

温州肯恩大学文件

温肯大发〔2021〕53号

关于印发《温州肯恩大学科技成果管理办法（试行）》的通知

各学院、部门：

《温州肯恩大学科技成果管理办法（试行）》已经第七十七次校务会议通过，现印发给你们，请遵照执行。

特此通知。

附件：《温州肯恩大学科技成果管理办法（试行）》

温州肯恩大学

2021年10月21日

温州肯恩大学科技成果管理办法 (试行)

第一章 总 则

第一条 为保护温州肯恩大学及其所属单位(以下简称“学校”)的科技成果,正确处理师生员工与学校利益关系,规范学校师生员工的科研行为,鼓励发明创造,促进科技成果转化,根据国家、省有关法律法规规定,结合学校实际,特制定本办法。

第二条 本办法所称“所属单位”,是指学校的各学院、部门、直属单位和校办企业等法人或非法人单位。

第三条 本办法所称“师生员工”是指学校的教师、行政员工和其他专业技术人员、博士后研究人员、研究生和本科生,以及以学校名义从事科研活动的访问学者等。

第四条 本办法所称“科技成果”包括专利权、计算机软件著作权、集成电路布图设计专有权、植物新品种权、技术秘密等。本办法所称“科技成果转化”,是指为提高生产力水平而对科技成果所进行的后续试验、开发、应用、推广直至形成新技术、新工艺、新材料、新产品,发展新产业等活动。

第二章 组织机构及职责

第五条 学校设立科技成果管理和转化领导小组,由校长担任组长,分管副校长担任副组长,小组成员由科研办、

后勤与资产管理部、财务部等部门组成。领导小组下设办公室，办公室设在科研办。

第六条 科研办是学校科技成果管理、转化及其知识产权管理运营的职能部门，对学校科技成果的使用、处置、收益、分配及其知识产权的运营等事项实施归口管理。主要职责如下：

- （一）研究并制定学校科技成果、知识产权相关政策；
- （二）负责学校科技成果的知识产权运营及维权；
- （三）开展知识产权宣传、培训等活动；
- （四）组织开展科技成果转化工作。

第七条 后勤与资产管理部负责科技成果转化相关资产管理服务工作。主要职责如下：

- （一）通过学校资产经营公司，管理和处置学校以技术入股方式所形成及衍生的资产；
- （二）负责审批、评估、划转及报备等事项（科技成果转化过程中涉及国有资产相关规定时）。

第八条 学校安排科技成果管理专项经费，纳入科研办业务经费，用于学校知识产权的申请和维护管理、评估、中介服务及知识产权宣传、人员培训等相关支出。

第三章 权属

第九条 除非法律另有规定，师生员工为执行学校任务或主要利用学校的物质和技术条件完成的科技成果，属职务科技成果，其知识产权归属学校。除非特别指明为非职务科

科技成果，本办法所称科技成果均为职务科技成果。学校保障职务科技成果完成人在专利文件以及各类相关文件中的署名权及其他知识产权相关权利。

上述“师生员工为执行学校任务完成的科技成果”是指：

（一）在本职工作中完成的发明创造，包括在完成科研计划课题或合同课题时所完成的发明创造；自选课题、自筹经费完成的与本职工作有关的发明创造。

（二）履行本单位交付的本职工作外的任务所完成的发明创造。

（三）退休、辞职、调离或毕业后一年内做出的、与其在学校承担的工作或学校分配的任务有关的发明创造。

上述“师生员工利用学校物质和技术条件”是指利用学校的资金、设备、原材料、试验条件和场地或者不对外公开的技术资料、技术基础，以及利用学校的名义筹集或获得的物质或技术条件。

第十条 派遣出国、赴外单位访问、进修、学习及开展合作项目研究的师生员工，对其在学校已进行的研究，而在外单位可能完成的发明创造而获得的知识产权，应当与学校签订协议，确定其科技成果的归属。

第十一条 在学校学习、进修或者开展合同项目研究的本科生、研究生、访问学者等研究人员，在校期间参与学校导师承担的学校研究课题或者承担学校安排的任务所完成的科技成果，除另有协议外，归属学校。

