Form1　(For students conducting joint or commissioned research)

Consent Form for Conducting Joint or Commissioned Research

To

President of Yokohama National University

〇〇　〇〇　of the 〇〇〇 Research Institute, Graduate School
(Enter the name of the faculty member in charge of the research)

Student ID No. (self-written):

Signature (self-signed):

Date (self-written):　　　　 　　 (Month-Day, Year)

 I hereby give my consent to the following terms and conditions for my participation in the following research conducted by Yokohama National University (hereinafter referred to as the "University").

・Title of research/Project name: 〇〇〇〇〇(\*Please consult your academic advisor for information in red.)

・Planned period of engagement: From to

・Name of joint research partner or consigner: 〇〇〇〇 Co., Ltd.

↓ Please check each box below

1. Adhering to the scope of information to be kept confidential, the obligation to maintain confidentiality, the term of confidentiality, and the obligation not to disclose results containing confidential information, etc., shall be observed in accordance with the provisions of the contract to be concluded by the University or instructions from the academic advisor or other relevant personnel.
2. If any results for which intellectual property rights may be obtained as inventions, devices, designs, know-how, and creations subject to copyright such as circuit layouts and programs, are created during the research activities at the University, the "Rules for Employee Inventions of Yokohama National University" and the "Rules for the Implementation of the Rules for Employee Inventions of Yokohama National University" shall be applied. \*Be sure to read the rule references on the reverse side before checking the box.
3. Cooperation shall be offered in the submission of documents, etc. necessary for the procedures in the case where the University files an application, etc. for the intellectual property rights as described in (2) above.
4. The handling of tangible research results generated by research activities at the university shall be governed by the “Rules for Handling Tangible Research Results of Yokohama National University" and the "Rules for the Implementation of the Rules for Handling Tangible Research Results of Yokohama National University". \*Be sure to read the rule references on the reverse side before checking the box.

◎To: Students

In signing this consent form, please be sure to read carefully the University's policies on the handling of intellectual property below.

１．Handling of inventions and creations under the Rules for Employee Inventions of Yokohama National University and the Rules for the Implementation of the Rules for Employee Inventions

Rules for Employee Inventions:

<https://somu-somu.ynu.ac.jp/gakugai/kisoku/act/frame/frame110000077.htm>

Rules for the Implementation of the Rules for Employee Inventions:

<https://somu-somu.ynu.ac.jp/gakugai/kisoku/act/frame/frame110000078.htm>

(Excerpts of key points)

◎Rules

・Article 4.1: Provisions on application of the Rules upon consent

・Article 6.5/Article 9/Article 10/Article 18: Obligations of persons to whom the Rules apply

・Articles 12/Article 13/Article 14: Provisions on compensation to inventors for transfer

◎Rules for the Implementation

　　・Article 4/Article 5/Article 6/Article 7: Details on calculation and payment of compensation to inventors

２．Handling of tangible research results under the Rules for Handling Tangible Research Results of Yokohama National University and the Rules for the Implementation of the Rules for Handling Tangible Research Results (excerpt)

Rules for Handling Tangible Research Results:

<https://somu-somu.ynu.ac.jp/gakugai/kisoku/act/frame/frame110000212.htm>

Rules for the Implementation of the Rules for Handling Tangible Research Results: (URL)

（Excerpts of key points）

◎Rules

　　・Article 2.1(1)(b): Provisions on application of the Rules upon consent

・Article 2.1(2) and 2.1(4): Definitions of "tangible research result(s)" and "creator(s)".

　　・Article 3: Ownership of tangible research results

　　・Article 4/Article 5/Article 8/Article 9/Article 10: Obligations of the person to whom the Rules apply

　◎Rules for the Implementation

　　・Article 2/Article 5: Details on calculation and payment of compensation to creators

3．Notes

・If you agree to all statements above and participate in the research and are involved in the creation of an invention, etc., and the University decides to "succeed to" the invention, etc., you are required to sign a separate Letter of Transfer.

・If you do not agree to all statements above, you will not be able to participate in the relevant project, but the University will not hinder or restrict your personal research activities in any way.

4．Link

Website of Research Initiatives and Promotion Organization, Yokohama National University\_Intellectual Property Guidelines \*Available for viewing even after graduation/ completion.

　URL：<https://www.ripo.ynu.ac.jp/researcher/result/ipconsultation/>

5．Contact Information

Intellectual Property Group, Department of Industry-Academia-Regional Collaboration, Yokohama National University　　　e-mail：sangaku.chiteki@ynu.ac.jp

※reference※　When the Japanese and English texts differ, the Japanese text takes precedence.

〇Rules for Employee Inventions of Yokohama National University

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| (Rule No. 107 of April 1, 2004) |

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| **Amended**  | Rule No. 67 of March 31, 2006 |  Rule No. 65 of March 31, 2009 |
| Rule No. 79 of June 30, 2010 | Rule No. 70 of September 30, 2013 |
| Rule No. 36 of April 1, 2015 | Rule No. 69 of March 30, 2017 |
| Rule No. 47 of March 29, 2018 |  Rule No. 35 of March 26, 2019 |
| Rule No. 30 of March 29, 2021 |  Rule No. 49 of March 30, 2023 |
|  | Rule No. of April 1, 2024 |  |
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Chapter I General Provisions

(Purpose)

Article 1 These Rules are formulated to regulate the handling of Inventions and Creations made by Faculty Members and Other Researchers of Yokohama National University (hereinafter referred to as the “University“), to protect their rights as Inventors, and thereby to promote their Inventions and Creations and motivation for research, etc.

