明志科技大學
Ming Chi University of Technology

規章編號 Document No.
A2A1060006

學生專利申請補助辦法
Subsidy Measures for Funding Patent Applications of Students

制定部門：明志科技大學研究發展處

Established by: Office of Research and Development, Ming Chi University of Technology

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Amended on July 25, 2017

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94.01.28　校務會議制訂

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103.02.17　校長核定

Approved by the president on February 17, 2014

(配合 103.01.15 教育部核定組織規程技合處改名研發處統一簽核)

(universally according to the name change of the Office of Technological Cooperation into the Office of Research and Development in the articles of organization approved by the Ministry of Education on January 15, 2014)

106.07.27　行政會議修訂

Amended by the University Administrative Meeting on July 27, 2017

著作權人:明志科技大學

Copyrighted to: Ming Chi University of Technology

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Attachment　Application Form (Form: A2A1060106)

明志科技大學

Ming Chi University of Technology

學生專利申請補助辦法

Subsidy Measures for Funding Patent Applications of Students

94.01.28 校務會議制訂

Established by the University Council Meeting on January 28, 2005

103.02.17 校長核定

Approved by the president on February 17, 2014

106.07.25 行政會議修訂

Amended by the University Administrative Meeting on July 25, 2017

第一條　目的

為鼓勵本校學生提出專利申請，以有效開發學生之創造力與創意思考能力並保障其智慧財產權，訂定「學生專利申請補助辦法」(以下簡稱本辦法)。

Article 1　Objective/Purpose

The "Subsidy Measures for Funding Patent Applications of Students" (hereinafter referred to as "the Measures") is established to encourage MCUT students to apply for patents to effectively develop the creativity and creative thinking of students and protect their intellectual property rights.

第二條　申請資格

本校在籍學生。

Article 2　Application Requirements

Active MCUT students.

第三條　申請歸屬

學生申請專利創作補助應有本校教師掛名指導，即至少專利發明人之一應為本校教師，且申請學生應名列第一位，同一專利以本辦法申請補助後，不得再申請教師專利補助。

Article 3　Rights to Application

When applying for funding of patent applications, students shall indicate MCUT academic staff as the advisor (supervisor), i.e. at least one patent inventor is a MCUT academic staff member and the applicant student shall

be the first inventor. The same patent applied for funding under these Measures shall not be used for funding patent applications of academic staff.

第四條　專利所有人

依本辦法申請專利之專利所有權人應為『明志科技大學』。

Article 4　Patentee

The patentee of patents applied for under these Measures shall be Ming Chi University of Technology.

第五條　申請程序

一、學生申請新型專利由各系統籌辦理，經系、院務會議審查通過後簽會研究發展處(以下簡稱「研發處」)登錄，並由校內合作之專利事務所協助申請，申請件數及所需費用須受各系該學年度預算額度控管。申請文件如同第二項(一)至(三)項所示。

二、學生申請發明及設計專利時，應檢具下列文件送交研發處辦理：

(一)明志科技大學學生專利申請表(表號：A2A1060106)。

(二)明志科技大學專利申請書(表號：A2A1050107)。

(三)明志科技大學研發成果發明人權益收入分配協議書(表號：A2A1050307)。

以上(二)、(三)點表單，請參閱「專利申請補助及維護管理辦法」。

三、經研發處確認之學生專利申請案，即進行專利可專利性分析程序。

四、由研發處彙整可專利性分析結果送本校研發成果評量委員會進行審查，委員得依據校內資源、申請案可專分析報告進行審查，必要時得請申請學生簡報該創意構想。

五、通過「研果評量委員會」之學生專利申請案，交由專利事務所協助執行專利申請相關事宜，其所需文件應由發明人配合提出。

Article 5　Application Procedures

1. Each department shall take charge of the application for utility model patents for students. After the approval of the department and college council meetings, the application shall be submitted to the Office of Research and Development (hereinafter called the “ORD”) for countersigning and registration before forwarding to MCUT’s partner patent office to assist with the application. Each department shall

control the number of applications and the required application fees within its annual budget. Documents required for application are as shown in subparagraphs (1)-(3), paragraph 2.

2. When applying for invention and design patents, students shall submit the following documents to ORD:
   (1) MCUT Student Patent Application Form (Form: A2A1060106)
   (2) MCUT Patent Application Form (Form: A2A1050107)
   (3) MCUT Agreement on Rights Allocation Among Inventors of R&D Outcomes (Form: A2A1050307)

   Please refer to the "Regulations for Funding Application and Maintenance and Management of Patents" for the forms in stated in (2) and (3).
3. The patent feasibility analysis shall be initiated for student patent applications verified by ORD.
4. ORD shall consolidate the results of patent feasibility analysis and submit them to the MCUT R&D Outcomes Assessment Committee for evaluation. Committee members may evaluate the application based on the MCUT resources and application patentability analysis report. Committee members may also ask the applicant students to give a presentation of the creativity and design concept of the patent.
5. After the approval of the R&D Outcomes Assessment Committee, the student patent application shall be passed to the patent office to proceed with the matters relating to the patent application. The inventors shall provide the required documentation.