第四章 保 密

第十二条 师生员工对学校的技术秘密和商业信息负有保密义务，按国家和学校有关保密规定执行。

第十三条 师生员工在办理退休、辞职、调离以及毕业等手续前，必需将其所从事科研工作的全部技术资料、实验材料、实验设备、产品、计算机软件（源程序）等交回所在单位。

第十四条 在申请知识产权注册登记前，师生员工不得发表导致有关技术内容公开的论文或进行成果鉴定；对不宜申请知识产权但有商业价值的智力劳动成果，必需采取必要的保密措施。

第十五条 对于从外单位或国（境）外获得的技术资料，师生员工必需遵守合理且合法使用原则，未经权利人授权不得擅自使用。被他人指控侵权的，由责任者自行承担责任。学校因此对外承担责任的，有权向上述师生员工追偿。

第五章 申请和维护

第十六条 与外单位或个人的合作研发，合同中必需包含知识产权条款。条款应对项目合作中所涉及或产生的知识产权归属及权益分配、违约责任、争议处理等知识产权事项做出具体约定。

第十七条 科研项目实施过程中，师生员工应根据项目进展积极履行知识产权申请、注册、登记等手续，使项目实施过程中产生的各种科技成果能够及时、准确、有效地得到

保护。科技成果完成人应积极配合学校完成相关科技成果注册或登记的申请。

第十八条 学校实行知识产权申请前评估。科技成果完成人需提交《温州肯恩大学科技成果申请表》(附件1)及知识产权申请所需相关材料,报科研办开展是否适宜申请知识产权的评估。经评估同意的科技成果,可申请知识产权。

第十九条 知识产权的申请、维护、评估以及中介服务等费用原则上在科技成果完成人的科研项目经费中支出。科研成果完成人无科研项目经费或其科研项目经费不足以支付上述相关费用的,经分管副校长批准,可在科研办科技成果管理专项经费中支出。

第六章 权利处置

第二十条 科技成果的处置是指科技成果的许可、转让、作价投资或以上方式的混合实施。学校鼓励采取对科技成果向企业或者其他组织、个人进行转化。未经学校书面授权,科技成果完成人不得将科技成果擅自作为非职务科技成果申请登记或注册,不得阻碍科技成果的转化或擅自进行科技成果的处置或转化。

第二十一条 科技成果完成人进行科技成果转化,需向科研办提交《温州肯恩大学科技成果转化申请表》(附件2)及科技成果有效证明材料、受让意向书、意向受让方身份证明或资质证明等。

第二十二条 科技成果转化采用许可的,许可的价格由

科研办委托中介机构开展尽职调查进行价值判断。科技成果转化采用其他方式的，视需要进行资产评估。资产评估由科研办委托中介机构进行评估。

第二十三条 科研办根据科技成果完成人的申请及中介机构尽职调查或资产评估的结果，确定科技成果的转化方式和拟交易价格。科技成果转化的最终价格需通过协议定价、在技术交易市场挂牌交易或者拍卖的方式进行确定。

第二十四条 经科研办审核后的科技成果转化方案根据规定在学校相关网站、技术交易平台网站公示，公示内容包括科技成果名称、内容摘要、科技成果完成人、转化方式、拟交易价格、关联情况披露等，公示期不少于15日。公示期内有异议的，由科研办按照《温州肯恩大学科技成果转化公示异议处理程序》（附件3）进行处理。

第二十五条 经公示无异议的，50万元以下的科技成果转化项目由科研办审核，报学校科技成果管理和转化领导小组审议；50万元及以上的科技成果转化项目，由学校科技成果管理和转化领导小组同意后报校务会审议。

第二十六条 意向受让方是科技成果完成人或者是其利害关系人的，视为科技成果转化关联方。与关联方进行的科技成果转化，科技成果完成人负有主动、充分披露该关联交易的义务，并承担不实披露的法律责任。关联方包括以下四种情况：