(Definitions)

Article 2 The terms used herein shall be explained as follows:

(1) “Invention(s) and Creation(s)” means:

a. inventions subject to patent rights;

b. devices subject to utility model rights;

c. designs subject to design rights;

d. trademarks subject to trademark rights;

e. layout designs subject to layout design license;

f. works of programs and databases subject to copyrights;

g. breeding subject to breeder’s rights; and

h. technical information specifically identified with a proprietary nature and managed as secrets (hereinafter referred to as the “Know-how”.)

(2) “Employee Invention(s) and Creation(s)” means, in addition to the employee inventions stipulated in the Patent Act (Act No. 121 of 1959), Inventions and Creations made by Faculty Members and Other Researchers, based on research and other work within their duties or with funds (including salaries and other remuneration) or other support provided by the University, or using facilities and equipment managed by the University.

(3) “Intellectual Property Right(s)” means:

a. patent rights stipulated in the Patent Act, utility model rights stipulated in the Utility Model Act (Act No. 123 of 1959 ), design rights stipulated in the Design Act (Act No. 125 of 1959 ), trademark rights stipulated in the Trademark Act (Act No. 127 of 1959 ), layout design license stipulated in the Act on the Circuit Layout of a Semiconductor Integrated Circuits (Act No. 43 of 1985 ), breeder’s rights stipulated in the Plant Variety Protection and Seed Act (Act No. 83 of 1998 ) and rights equivalent to each of the above rights in foreign countries;

b. the right to the grant of a patent as provided in the Patent Act, the right to the grant of a utility model registration as provided in the Utility Model Act, the right to the grant of a design registration as provided in the Design Act, the right arising from an application for trademark registration as provided in the Trademark Act, the right to the grant of registration of establishment of a layout design license as provided in Article 3.1 of the Act on the Circuit Layout of a Semiconductor Integrated Circuits, the status to the grant of variety registration as provided in Article 3 of the Plant Variety Protection and Seed Act and rights equivalent to each of the above rights in foreign countries;

c. copyrights of program works and database works stipulated in the Copyright Act (Act No. 48 of 1970) and rights equivalent to each of the above rights in foreign countries (hereinafter referred to as the “Program Copyrights”); and

d. Know-how.

(4) “Faculty Member(s) and Other Researcher(s)” means:

a. person(s) to whom the Rules for Employment of Faculty Members of Yokohama National University (Rule No. 101 of 2004), Rules for Employment of Part-time Staff of Yokohama National University (Rule No. 114 of 2004), and Rules for Employment of Short-term Working Staff of Yokohama National University (Rule No. 50 of 2008) apply (hereinafter referred to as the “Faculty Member(s)”);

b. other person(s) with whom a contract has been made for Employee Inventions and Creations during employment;

c. person(s) for whom a contract is made for inventions for which the University provides funds or other support;

d. person(s) for whom a contract is made for inventions using facilities, etc. of the University, when using said facilities, etc.; and

e. students and graduate students enrolled at the University (hereinafter referred to as the “Students”).

(5) “Inventor(s)” means a Faculty Member who has made an Employee Invention and Creation.

(6) “Application” means the procedures for patent application, application for registration, etc., and maintenance and disposition of Intellectual Property Rights as provided by laws and regulations concerning Intellectual Property Rights.

(7) “Working” of an Intellectual Property Right means the acts stipulated in Article 2(3) of the Patent Act, Article 2(3) of the Utility Model Act, Article 2(3) of the Design Act, Article 2(3) of the Trademark Act, Article 2(3) of the Act on the Circuit Layout of a Semiconductor Integrated Circuits, Article 2(5) of the Plant Variety Protection and Seed Act and Article 2(1)(xv) and (xix) of the Copyright Act, and the use of Know-how.

(8) “Compensation” means:

a. compensation for patent applications, applications for utility model registrations and applications for design registrations (hereinafter referred to as the “Compensation for Application”);

b. compensation for registration of rights of patent applications, of applications for utility model registrations and of applications for design registrations (hereinafter referred to as the “Compensation for Registration”); and

c. compensation for licensing or transferring Intellectual Property Rights owned by the University to a third party (hereinafter referred to as the “Compensation for Working”).

(9) “Right Holder(s)” means the person(s) who has/have assigned an Intellectual Property Right to the University.

(10) “Foreign Application(s)” means an international application under the Patent Cooperation Treaty (including procedures for transfer to a designated country) or an application under the Paris Convention.

(Ownership of Rights)

Article 3 The University may succeed to and own all or part of the Intellectual Property Rights related to an Employee Invention and Creation. However, when the University finds that there are special circumstances, the right may belong to the Inventor.

2 The University shall take appropriate measures for Inventions and Creations mainly based on the research conducted at the place of part-time employment by Faculty Members and Other Researchers during part-time employment as prescribed in Article 3 of the Rules for Part-time Employment of Faculty Members of Yokohama National University (Rule No. 106 of 2004).