第六條　費用支出

申請專利所需費用含規費與手續費均由學校支付。

Article 6　Expenditure

MCUT shall pay for the fees, including charges and costs, required by patent application.

第七條　承辦單位

本校專利申請補助之承辦單位為研發處。

Article 7　Organizer

ORD shall be the organizer of patent applications within MCUT.

第八條　專利年費負擔

專利續繳年費部分由學校編列專款支付，取得專利後第四年起每三年由「研發成果評量委員會」評估是否繼續維護。

Article 8 Sharing of Annual Patent Fees

MCUT shall earmark a budget for the subsequent annual patent fees. Since the fourth year after the patent award, the R&D Outcomes Assessment Committee shall assess the need to continue to maintain the patents every three years.

第九條 補助原則

申請本補助採先到先審原則，當年度補助經費額度用罄，即不再接受申請。

Article 9 Principles of Funding

The “first in first review” principle shall apply to the application for funding under these Measures. No more applications will be accepted once the annual budget has been exhausted.

第十條 權利與義務

一、發明人(學生與教師)依本辦法申請獲得專利者，日後發生經濟利益收入時(授權金、技術移轉所取得之衍生權益金等)，依據本校「研發成果推廣與技術移轉辦法」第四條比例分配。本專利之教師發明人當年度不得對此專利提出教師研究績效獎勵。

二、發明人應配合本校智慧財產推廣措施。

Article 10 Rights and Obligations

1. The economic benefits such as income (licensing fee or royalty derived from technology transfer) generated from the patent awarded under these Regulations in the future shall be allocated to inventors (students and academic staff) in accordance with the MCUT Regulations for Promotion of Research and Development Outcomes and Transfer of Technology. Academic staff as inventors of the patents under these Regulations shall not apply for research performance incentives.
2. Inventors shall cooperate with MCUT’s intellectual property promotion policy.

第十一條 修正方式

本辦法補助經費額度應逐年檢討，並於行政會議報告後公告。

Article 11 Methods of Correction

The limit of funding under these Measures shall be reviewed each year and announced after reporting to the University Administrative Meeting.

第十二條　實施與修訂

本辦法經行政會議通過，陳校長核定後實施，修訂時亦同。

Article 12　Implementation and Revision

The Measures shall be promulgated and implemented after the passage of the University Administrative Meeting and the approval of the president. The same shall apply to the amendments hereto.

附表 Attachment

明志科技大學 學生申請專利補助申請表
MCUT Application for Funding Patent Applications of Students

<table>
<tr><td>申請人
Applicant</td><td></td><td>系所班級
Class /Year /Department/ Institute</td><td></td><td>學號
Student No.</td><td></td></tr>
<tr><td>專利名稱
Patent Title</td><td colspan="5">中文：
Chinese:
英文：
English:</td></tr>
<tr><td>發明人
Inventor</td><td colspan="2"></td><td>專利權人
Patentee</td><td colspan="2">明志科技大學
Ming Chi University of Technology</td></tr>
<tr><td>申請國名稱
Country of Patent Application</td><td colspan="5">☐中華民國 ROC ☐其他 Others</td></tr>
<tr><td>專利種類
Type of Patent</td><td colspan="5">☐發明 Invention ☐新型 Utility Model ☐設計 Design</td></tr>
<tr><td>指導教師
Advisor (Supervisor)</td><td colspan="5">簽名
Supervisor</td></tr>
<tr><td>系主任
Department of Chair</td><td colspan="5">申請新型專利： 請簽核
Application for utility model patent: Please approve.
年 月 日系務會議通過
Approved by the Department Council Meeting on _____
申請發明及設計專利： 請簽核
Application for invention and design patent: Please approve.</td></tr>
<tr><td>學院院長
Dean of College</td><td colspan="5">申請新型專利： 請簽核
Application for utility model patent: Please approve.
年 月 日院務會議通過
Approved by the College Council Meeting on _____
申請發明及設計專利： 請簽核
Application for invention and design patent: Please approve.</td></tr>
<tr><td rowspan="2">研發長
Director of the Office of Research and Development</td><td rowspan="2">年 月 日
Date</td><td rowspan="2">研發處承辦人
ORD Case Officer</td><td rowspan="2"></td><td colspan="2">年 月 日
Date
研發成果評量委員會複審通過
Approved by re-evaluation of the R&D Outcomes Assessment Committee</td></tr>
<tr><td colspan="2">年 月 日
Date
行政會議核備
Approved for recordation at the University Administrative Meeting</td></tr>
</table>

會計室主任 Accounting Director	年　　月　　日 Date
校長 President	年　　月　　日 Date

表號：A2A1060106

Form: A2A1060106

檢附：1.明志科技大學專利申請書(表號：A2A1050107)。

2.明志科技大學研發成果發明人權益收入分配協議書(表號：A2A1050307)。

Submittals: 1. MCUT Patent Application Form (Form: A2A1050107)

2. MCUT Agreement on Rights Allocation Among Inventors of R&D Outcomes (Form: A2A1050307)