

**UNIVERSITY AFFAIRS TREATMENT OUTLINE CONCERNING  
EMPLOYMENT DUTY RELATED INVENTIONS, ETC. OF UNIVERSITY OF  
AIZU FACULTY MEMBERS, ETC.**

**Article One**

(Objective)

1.1 This outline provides necessary matters concerning the implementation of the University Regulation Concerning Employment Duty Related Inventions, Etc. Of University Of Aizu Faculty Members, Etc (for the purpose of this outline, hereinafter referred to as "REGULATION") under the provision of REGULATION Article 23.

**Article Two**

(Allocation Of Affairs)

2.1 Under the provisions of REGULATION, the following affairs to be performed by the University President or the University shall be performed by the Director of the University-Business Innovation Center (for the purpose of this outline, hereinafter referred to as "the UBIC"):

- (1) Affairs concerning the authorization of ASSUMABLE EMPLOYMENT DUTY RELATED INVENTIONS (as defined in REGULATION, Article 3, Paragraph 1) and the assumption of the right to receive a patent or patent rights (related to REGULATION Articles 5, 6, and 17);
- (2) Affairs concerning patent applications and request for substantive examination (related to REGULATION Articles 9 and 10);
- (3) Affairs concerning the payment of application expenses borne by the inventor (related to REGULATION Articles 11 and 17);
- (4) Affairs concerning the payment of registration compensation and operation compensation (related to REGULATION Articles 13, 14, and 17);
- (5) Affairs concerning the permission to operate or the ceding of the right to receive a patent or patent rights (related to REGULATION Article 14);
- (6) Affairs concerning statements of disagreement (related to REGULATION Article 18); and
- (7) Affairs concerning matters referred to the University Of Aizu Employment Duty Related Invention Deliberation Council (for the purpose of this outline, this council shall hereinafter be referred to as "DELIBERATION COUNCIL", related to REGULATION Article 19).

### **Article Three**

(Authorization of ASSUMABLE EMPLOYMENT DUTY RELATED INVENTIONS  
And Notification Of Determination Of Assumption)

3.1 The UBIC - upon an authorization or determination under the provisions of REGULATION Article 5 or upon a determination under the provisions of REGULATION Article 6 - shall promptly notify the corresponding inventor.

### **Article Four**

(Ceding Of Rights)

4.1 The point in time that the rights to receive a patent or patent rights are transferred from the inventor to the university shall be the point at which the inventor is notified in accordance with the provisions of Article 17 of the regulation. However, with respect to an inventor's work related invention that is not an ASSUMABLE EMPLOYMENT DUTY RELATED INVENTION, when the inventor offers to cede the right to receive a patent or the patent rights under the provisions of REGULATION Article 6, and when they are ceded to the University under the provisions of REGULATION Article 7, a cession contract shall be executed with the inventor.

### **Article Five**

(Patent Applications, Etc.)

5.1 The UBIC, under the provisions of REGULATION, shall conduct a patent application, the payment of fees, and other procedures with respect to the Patent Office.

### **Article Six**

(Management of Filed Invention)

6.1 The UBIC, in situations in which the inventor files an application or when a change in the right is recognized, shall promptly record necessary information, such as inventors and procedure deadline, etc., to maintain and manage the right by documents, electromagnetic record, or other methods.

### **Article Seven**

(Payment Of Application Expenses, Etc. Borne By The Inventor)

7.1 The inventor, in situations in which he/she is planning to receive payment for application expenses, etc. under the provisions of REGULATION Article 11, shall attach documents evidencing the expenses, etc. to the "Application Expenses, Etc. Payment Request Form" (Form No.1) and shall submit them to the UBIC.

7.2 The UBIC, after a determination to pay expenses, shall notify the corresponding inventor using the "Application Expenses, Etc. Payment Determination Notification Form" (Form No. 2), and shall pay the corresponding expenses.

7.3 The amount of inventor requested application expenses, etc. paid by the University shall be those application fees, invoiced application examination fees, patent fees, expenses required for the preparation of applications, etc., and expenses required for retaining a patent attorney that the University President recognizes as necessary to be paid.

### **Article Eight**

(Payment Of Registration Compensation)

8.1 The UBIC, after determining to pay registration compensation under the provisions of REGULATION Article 13, shall notify the corresponding inventor and shall pay the corresponding registration compensation.