(Inventions and Creations made by Students)

Article 4 If a Student engages in research conducted by a Faculty Member (including joint research with a third party and commissioned research, etc.) under the guidance or direction of the Faculty Member in charge of said research, and an Invention and Creation is made by the Student, who has agreed in the prescribed form to apply these Rules to his/her Inventions and Creations, during said research, these Rules shall apply to such Invention and Creation made by the Student in the same manner as that made by a Faculty Member.

2 In the case of the preceding Paragraph, the Faculty Member in charge of said research and the University must have due regard so as not to disadvantage the Student by undermining his/her right to education, freedom of choice in employment, and the like.

Chapter II Notification and Determination of Ownership

(Notification and Acceptance)

Article 5 If a Faculty Member and Other Researcher determine that his/her Employee Invention and Creation involves patent rights, utility model rights, design rights, trademark rights, layout design license, or breeder’s rights, he/she shall promptly notify the President of the University using a separately prescribed form. In cases where a Student is included as an Inventor, the form provided in Paragraph 1 of the preceding Article must be attached to the notification.

2 If a Faculty Member and Other Researcher make an Employee Invention involving program copyrights and Know-how and intends to disclose or transfer it outside the University, he/she shall promptly notify the President of the University using a separately designated form. In cases where a Student is included as an Inventor, the form of Paragraph 1 of the preceding Article must be attached to the notification.

3 Upon receiving the notifications under the preceding two Paragraphs, the President shall promptly notify the relevant Faculty Member and Other Researcher that the notification has been accepted.

4 If a Faculty Member and Other Researcher are uncertain whether or not his/her research results fall under Employee Invention and Creation, he/she may make a decision after consulting with the Intellectual Property Support Office, Department of Industry-Academia-Government Collaboration of the Research Initiatives and Promotion Organization of Yokohama National University (hereinafter referred to as the “IPS Office”) as stipulated in Article 5.3 in the Rules for Research Initiatives and Promotion Organization of Yokohama National University (Rule No. 77 of 2010) (hereinafter referred to as the “RIPO Rules”).

5 Notwithstanding the provision of the preceding Paragraph, if one cannot determine whether or not the research results constitute an Employee Invention and Creation, he/she may disclose the research results (hereinafter referred to as the “Disclosure” in this paragraph) under the following conditions:

(1) The Faculty Member and Other Researcher shall submit to the IPS Office at least one week prior to the Disclosure a document indicating the content of the Disclosure together with a statement of reasons for the inability to make a judgment.

(2) If, after the Disclosure, the Faculty Member and Other Researcher determine that the research results include an Employee Invention and Creation, he/she shall submit a notification as stipulated in Paragraph 1 with a statement of reasons within two (2) weeks after the Disclosure.

6 Notwithstanding the provisions of the preceding Paragraph, if the President determines that the research results of a Faculty Member and Other Researcher fall under Employee Invention and Creation, the President may request such Faculty Member and Other Researcher to submit the relevant form prescribed in Paragraph 1. In this case, the Faculty Member and Other Researcher must promptly submit the notification.

(Identification of Inventions and Creations and Application for Intellectual Property Rights)

Article 6 Upon receiving a notification as prescribed in the preceding Article, the President shall consult with the Invention Judging Committee (hereinafter referred to as the “Committee”) prescribed in Article 14 on relevant matters, and, based on the report, decide whether or not the invention in question falls under Employee Invention and Creation, and the interest in the Intellectual Property Rights to be succeeded by the University, etc. and whether or not the University shall succeed to the Intellectual Property Rights, in principle within thirty (30) days from the day following the day on which the notification is received. However, in cases where such a decision cannot be made due to a lack of details in the notification concerning the Employee Invention and Creation, or due to ongoing coordination with the third party for joint application or other circumstances, the President may request a supplementary submission. In this case, the President shall decide, in principle, within thirty (30) days from the day following the supplementary submission, whether or not the invention in question falls under Employee Invention and Creation, the interest in the Intellectual Property Rights to be succeeded by the University, etc., and whether or not the University shall succeed to the Intellectual Property Rights.

2 In the case of the preceding Paragraph, if the President decides that the invention does not fall under Employee Invention and Creation, or that it is an Employee Invention and Creation but the University does not succeed to the rights, such rights shall be vested in the Faculty Member and Other Researcher who made the Invention and Creation.

3 Upon making the decision set forth in Paragraph 1, the President shall promptly notify the Faculty Member and Other Researcher.

4 The University may file an Application for the Invention and Creation succeeded to by the University at its sole discretion.

5 Faculty Members and Other Researchers shall cooperate with the procedures for Application for Inventions and Creations of which the University has succeeded to the Intellectual Property Rights.

(Filing of Objections)

Article 7 If a Faculty Member and Other Researcher have an objection to the decision made by the President according to Paragraph 1 of the preceding Article, he/she may file a written objection, together with a statement of reasons, with the President within two (2) weeks from the day following the day on which the notification as specified in Paragraph 3 of the preceding Article is received.

2 Upon receipt of the objection, the President, after collecting the opinions of the Committee, shall decide whether or not the objection is valid within two (2) weeks from the day following the day on which the objection is received.