（一）股东/实际控制人：科技成果（知识产权）完成人或其亲属为受让方股东或实际控制人；

（二）任职：科技成果（知识产权）完成人或其亲属在受让方任法定代表人、董事、监事或高级管理人员；

（三）收益/收入/消费：科技成果完成人接受受让方任何形式的收入或享受受让方提供的任何形式的收益分配、消费（包括已发生或在将来发生）；

（四）其他：科技成果完成人与受让方之间，或与受让方直接或者间接控制的法人之间，存在可能导致科技成果转化利益转移的其他关系。

本条第（一）项、第（二）项所称的亲属，是指有夫妻关系、直系血亲关系、三代以内旁系血亲关系或者近姻亲关系的，包括但不限于配偶、父母、子女及其配偶、兄弟姐妹及其配偶，配偶的父母、兄弟姐妹，子女配偶的父母等。

第二十七条 意向受让方是关联方或科技成果拟转让均价低于 20 万元的，原则上应当选择挂牌交易或公开拍卖方式确定价格；若采取协议定价方式确定交易价格的，科技成果完成人需做论述说明，报学校可一事一议。

第七章 收益分配

第二十八条 学校支持和鼓励科技成果完成人通过科技成果转化获得收益，并对科技成果转化收益进行分配。

第二十九条 学校将科技成果转化收益扣除申请、维护、评估以及中介服务等转化成本的净收入按以下比例进行分配。

(一) 以许可或者转让方式转化科技成果的净收入，科技成果完成人、学校按 80%、20%的比例进行分配。

科技成果完成人根据参加人员的实际贡献，内部协商确定各成员之间的分配，分配方案经全体成员签字同意后报科研办审核。学校获得的收益主要用于基础研究、技术开发与成果转化工作。

(二) 以作价投资方式实施科技成果转化的，科技成果完成人、学校分别按 80%、20%的比例进行股权分配，并由学校资产经营公司代表学校持所占股权的 20%。

第三十条 担任学校正职领导职务人员，是科技成果主要完成人或对科技成果转化作出重要贡献的，可按规定获得现金奖励，原则上不得获取股权奖励。担任其他领导职务的科研人员，是科技成果主要完成人或对科技成果转化作出重要贡献的，可依法获得现金、股份或出资比例等奖励和报酬。担任领导职务的科技人员科技成果转化收益分配实行公开公示制度。

第三十一条 在科技成果转化中获得报酬的人员，应依法缴纳个人所得税。

第八章 附 则

第三十二条 学校师生员工均有义务应当遵守知识产权法律、法规及本办法。国家法律、法规另有规定或经学校批准合同另有约定的，从其规定或约定。

第三十三条 本办法出台后，学校原与科技成果、知识

产权及发明创造相关的规定相应废止。

第三十四条 本办法自公布之日起实施，由科研办负责解释。

附件：

- 1、温州肯恩大学科技成果申请表；
- 2、温州肯恩大学科技成果转化申请表；
- 3、温州肯恩大学科技成果转化公示异议处理程序。

温州肯恩大学科技成果转化申请表

科技成果名称	
转化方式	<input type="checkbox"/> 普通许可 <input type="checkbox"/> 排他许可 <input type="checkbox"/> 独占许可 <input type="checkbox"/> 转让 <input type="checkbox"/> 作价投资 <input type="checkbox"/> 其他
转化价格（价格确定方式）	<input type="checkbox"/> 协议作价 价格：_____ <input type="checkbox"/> 挂牌交易 挂牌价：_____ <input type="checkbox"/> 拍卖 起拍价：_____ 最低成交价_____
完成人意见	<p>（含价值判定依据、对学术的影响评估及涉密状况、是否存在关联交易和相关关联情况等）。</p> <p style="text-align: center;">签字：</p> <p style="text-align: right;">年 月 日</p>
所在部门（学院）意见	<p>签字：</p> <p>年 月 日</p>

