

that no hindrances arise to the research activities of the employees, etc. after retirement.

Article 9. Miscellaneous Provisions

In addition to the matters prescribed in these regulations, necessary matters concerning the proper handling and management of tangible research output shall be prescribed separately.

Supplementary Provisions

These regulations are effective as of March 14, 2007.

Supplementary Provisions

These regulations are effective as of April 1, 2007.

Supplementary Provisions

These regulations are effective as of April 1, 2009.

Supplementary Provisions

These regulations are effective as of February 26, 2014 and are applicable from February 1, 2014.