3 When a decision set forth in the preceding Paragraph is made, the President shall promptly notify the Faculty Member concerned.

(Voluntary Transfer)

Article 8 When the President decides that an Invention and Creation described in the notification by a Faculty Member and Other Researcher does not fall under Employee Invention and Creation and when the Faculty Member and Other Researcher offer to transfer his/her Intellectual Property Rights to the University, the President shall decide whether such Intellectual Property Rights shall be succeeded after obtaining the opinions of the Committee.

(Submission of Letter of Transfer)

Article 9 When the University decides to succeed to an Invention and Creation described in the notification by a Faculty Member and Other Researcher, such Faculty Member and Other Researcher shall submit a Letter of Transfer in a separately specified form to the University. The same shall apply in the case of the preceding Article.

(Restrictive Acts)

Article 10 No Faculty Members and Other Researchers, shall file Applications with or assign the rights to their Inventions and Creations to a third party, or disclose the contents thereof to a third party, unless the President has decided not to succeed to such Inventions and Creations in accordance with Article 6.3.

(Handling of Trademarks) Article 11 Necessary matters concerning the handling of applications for trademark registration and trademark rights shall be provided for separately.

Chapter III Compensation

(Payment of Compensation)

Article 12 The University shall pay Compensations for Application Registration to the Right Holders as separately specified.

2 When the University generates income from the licensing or transfer of the Intellectual Property Rights it holds, the University shall pay Compensation for Working to the Right Holders as specified separately. However, the handling of Compensation in cases where shares, etc. are acquired as consideration for a business involving income shall be in accordance with the Rules for Handling Shares Acquired as Consideration for a Business Involving Income of an Authorized Venture of Yokohama National University (Rule No. 27 of 2021).

(Compensation for Joint Inventors)

Article 13 In the case of two or more Right Holders, the Compensation stipulated in the preceding Article shall be paid in accordance with the degree of contribution described in the form prescribed in Article 5.1.

(Compensation in case of Separation from Employment, etc. or Death)

Article 14 The right to receive the Compensation prescribed in the preceding two Articles shall remain valid even after a Right Holder loses his/her status due to separation from employment, transfer, or graduation/completion, etc. (hereinafter referred to as the “Separation from Employment, etc.”).

2 When the Right Holder set forth in the preceding Paragraph has died, the University shall pay the Compensation to the heir who has inherited the right.

Chapter IV Invention Judging Committee

(Establishment of the Invention Judging Committee)

Article 15 The University shall establish an Invention Judging Committee within the IPS Office to deliberate matters concerning Employee Inventions and Creations.

(Duties of the Committee)

Article 16 The Committee shall deliberate on the following matters:

(1) examination as to whether or not a notified invention, etc. falls under Employee Invention and Creation;

(2) examination as to whether to succeed to the Employee Invention and Creation;

(3) examination as to whether or not the materials pertaining to the Invention and Creation meet the requirements for filing an application; and

(4) other necessary matters.

2 The Committee may collect opinions from the Faculty Members and Other Researcher as necessary.

(Composition of the Committee)

Article 17 The Committee shall consist of a few members nominated by the Director of the IPS Office, Department of Industry-Academia-Government Collaboration, Research Initiatives and Promotion Organization (hereinafter referred to as the “Director of the IPS Office”), as stipulated in Article 46.1 of the RIPO Rules.

2 The Committee shall have a Chairperson, who shall be the Director of the IPS Office.

3 In the event that the Chairperson is unable to perform his/her duties, a member designated in advance by the Chairperson shall act on behalf of the Chairperson.

4 Members of the Committee shall be nominated by the Director of the IPS Office from within or outside the University. In this case, the term of office is two (2) years, and reappointment is not precluded.

5 Faculty Members and Other Researchers may attend the Committee meetings and state their opinions, etc. with the permission or at the request of the Director of the IPS Office.

Chapter V Miscellaneous

(Confidentiality)

Article 18 Any person who has knowledge of an Invention and Creation made by a Faculty Member and Other Researcher shall maintain the confidentiality of the Invention and Creation within a prescribed period. However, this shall not apply in the following cases:

(1) where disclosure is required by law or by order of a court or public authority;

(2) where information is already publicly known prior to the filing of the notification;

(3) where information has become publicly known after the notification through no fault of the University or its Faculty Members and Other Researchers;

(4) where items are already in the possession of the University, the Faculty Members and Other Researchers prior to the notification and such fact can be proven;

(5) where items are legally obtained by the University, the Faculty Members and Other Researchers from a third party with legitimate authority, and do not involve an obligation to maintain confidentiality.

(Handling after Separation from Employment, etc.)

Article 19 In the event of Separation from Employment, etc. of a Faculty Member and Other Researcher, the handling of Employee Inventions and Creations deemed as past duties at the University shall follow these Rules.

(Administrative Affairs)

Article 20 Administrative affairs related to these Rules shall be handled by the Department of Industry-Academia-Regional Collaboration of the Research and Academic Information Department.

(Handling of Foreign Applications)

Article 21 With respect to Inventions and Creations subject to foreign Intellectual Property Rights, these Rules shall apply mutatis mutandis, except for Article 12.1.