其它资料：

- 1、受让意向书（含科技成果名称、转化方式、交易价格或交易价格的确定方式、付款方式、有效期限等内容，需经意向受让方法定代表人或授权代表签字并加盖公章）及意向受让方身份证明或资质证明材料；
- 2、知识产权证书复印件；
- 3、最近一次缴费证明复印件。

温州肯恩大学科技成果转化公示异议处理程序

一、异议人应为温州肯恩大学及所属单位正式教职员工、注册学生。异议人必需在公示期内向科研办提交异议书及有关证据。如对拟交易价格有异议的，异议人应提供高于原公示拟交易价格 10% 的转化机会并提交拟受让方意向书

（含科技成果名称、转化方式、拟交易价格、交易价格的确定方式、付款方式、有效期限等内容，需经拟受让方法定代表人或授权代表签字并加盖公章）及拟受让方身份证明或资质证明材料。

二、科研办收到异议书及有关证据后，将异议书副本通知被异议人，被异议人应在收到异议书之日起 7 日内作出书面答辩。被异议人在限期内未作出答辩的视为弃权，不影响异议程序进行。

三、科研办对异议人和被异议人所提出的事实与理由进行调查核实研究，必要时可由科研办会同有关部门、学院组织专家论证，作出异议裁定并告知异议人和被异议人。异议裁定有两种结果：

1、异议理由不能成立，科研办继续当次科技成果转化

的审核；

2、异议理由充分，异议成立，当次科技成果转化中止。

异议当事人中任何一方对异议裁定不服的，可在收到异议裁定通知书之日起7日内，向科研办申请复审。

四、科研办以会议形式复审，复审结果具有终局性。

Regulations of Wenzhou-Kean University Scientific and Technological Achievements (Interim)

Chapter I General

Article 1. The regulation is hereby formulated to protect the scientific and technological achievements of Wenzhou-Kean University and its affiliated units (hereinafter referred to as “University”), correctly handle the relationship of the interest between faculty, student and staff, standardize the research behavior of faculty, student and staff, encourage invention and creation, and promote the transformation of scientific and technological achievements. The Regulation is formulated with the reference to the relevant regulations and rules issued by national, provincial and municipal funding agencies, and the actual situation of the University is considered.

Article 2. The “affiliated units” mentioned in this regulation refer to the colleges, departments, directly affiliated units, University-owned enterprises, and other legal or unincorporated entity of the University.

Article 3. The term “faculty, student and staff” as mentioned in this regulation refers to the teachers, administrative staff, other professional and technical personnel, postdoctoral researchers, postgraduates and undergraduates of the University, as well as visiting scholars engaged in research activities in the name of the University.

Article 4. The “scientific and technological achievements” mentioned in this regulation include patent rights, software copyright, the right of layout-designs of integrated circuits, plant variety rights, technical secrets, etc. The “transformation of scientific and technological achievements” in the regulation refers to the follow-up test, development, application, and promotion of scientific and technological achievements to the formation of new technologies, new processes, new materials, and new products and the development of new industries to improve the level of productivity.

Chapter II Organization and Responsibility

Article 5. The University sets up a leading group for the management and transformation of scientific and technological achievements, with the Chancellor as the group leader and the related Vice Chancellor as the deputy group leader. The members of the group are composed of the Office of Research and Sponsored Programs, Office of Logistics and Asset Management, Office of Finance Service, and other departments. The office of the leading group is located in the Office of Research and Sponsored Programs.

Article 6. The Office of Research and Sponsored Programs is the functional department for the management and transformation of scientific and technological achievements, and for the management and operation of intellectual property rights of the University, which implements centralized management on the use, disposal, profit, and distribution of scientific and technological achievements and the operation of intellectual property rights of the University. Main responsibilities are as follows:

1) Study and formulate policies related to scientific and technological achievements and intellectual property rights of the University.

2) Be responsible for the intellectual property operation and rights protection of the University's scientific and technological achievements.

3) Carry out intellectual property publicity, training, and other activities.

4) Organize the transformation of scientific and technological achievements.

