**Fu Jen Catholic University**

**Regulations Governing Off-Campus Academic Research and Collaboration with Industry**

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Article 1

Fu Jen Catholic University (“the University”) formulated these Regulations in order to advance industry development, promote the accumulation and spread of knowledge, and make full use of the University’s research, training, education, and service capabilities.

Article 2

“Off-Campus Academic Research and Collaborative Projects with Industry” (“Collaborative Projects”) means the University is collaborating with the government, an enterprise, a private organization, or research institute (“Collaborating Organization”) in one of the following initiatives:

1. Development and application of research: includes initiatives such as specialized research, exchange of materials, tests/experiments, technical services, advising and consulting, patent applications, technology transfer, and incubation of start-up companies.
2. Joint initiatives involving education, training, seminars, conferences, or internships.
3. Other initiatives that involve the use of intellectual property rights owned by the University.

Article 3

A Collaborative Project that requires the use of University resources, such as specialized facilities, instruments, or equipment may be undertaken only after coordination between all participating programs at the University.

Article 4

Programs or individuals conducting a Collaborative Project may claim funding only after the Collaborating Organization has remitted its share of the funds to the University. Where the Collaborative Organization provides funding in installments, a claim is limited to the actual amount that has been remitted to the University. Advanced funds requested for government projects (excluding those of the Ministry of Science and Technology) may be managed as a separate case after authorization has been granted.

If the amount of a claim exceeds the amount of funds remitted to the University, the Project Leader will be responsible for covering the outstanding amount.

Article 5

Collaborative Projects must include administrative costs as part of the budget. Details are as follows:

1. Administrative costs must account for a minimum of fifteen percent (15%) of total project costs. Total project costs include administrative costs and the costs of executing the project.
2. Where government regulations require that administrative costs be below fifteen percent (15%) of total project costs, those regulations apply. However, administrative costs must then reach the maximum amount allowed by the government. The Project Leader shall likewise submit proof that the government has placed restrictions on administrative costs.
3. Funding contributed by industry through a MOST Collaborative Research Project Between Academia and Industry will be managed in accordance with MOST regulations.
4. Under unique circumstances, such as when adherence to the administrative cost requirements in these Regulations would obstruct the advancement of a Collaborative Project, the President may be requested to lower the minimum threshold of administrative costs.

Administrative costs are utilized by the University. If a Collaborative Project is privately-funded, one-third of administrative costs may be allocated to the Office of Research and Development Fund in order to promote technology transfer and the licensing of R&D results.

Article 6

“Surplus funds” means any funds that remain after the Project Leader has concluded the Collaborative Project and completed procedures to claim project funds. Except where a collaborative agreement or related regulations stipulate that surplus funds be returned to the Collaborating Organization, surplus funds will be distributed, employed, and managed in accordance with these Regulations upon completion of the Collaborative Project.

Surplus funds may be used only when the administrative costs for the Collaborative Project have been budgeted in accordance with the requirements of the Collaborating Organization or University regulations; there was no reduction to the minimum threshold for administrative costs; and the remaining funds exceed NT$30,000.

Surplus funds must be disbursed completely within three academic years following completion of the Collaborative Project. Funds that remain following the three-year period as well as annual cyclical funds valued below NT$5,000 will transferred to the University. Distribution of surplus funds will be handled as follows:

1. The University will receive thirty percent (30%); the Project Leader will receive seventy percent (70%).
2. When an administrative division is in charge of executing the project, funds will be transferred to the University.

When Project Leaders leave the employment of the University or transfer out of the program in which they managed the project, their portion of surplus funds will be transferred to the University.

Surplus funds shall be used to cover research-related costs (e.g. registration fees and travel expenses to attend conferences in Taiwan or abroad; purchase of research instruments; purchase of consumable materials required for experiments; expenses to ensure laboratory health and safety; personnel costs; and promotion of research).

The claiming and disbursement of funds will be managed in accordance with University regulations.

Article 7

Methods to undertake a Collaborative Project:

1. An instructor at the University personally contacts an organization or makes a successful bid and then applies to undertake the project.
2. The Collaborating Organization contacts an instructor or program at the University, which then applies to undertake the project.
3. The Collaborating Organization writes to the University about the project. Based on the nature of the project, the Office of Research and Development then forwards the information to relevant programs. After a comprehensive consideration of personnel, expertise, facilities, time, and expenses, individual programs will decide whether or not to undertake the project. If the project will be undertaken together by several programs, the Office of Research and Development will provide coordination.