Article 22 In addition to the provisions of these Rules, necessary matters concerning the handling of Inventions and Creations made by Faculty Members and Other Researchers shall be determined separately by the President with the deliberation of the Committee.

Supplementary Provisions

These Rules shall come into effect as of April 1, 2004.

Supplementary Provisions (Rule No. 67 of March 31, 2006)

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These Rules shall come into effect as of April 1, 2006.

Supplementary Provisions (Rule No. 65 of March 31, 2009)

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These Rules shall come into effect as of April 1, 2009.

Supplementary Provisions (Rule No. 79 of June 30, 2010)

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These Rules shall come into effect as of July 1, 2010.

Supplementary Provisions (Rule No. 70 of September 30, 2013)

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These Rules shall come into effect as of October 1, 2013.

Supplementary Provisions (Rule No. 36 of April 1, 2015)

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These Rules shall come into effect as of April 1, 2015.

Supplementary Provisions (Rule No. 69 of March 30, 2017)

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These Rules shall come into effect as of April 1, 2017.

Supplementary Provisions (Rule No. 47 of March 29, 2018)

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These Rules shall come into effect as of April 1, 2018.

Supplementary Provisions (Regulation No. 35 of March 26, 2019)

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These Rules shall come into effect as of April 1, 2019.

Supplementary Provisions (Rule No. 30 of March 29, 2021)

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These Rules shall come into effect as of April 1, 2021.

Supplementary Provisions (Rule No. 49 of March 30, 2023)

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These Rules shall come into effect as of April 1, 2023.

Supplementary Provisions (Rule No. 〇 of March 〇, 2024)

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These Rules shall come into effect as of April 1, 2024.

※reference※　When the Japanese and English texts differ, the Japanese text takes precedence.

○Rules for the Implementation of the Rules for Employee Inventions of Yokohama National University

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| (Rule No. 191 of April 1, 2004) |

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| Amended |  Rule No. 63 of October 12, 2022 |

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(Purpose)

Article 1 These Rules are formulated to stipulate the necessary matters concerning the utilization of Inventions and Creations succeeded to by the University in accordance with the provisions of Articles 6, 12 and 20 of the Rules for Employee Inventions of Yokohama National University (Rule No. 107 of 2004, hereinafter referred to as the “Rules”).

(Definitions)

Article 2 The terms used herein shall be explained as follows:

(1) “Transferee(s)” means a person who is newly employed by the University or a person who is transferred to the University from an external institution.

(2) “Royalty and Other Income” means income earned by the University from licensing or transferring the Intellectual Property Rights it owns to a third party.

(Technology Transfer)

Article 3 The University may transfer technology to a third party with respect to the Inventions and Creations succeeded to by the University, and the conditions, etc. shall be prescribed separately.

2 When the third party set forth in the preceding Paragraph refers to a start-up company that has been awarded the title of Venture or Student Venture by Yokohama National University (hereinafter referred to as the “University Venture”) pursuant to the provisions of Article 5 of the Rules for Awarding the Title of Venture by Yokohama National University (Rule No. 26 of 2021), preferential conditions for technology transfer and other aspects may be provided, the details of which are separately stipulated.

(Compensations for Application and Registration)

Article 4 The University shall pay 10,000 yen per patent application, application for utility model registration, and application for design registration to the Right Holder as Compensation for Application.

2 The University shall pay 25,000 yen per patent right, utility model right or design right to the Right Holder as Compensation for Registration.

3 Notwithstanding the preceding two Paragraphs, no Compensations for Application and Registration shall be paid for a change of application, division of a patent application, or a claim of domestic priority based on a patent application, etc. Where an invention pertaining to an application for domestic priority involves a new Right Holder who does not engage in the invention for which the application had already been filed (hereinafter referred to as the “New Right Holder”), Compensation for Application shall be paid to the New Right Holder only in proportion to the New Right Holder’s contribution to the invention. Compensation for Registration shall be paid in proportion to the contribution of each Right Holder including the New Right Holder.

4 In the case where multiple applications are filed for one notification of Invention and Creation as stipulated in Article 5(1) of the Rules, the University shall pay the Compensations for Application and Registration for each application.

5 If a foreign application is filed, no Compensations for Application and Registration shall be paid, except in the case where the University has not paid any Compensation for Application or Registration for a related domestic application earlier. However, if a New Right Holder exists at the time of filing the foreign application, the provision of Paragraph 3 shall apply mutatis mutandis.

6 In the proviso of Paragraph 3 and the preceding Paragraph, if the Compensation for Application has already been paid to any Right Holder other than the New Right Holder, the University shall not claim the return of the Compensation due to the change in the contribution of each Right Holder.

(Compensation for Working)

Article 5 The University shall pay 40% of the amount after deducting administrative expenses (10% of the Royalty and Other Income) and direct expenses required for application, maintenance of rights and technology transfer, etc. (hereinafter referred to as the “Post-Deduction Amount”) from the Royalty and Other Income to the Right Holder as Compensation for Working.

(Calculation in the Case of Multiple Right Holders)

Article 6 Calculation of Compensation in the case of multiple Right Holders shall be as follows:

(1) If the University files an application solely, the Compensation shall be calculated in proportion to the contribution ratio of the Right Holders.