Article 7. The Office of Logistics and Asset Management is responsible for the management service of the assets related to the transformation of scientific and technological achievements. Main responsibilities are as follows:

1) Manage and dispose of the assets formed and derived from the technology shares of the University through the WKU Asset Management Co, Ltd.

2) Be responsible for approval, evaluation, transfer, and filing when relevant provisions on country-owned property are involved in the transformation of scientific

and technological achievements.

Article 8. The University shall arrange special funds for the management of scientific and technological achievements, which shall be included in the business funds of the Office of Research and Sponsored Programs for the application, maintenance and management, evaluation, intermediary services, intellectual property publicity, personnel training and other related expenses of the intellectual property.

Chapter III Ownership

Article 9. The scientific and technological achievements made by faculty, student and staff during the implementation of University tasks or mainly using the material and technical conditions of the University are defined as job-related scientific and technological achievements. The intellectual property right of this kind of achievement belongs to the University unless otherwise specified as non-job-related scientific and technological achievements. The scientific and technological achievements mentioned in this Regulation are job-related scientific and technological achievements. The University guarantees the signature right and other intellectual property rights of the achievement achiever in patent documents and other related documents.

The above mentioned “scientific and technological achievements completed by faculty, student and staff during the implementation of University tasks” refers to:

1) Inventions and creations completed in their own job, including innovations achieved when completing research projects or contract projects, and creations related to their own work completed by self-selected research topics and self-raised funds.

2) An invention or creation completed by performing tasks other than the planned work delivered by the unit.

3) Inventions and creations made within one year after retirement, resignation, transfer, or graduation related to the work undertaken in the University or the tasks assigned by the unit.

The above “faculty, student and staff use the material and technical conditions of the University” refers to the use of the University’s funds, equipment, raw materials, test conditions and sites, or the non-public technical data and technical basis, as well as the material or technical conditions raised or obtained in the name of the University.

Article 10. Faculty, student and staff who are sent abroad or to other units to visit, study, and carry out cooperative project research shall sign an agreement with the University to determine the ownership of their scientific and technological achievements for the research they have carried out in the University and the intellectual property rights obtained from the inventions that may be completed in other units.

Article 11. The scientific and technological achievements of undergraduate, graduate, visiting scholars, and other researchers who study or carry out contract project research in the University, participate in the University research projects undertaken by the supervisor or undertake the tasks arranged by the University, shall belong to the University, unless otherwise agreed.

Chapter IV Confidentiality.

Article 12. Faculty, student, and staff have the obligation to keep confidential the technical secrets and commercial information of the University, which shall be implemented according to the relevant confidentiality provisions of the nation and the University.

Article 13. Before going through the formalities of retirement, resignation, transfer, and graduation, faculty, student and staff must return all the technical data, experimental materials, experimental equipment, products, and computer software (source program) of their scientific research work to their affiliation units.

Article 14. Before applying for registration of intellectual property rights, faculty, student and staff shall not publish papers that lead to the disclosure of relevant

technical contents or conduct achievements appraisal. Necessary security measures must be taken for intellectual achievements that are not suitable for applying for intellectual property rights but have commercial value.

Article 15. For technical data obtained from other units or from outside the country (territory), faculty, student and staff must abide by the principle of reasonable and legal use, and may not use it without the authorization of the obligee. If another person is accused of infringement, the responsible person shall bear the responsibility by himself. Therefore, if the University assumes related responsibilities, it shall have the right to claim compensation from the above-mentioned faculty, student and staff.

Chapter V Application and Maintenance

Article 16. For cooperative research and technology development with external units or individuals, the contract must include intellectual property related terms. The terms shall make specific provisions on the ownership and distribution of intellectual property rights, liability for breach of contract, dispute settlement, and other intellectual property matters involved or generated in the project cooperation.

Article 17. During the implementation of research projects, faculty, student and staff shall actively perform the formalities of intellectual property application and registration according to the progress of the project, so that various scientific and technological achievements produced during the implementation of the project can be protected in a timely, accurate and effective manner. The person who completes the scientific and technological achievements shall actively cooperate with the University to complete the application for registration of relevant scientific and technological achievements.