### **Article Nine**

(Payment Of Operation Compensation)

9.1 The UBIC, after determining to pay operation compensation under the provisions of REGULATION Article 14, shall notify the corresponding inventor and shall pay the corresponding operation compensation.

### **Article Ten**

(Operation Compensation Special Measures)

10.1 The phrase "when the University President recognizes that there are special circumstances" provided for in REGULATION Article 14, Paragraph 2, refers to the following situation. The situation in which the University has recognized a special necessity in terms of public interest; without a proper amount of compensation, ceded the corresponding rights or permitted the operation regarding the corresponding rights; and therefore operation compensation has not been paid to the corresponding inventor.

### **Article Eleven**

(Compensation In Situations Of Retirement Or Death)

11.1 The provisions of Articles 7, 8, and 9 shall apply corresponding in situations in which the inventor has retired or died.

11.2 In situations in which the inventor has died and when compensation, etc. is paid to that inventor's heir, the UBIC must receive documents evidencing the inheritance of the corresponding rights (inheritance certificate) from the heir.

### **Article Twelve**

(Statement Of Disagreement)

12.1 The UBIC, when he/she has received a statement of disagreement provided for under the provisions of REGULATION Article 18, Paragraph 1, shall attach the documents concerning the corresponding statement of disagreement to the "Statement Of Disagreement Explanation Form" (Form No.3) and submit these documents to the DELIBERATION COUNCIL.

### **Article Thirteen**

(Matters Referred To The DELIBERATION COUNCIL)

13.1 The UBIC, when the University President submits matters to the DELIBERATION COUNCIL with respect to each of the matters provided for in REGULATION Article 19, shall submit the following documents to the DELIBERATION COUNCIL.

- (1) In situations corresponding to REGULATION Article 19, Paragraph 1, Item 1:
  - (A) A copy of the Work Related Invention Report and Deed of Transfer;
  - (B) The respective director's Opinion Form;
  - (C) Items for Consideration before an Application is Made for Registration of the Invention or for Patent Review (to be filled in by the inventor); and
  - (D) Other documents necessary for deliberations.
- (2) In situations corresponding to REGULATION Article 19, Paragraph 2 or 3, Item 2:
  - (A) Items for Consideration before an Application is Made for Registration of the Invention or for Patent Review (to be filled in by the inventor); and
  - (B) Other documents necessary for deliberations.
- (3) In situations corresponding to REGULATION Article 19, Paragraph 4, Item 3:
  - (A) Documents regarding the amount of Operation Compensation;

(B) Operation Compensation Estimate Explanation Form (Form No. 4) in situations corresponding to REGULATION Article 14, Paragraph 2; and

(4) In situations corresponding to REGULATION Article 19, Paragraph 5, Item 4:

(A) A copy of the Statement Of Disagreement Form; and

(B) The Statement Of Disagreement Explanation Form.

13.2 The DELIBERATION COUNCIL shall report the University President in writing of the results of its deliberations.

#### **Article Fourteen**

(Matters Concerning The Administration Of The DELIBERATION COUNCIL)

14.1 The administration of the DELIBERATION COUNCIL shall be conducted as follows:

(1) The DELIBERATION COUNCIL, if for which more than half of the members belonging thereto are not present, may not be convened;

(2) The proceedings of the DELIBERATION COUNCIL shall be determined by a majority vote of the attendees;

(3) The Council Chairperson, with respect to matters that should be submitted to the DELIBERATION COUNCIL and when he/she recognizes that there is a required special urgency or that there is no necessity of convoking the DELIBERATION COUNCIL, can substitute deliberations of the DELIBERATION COUNCIL with written deliberations; and

(4) Miscellaneous affairs of the DELIBERATION COUNCIL shall be managed by the UBIC.

#### **Article Fifteen**

(Corresponding Application To Ideas And Design Conceptions, Cultivation Of Species And Trademark Application)

15.1 The provisions of this outline shall apply correspondingly with respect to those ideas, design conceptions, and cultivation of species of faculty members etc.

15.2 The provisions of this outline shall apply correspondingly with the procedures of the situations when faculty members, etc. report about the trademark application.

#### **ADDITIONAL PROVISIONS**

This Outline shall be enforced as of April 1, 2006.

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This Outline shall be enforced as of April 26, 2017.