(2) If there is a joint applicant, the Compensation shall be calculated in accordance with the preceding Item, regardless of the share of the University and the joint applicant.

(3) Any amount of Compensation to the Right Holders that is less than one yen shall be rounded off.

(Payment of Compensation)

Article 7 The Right Holder shall designate a bank account for receiving Compensation upon receipt of notification from the University. However, if the Right Holder is enrolled at the University at the time of payment of Compensation and has registered a bank account with the University, the University shall, in principle, transfer the Compensation to the registered account.

2 If the Right Holder changes the bank account set forth in the preceding Paragraph, the Right Holder shall submit to the University a document with the required information filled in and necessary supporting documents.

3 In principle, the University shall pay Compensation to the Right Holder by the end of the fiscal year following the fiscal year in which the cause for payment of Compensation arises.

4 Notwithstanding the provision of the preceding Paragraph, the University may withhold the payment of Compensation to the Right Holder in the event that the Compensation fails to be transferred to the Right Holder’s bank account through no fault of the University.

5 Under the preceding Paragraph, the University shall pay Compensation to the Right Holder if a claim is made by the Right Holder before the statute of limitations on Compensation becomes effective.

6 The accounting procedures for the payment of Compensation shall be in accordance with the Rules for the Implementation of Accounting of Yokohama National University (Rules No. 305 of 2004) and other related Rules, etc.

(Return Pertaining to Extinguishment of Intellectual Property Rights)

Article 8 When an Intellectual Property Right is extinguished due to declaration of invalidity, etc. after payment of Compensations for Application and Registration, the University shall not claim the return of the Compensation from the Right Holder.

(Compensation for Transfer from a Transferee)

Article 9 If the University accepts a transfer of Intellectual Property Rights prescribed in Article 2.1(3)(b) of the Rules from a Transferee or from an external institution at which the Transferee is previously employed, no Compensation for Application shall be paid to the Transferee in principle by retroactively applying these Rules.

2 If the University accepts a transfer of Intellectual Property Rights prescribed in Article 2.1(3)(a) of the Rules from a Transferee or from an external institution at which the Transferee is previously employed, no Compensations for Application or Registration shall be paid to the Transferee in principle by retroactively applying these Rules.

(Allocation of Royalty and Other Income)

Article 10 After deducting the 40% Compensation for Working provided in Article 5 from the Post-Deduction Amount, 15% of the amount shall be allocated to the laboratory, etc. to which the inventor belongs, and 45% to the Intellectual Property Support Office. In the event that the amount is less than 1 yen, it shall be allocated to the Intellectual Property Support Office.

2 If, under the preceding paragraph, all or part of the direct expenses for Application are allocated from the grant-in-aid for operating expenses administered by the inventor, the amount after deducting the administrative expenses and the direct expenses for application borne by the Intellectual Property Support Office shall be allocated to the inventor’s laboratory, etc. In this case, the inventor shall provide documents showing the amount allocated from the grant-in-aid for operating expenses administered by the inventor (hereinafter referred to as the “Expenses Borne by the Inventors”), and if it can be confirmed that the amount allocated to the laboratory, etc. exceeds the Expenses Borne by the Inventor, 40% of the excess amount shall be allocated to the Right Holder.

3 The budget allocated to the Intellectual Property Support Office in the preceding two Paragraphs shall be the expenses for application, examination and maintenance of Intellectual Property Rights based on the results of deliberations by the Invention Judging Committee, and other matters approved by the President after deliberations by the Invention Judging Committee.

　　　Supplementary Provisions

These Rules shall come into effect as of April 1, 2004.

　　　Supplementary Provisions (Rule No. 63 of October 12, 2022)

These Rules shall come into effect as of October 12, 2022.

　　　Supplementary Provision (Rule No. 〇 of〇, 2024)

These Rules shall come into effect as of April 1, 2024.

※reference※　When the Japanese and English texts differ, the Japanese text takes precedence.

○Rules for Handling Tangible Research Results of Yokohama National University

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| (Rule No. 373 of April 1, 2004) |

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| Amended | Rule No. 79 of June 30, 2010 | Rule No. 71 of September 30, 2013 |
| Rule No. 70 of September 25, 2015 |  |

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(Purpose)

Article 1 These Rules are formulated to stipulate the necessary matters concerning the handling of Tangible Research Results obtained through research and education at Yokohama National University (hereinafter referred to as the “University”) and Tangible Research Results owned by External Institutions, to ensure their proper management, to promote research at the University and to facilitate smooth research cooperation with External Institutions.

(Definitions)

Article 2 The terms used herein shall be explained as follows:

(1) “Faculty Member(s) and Other Researcher(s)” means:

　a. person(s) to whom the Rules for Employment of Faculty Members of Yokohama National University (Rule No. 101 of 2004), Rules for Employment of Part-time Staff of Yokohama National University (Rule No. 114 of 2004), and Rules for Employment of Short-term Working Staff of Yokohama National University (Rule No. 50 of 2008) apply(hereinafter referred to as “Faculty Member(s)”);

　b. undergraduate students, graduate students, research students, non-degree students, and other persons who receive education or research guidance at the University and who have reached an agreement with the University and agreed to comply with these Rules during the handling of Tangible Research Results (excluding those who are employed by the University, hereinafter referred to as the “Students”);

　c. visiting professors, foreign researchers, and others who have reached an agreement with the University and agreed to comply with these Rules during the handling of Tangible Research Results; and

　d. other persons who have reached an agreement with the University and agreed to comply with these Rules during the handling of Tangible Research Results.