Article 18. The University implements pre-application evaluation of intellectual property rights. The person completing the scientific and technological achievements shall submit the Application Form for Wenzhou-Kean University Scientific and Technological Achievements (Appendix 1) and relevant materials required for

intellectual property application, and report to the Office of Research and Sponsored Programs to evaluate whether it is suitable to apply for intellectual property. The scientific and technological achievements approved by the evaluation process can apply for intellectual property rights.

Article 19. In principle, the expenses for the application, maintenance, evaluation, and intermediary services of intellectual property rights shall be paid from the research project funds of the person who has completed the scientific and technological achievements. If the person who has completed the scientific research achievements has no research project funds or the research project funds are insufficient to pay the above-related expenses, it can be paid in the special funds for scientific and technological achievements management under the Office of Research and Sponsored Programs with the approval of the Vice Chancellor who is in charge of this matter.

Chapter VI Disposal of Rights

Article 20. The disposal of scientific and technological achievements refers to the licensing, transfer, pricing, and investment of achievements or the mixed implementation of the above methods. The University encourages the transformation of scientific and technological achievements to enterprises, other organizations, and individuals. Without the written authorization of the University, the person completing the scientific and technological achievements shall not apply for registration of the achievements as non-job scientific and technological achievements, and shall not hinder the transformation of scientific and technological achievements or dispose or transform the scientific and technological achievements without authorization.

Article 21. For the transformation of scientific and technological achievements, the person completing the scientific and technological achievements shall submit the Application Form for Wenzhou-Kean University Transformation of Scientific and Technological Achievements (Appendix 2) and the valid supporting materials of

scientific and technological achievements, the letter of intent for transfer, the identity certificate or qualification certificate of the intended transferee, etc.

Article 22. If a license is adopted for the transformation of scientific and technological achievements, the price of the license shall be determined by the intermediary institution entrusted by the Office of Research and Sponsored Programs to carry out due diligence. If the transformation of scientific and technological achievements adopts other methods, the assets shall be evaluated as needed. The Office of Research and Sponsored Programs shall entrust an intermediary agency to conduct the asset appraisal.

Article 23. The Office of Research and Sponsored Programs shall determine the transformation mode and proposed transaction price of scientific and technological achievements according to the application of the person who completed the scientific and technological achievements and the results of due diligence or asset appraisal of the intermediary agency. The final price of the transformation of scientific and technological achievements shall be determined through agreement pricing, listing in the technology trading market, or auction.

Article 24. The transformation plan of scientific and technological achievements reviewed by the Office of Research and Sponsored Programs shall be publicized on the relevant websites of the University and the technology trading platform according to regulations. The notification content shall include the name of scientific and technological achievements, abstract, achiever's information, transformation method, proposed transaction price, disclosure of related information, etc., and the notification period shall not be less than 15 days. In case of any objection during the notification period, the Office of Research and Sponsored Programs shall deal with it in accordance with the Procedures for Handling Objections to the Public Notification of Wenzhou-Kean University Transformation of Scientific and Technological Achievements (Appendix 3).

Article 25. If there is no objection after the public notification, the

transformation project of scientific and technological achievements with price less than 500,000 RMB shall be reviewed by the Office of Research and Sponsored Programs and submitted to the leading group for management and transformation of scientific and technological achievements of the University for deliberation. The transformation projects of scientific and technological achievements with price of 500,000 RMB or above shall be submitted to the University's administration meeting for deliberation after being approved by the University's leading group for management and transformation of scientific and technological achievements.

Article 26. If the intended transferee is the person who has completed the scientific and technological achievements or an interested party, it shall be regarded as a related party to the transformation of scientific and technological achievements. For the transformation of scientific and technological achievements with related parties, the person who has completed the achievements shall have the obligation to actively and fully disclose the related party transaction, and bear the legal liability for false disclosure. Related parties include the following four situations:

1) Shareholder or actual controller: the person who completed the scientific and technological achievements (owns intellectual property rights) or his relatives are the shareholder or actual controller of the transferee.