Article 8

A Project Leader must complete and submit a proposal, collaborative agreement, and budget worksheet when making the application described in the preceding Article. After the application has been approved by the Program Director and College Dean, it will be forwarded to the Office of Legal Affairs and the Office of Research and Development in order to arrange the signing of the collaborative agreement between the University and Collaborating Organization. The Project Leader will likewise countersign to indicate their responsibility. When there are two or more Project Leaders, they may decide among themselves who will serve as counter-signatory.

Article 9

The collaborative agreement shall include the following specifics: the research topic; collective aims; collective funds; ownership of results; duration of the project; responsible persons; and the rights and obligations of both parties. Other special conditions shall be written in the collaborative agreement or specified in a written attachment.

Article 10

When necessary, the collaborative agreement may be amended or extended following the agreement of both parties. However, major revisions or an extension of a year or more requires the drafting of a new collaborative agreement.

Article 11

In order to clarify legal responsibilities and establish risk control mechanisms for all Collaborative Projects, the Project Leader, Co-Leader(s), and Assistant Leader(s) shall sign a declaration to the University agreeing to bear responsibility for financial damages that may arise due to infringement of rights or contract violations.

Article 12

The University bears no responsibility for the commercialization of any research results, including intellectual property rights, technology transfer, licensing, or other items. The content of this Article shall be written into all collaborative agreements.

Article 13

Guidelines for the use of the University’s trademarks are as follows:

1. A Collaborating Organization which requires the use of the University’s name or logo for commercial purposes shall obtain written permission or a license from the University, and shall do so in accordance with the University’s application procedures for trademark use.
2. When the University’s trademarks are used without written permission or a license, the University may assert its rights in accordance with the Trademark Act and prohibit further use.

Article 14

A project that involves sensitive technology, respect for life, or professional ethics will be managed in accordance with the MOST Safety Controls and Procedures Handbook for Government-Sponsored Research Involving Sensitive Technology.

Article 15

Where the execution of a Collaborative Project involves Article 4 of the Human Subjects Research Act or a “human trial” as defined in Article 8 of the Medical Care Act, project details shall be submitted to the Ethics Committee for review.

Article 16

Regulations governing conflicts of interest, recusal, and confidentiality obligations for personnel involved in Collaborative Projects will be formulated separately.

Article 17

Income derived through ownership of, and rights associated with, research results produced through Collaborative Projects shall be distributed in accordance with Regulations Governing Research Results and Technology Transfer. The terms of distribution shall likewise be specified within collaborative agreements.

Article 18

The Office of Research and Development is responsible for the execution, monitoring, and auditing of Collaborative Projects. Performance rewards for related personnel will be handled in accordance with Regulations Governing the Incentivization of Collaborative Initiatives with Industry.

Article 19

In order to raise the competitiveness and effectiveness of collaborative initiatives with industry, and expand opportunities for participation in such initiatives, University programs will draft regulations to incentivize and financially support collaborative initiatives.

Article 20

In order to foster greater exchange with industry and create opportunities for collaboration and research, members from both parties shall hold non-routine seminars and activities to discuss matters related to collaboration.

Article 21

Performance in collaborative initiatives with industry shall be a benchmark for faculty promotion and one of the criteria for instructor evaluations, thereby encouraging faculty to engage in collaborative initiatives and raising the effectiveness of the University’s collaborative efforts with industry.

Article 22

Except where a collaborative agreement stipulates otherwise, all books, journals, instruments and equipment purchased for a Collaborative Project will be managed in accordance with the University’s Regulations Governing Asset Management.

Article 23

A program or individual using the University’s name, personnel, or equipment to conduct a Collaborative Project must do so in accordance with these Regulations. Violations will be reviewed and handled by the Research Grants Review Committee.

Article 24

Any matters not covered in these Regulations will be handled in accordance with related laws and University regulations.

Article 25

These Regulations were passed by the Executive Council and will be promulgated and implemented after the approval of the President. The same procedure will be followed for each amendment.