(2) “Tangible Research Result(s)” means materials, samples (microorganisms, new materials, soil, rocks, new varieties of plants, etc.), prototypes, models, experimental equipment, electronic media and paper media recording information on various research results, etc. with an academic or proprietary nature, among the results of research, education, etc. conducted by Faculty Members and Other Researchers using the funds, facilities, equipment, and other assets provided by the University, or created in the course of such research, education, etc. (including partially improved Tangible Research Results and, and their descendants or reproductions if the Tangible Research Results are propagatable/reproducible), excluding those related to theses, lectures, and other works.

(3) “Create/Creation” means the creation, extraction, or acquisition of Tangible Research Results.

(4) “Creator(s)” means the Faculty Members and Other Researchers who created the Tangible Research Results, or the Faculty Members and Other Researchers, who provided guidance for the creation of the Tangible Research Results, and who contributed to the academic or proprietary nature mentioned in Item (2), excluding those who simply received instructions from Faculty Members and performed the work without originality or ingenuity.

(5) “External Institution(s)” means legal persons or individuals other than the University.

(6) “Provide/Provision” means to transfer, lend, or allow the use of Tangible Research Results to an External Institution, whether paid or free.

(Ownership)

Article 3 Tangible Research Results created by Faculty Members and Other Researchers shall belong to the University. However, this shall not apply to:

(1) results whose ownership has been stipulated in a contract with an External Institution;

(2) results created by the person falling under the preceding Article 2(1)(b)-(d) and belonging to an external institution, and for which the consent of the external institution to which the Creator belongs has not been obtained; and

(3) other results deemed inappropriate for ownership by the University.

(Management)

Article 4 Faculty Members and Other Researchers shall be responsible for the strict management of their own Tangible Research Results to prevent them from being easily accessed by others or taken out of the University.

(Notification)

Article 5 In the following circumstances, Faculty Members and Other Researchers shall promptly submit to the University ta “Notification of Tangible Research Results” (hereinafter referred to as “TRR Notification”), as separately stipulated:

(1) where the Faculty Members and Other Researchers intend to provide the created Tangible Research Results to an External Institution;

(2) where an External Institution requests the provision of the created Tangible Research Results;

(3) where the created Tangible Research Results are to be deposited to an External Institution; or

(4) other cases where it is deemed necessary to conclude a contract with an External Institution for the created Tangible Research Results.

2 If the Tangible Research Results set forth in the preceding Paragraph are created jointly, the Faculty Member or Other Research on behalf of the Creators shall submit the TRR Notification after obtaining the consent of the other Creator(s) regarding the contents of the notification and the handling of the Tangible Research Results subject to these Rules.

3 The President may request a Faculty Member or Other Researcher to submit a TRR Notification when it is determined that the notification is required as stipulated in Paragraph 1, or that the Tangible Research Results have an academic or proprietary nature, notwithstanding Paragraph 1. In such cases, the Creator must promptly submit the TRR Notification.

(Provision to External Institutions)

Article 6 The University may provide the Tangible Research Results to an External Institution after receiving the notification prescribed in Paragraph 1 of the preceding Article, except in the following cases:

(1) where an Application for an Invention or Creation related to the Tangible Research Results to be provided is to be filed, but the Application has not yet been filed;

(2) where the intended use of the Tangible Research Results is clearly recognized as a hindrance to the University’s rights protection, or a violation of public order and morals;

(3) where the University is deemed incapable of managing and protecting the Tangible Research Results;

(4) where the University violates the contract concluded prior to the provision;

(5) where it is in violation of the Foreign Exchange and Foreign Trade Act (Act No. 228 of 1949) or other relevant laws and regulations;

(6) where the Tangible Research Results fail to be provided due to asset management reasons; or

(7) any other reason for not being able to provide.

2 In principle, the beneficiary bears all expenses for carrying in and out the Tangible Research Results necessary for the provision. However, if the purpose of such use is consistent with the University’s operations, the University’s budget may be used to cover all or part of such costs.

3 If the Tangible Research Results are provided to an External Institution in accordance with Paragraph 1, and the Creators of the Tangible Research Results include Students, the Faculty Members and Other Researchers shall instruct and educate the Students to comply with the contract or other provisions with the External Institution.

(Allocation of Income)

Article 7 The allocation of income earned by the University from the provision of Tangible Research Results as stipulated in the preceding Article shall be determined separately.

(Restrictions on Publication)

Article 8 Faculty Members and Other researchers shall not publish or disclose the Tangible Research Results to others if such Tangible Research Results:

(1) are in violation of laws, regulations, or rules of the University;

(2) are in violation of ethical guidelines established by the national governments or the University;

(3) may conflict with contracts with or the rights of External Institutions; or

(4) may identify personal information.

2 The president may request the Faculty Members and Other Researchers to submit a written commitment to confidentiality of the Tangible Research Results, as necessary.

(Treatment after Separation from Employment, etc.)

Article 9 After a Faculty Member or Other Researcher loses his/her status due to separation from employment, transfer, or graduation/completion, etc. (hereinafter referred to as “Separation from Employment, etc.”), no Tangible Research Results created during his/her tenure shall be taken out of the University without the permission of the University.

2 The Faculty Members and Other Researchers shall comply with the contracts with any External Institutions even after losing status thereof due to Separation from Employment, etc.

(Acceptance from External Institutions)

Article 10 The University may accept from an External Institution the Tangible Research Results owned by the External Institution (hereinafter referred to as “External Tangible Research Results”) for the purpose of Article 1. When accepting such External Tangible Research Results, the Faculty Members and Other Researchers must:

(1) obtain consent from the External Institution or from the person in charge of the management of the Tangible Research Results at the External Institution;

(2) ensure that the acceptance does not violate any laws or regulations or any rules of the University;

(3) comply with the rules and regulations of the External Institution regarding the acceptance of the External Tangible Research Results (if any);

(4) clarify the new burden of recurring expenses, etc. (if any), and consult with the relevant departments according to the details of such burden; and

(5) instruct and educate a Student on the proper handling and management of the External Tangible Research Results if the Student are accepting such results, and the acceptance shall be through his/her academic advisor.

2 No Faculty Members and Other Researchers shall publish or disclose any Tangible Research Results, except for those that have already been published, those that have been approved for publication, and those that have been approved for disclosure to specific parties under a confidentiality agreement.

3 No Faculty Members and Other Researchers shall provide any External Tangible Research Results to anyone other than those agreed upon, without the permission of the relevant External Institution.

(Administrative Affairs)

Article 11 Administrative affairs related to the Tangible Research Results shall be handled by the Department of Industry-Academia-Regional Collaboration.

(Miscellaneous)

Article 12 In addition to the provisions of these Rules and other rules, necessary matters concerning the handling of the Tangible Research Results shall be determined separately by the President after deliberation at a meeting of the Intellectual Property Support Office, Department of Industry-Academia-Government Collaboration of the Research Initiatives and Promotion Organization.

Supplementary Provisions

These Rules shall come into effect as of April 1, 2004.

Supplementary Provisions (Rule No. 79 of June 30, 2010)

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These Rules shall come into effect as of July 1, 2010.

Supplementary Provisions (Rule No. 71 of September 30, 2013)

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These Rules shall come into effect as of October 1, 2013.

Supplementary Provisions (Rule No. 70 of September 25, 2015)

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These Rules shall come into effect as of October 1, 2015.

Supplementary Provisions (Rule No. 70 of September 25, 2015)

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1 These Rules shall come into effect as of April 1, 2024.

2 Notwithstanding the provisions of Article 7 after the revision, the provisions previously in force shall remain effective for the allocation of income pertaining to Tangible Research Results for which notification as stipulated in Article 5 has been made by the day before the effective date of these Rules.

※reference※　When the Japanese and English texts differ, the Japanese text takes precedence.

○Rules for the Implementation of the Rules for Handling Tangible Research Results of Yokohama National University

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| (Rule No. 〇〇 of 〇(month)〇(day), 〇(year)) |

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(Purpose)

Article 1 These Rules are formulated to stipulate the necessary matters concerning the administration of income earned by the University in accordance with Article 7 of the Rules for Handling Tangible Research Results of Yokohama National University (Rules No. 373 of April 1, 2004, hereinafter referred to as the “Rules”).

(Payment of Compensation)

Article 2 When any income is earned by providing Tangible Research Results as stipulated in Article 7 of the Rules, the University shall pay the Creators as Compensation 40% of the amount after deducting administrative expenses (10% of the amount of income) and the actual costs of creating the Tangible Research Results (hereinafter collectively referred to as the “Post-Deduction Amount”) from the amount of income.

2 In the case of multiple Creators, the Compensation shall be paid in proportion to their contribution to the creation.

3 In the event of Separation from Employment, etc. of a Creator in accordance with Article 9 of the Rules, the preceding two Paragraphs shall apply mutatis mutandis. However, the payment of Compensation may be withheld if the contact information after Separation from Employment, etc. has not been notified to the University.

4 In the event of the death of a Creator, the University shall pay Compensation to the family member who has the right of inheritance, the provisions of Paragraphs 1 and 2 applying mutatis mutandis. However, if the family member with the right of inheritance has moved after the death of the Creator and fails to notify the University of his/her new contact address, etc., the University may withhold the payment of Compensation.

(Allocation within the University)

Article 3 The University shall allocate the administrative fees set forth in Paragraph 1 of the preceding Article to the Intellectual Property Support Office and 60% of the Post-Deduction Amount to the Creator’s laboratory, etc.

(Rounding)

Article 4 Any fraction of less than one yen in the preceding two Articles shall be rounded down. Any fractional amount rounded down shall be allocated to the Intellectual Property Support Office.

(Time of Allocation)

Article 5 In principle, income shall be allocated in the fiscal year in which it is received by the University.

Supplementary Provisions These Detailed Rules shall come into effect as of April 1, 2024.