2) Position: the person who completed the scientific and technological achievements (owns intellectual property rights) or his relatives served as the legal representative, director, supervisor, or senior manager of the transferee.

3) Income or consumption: the person who completed the scientific and technological achievements accepts any type of income from the transferee or enjoys any type of income distribution and consumption provided by the transferee (including occurred or in the future).

4) Others: there are other relationships that may lead to the transfer of benefits from the transformation of scientific and technological achievements between the person who completed the scientific and technological achievements and the

transferee, or with the legal person directly or indirectly controlled by the transferee.

The relatives mentioned in 1) and 2) of Article 26 refer to those who have a marital relationship, direct blood relationship, collateral blood relationship within three generations or close in-law relationship, including but not limited to a spouse, parents, children and their spouses, brothers and sisters and their spouses, parents, brothers and sisters of spouse, parents of children's spouses, etc.

Article 27. If the intended transferee is a related party or the average price of the proposed transfer of scientific and technological achievements is less than 200,000 RMB, in principle, the price shall be determined by listing or public auction. If the transaction price is determined by agreement pricing, the person who completed the scientific and technological achievements shall make a discussion and explanation, and report to the University for discussion.

Chapter VII Income Distribution

Article 28. The University supports and encourages the persons who have completed scientific and technological achievements to obtain income through the transformation of scientific and technological achievements, and distributes the income from the transformation of scientific and technological achievements.

Article 29. After deducting the transformation costs such as application, maintenance, evaluation, and intermediary service fees, the University shall distribute the net income from the transformation of scientific and technological achievements according to the following proportion.

1) The net income from the transformation of scientific and technological achievements by means of license or transfer shall be distributed to the person who has completed the scientific and technological achievements and the University with the proportion of 80% and 20% respectively.

According to the actual contributions of the participants, the scientific and

technological achievement completers shall determine the distribution among the members through internal consultation, and the distribution decision shall be submitted to the Office of Research and Sponsored Programs for review after being signed and agreed by all members. The income obtained by the University is mainly used for basic research, technology development, and achievement transformation.

2) Where the transformation of scientific and technological achievements is carried out by means of pricing investment, the person who completed the achievements and the University shall be distributed the equity in the proportion of 80% and 20% respectively, and the WKU Asset Management Co. Ltd. shall hold 20% of the equity on behalf of the University.

Article 30. If a person who holds the principal leading position of the University is the main achiever of scientific and technological achievements or has made important contributions to the transformation, he shall receive cash rewards in accordance with the regulations, and shall not obtain equity rewards in principle. Scientific researcher holding other leading positions who is the main achiever of scientific and technological achievements or has made important contributions to the transformation can be rewarded and remunerated in cash, shares, or proportion of capital contribution according to law. Scientific and technological personnel in leading positions shall implement a public notification system for the distribution of income from the transformation of scientific and technological achievements.

Article 31. Personnel who receives remuneration in the transformation of scientific and technological achievements shall pay individual income tax according to law.

Chapter VIII Supplementary Provisions

Article 32. Faculty, student and staff have the responsibility to follow the laws and regulations of intellectual rights. If the national laws and regulations or the contract approved by the University provide other obligations, follow those provisions

or obligations.

Article 33. The previous regulations related to scientific and technological achievements, intellectual rights, and innovation of the University shall be repealed when These Regulations come into force.

Article 34. These Regulations shall come into force upon promulgation. Office of Research and Sponsored Programs reserves the right to explain all the terms.

Appendix:

I. Application Form for Wenzhou-Kean University Scientific and Technological Achievements

II. Application Form for Wenzhou-Kean University Transformation of Scientific and Technological Achievements

III. Procedures for Handling Objections to the Public Notification of Wenzhou-Kean University Transformation of Scientific and Technological Achievements

Appendix III

Procedures for Handling Objections to the Notification of Wenzhou-Kean University Transformation of Scientific and Technological Achievements

1. The objector shall be the full-time faculty, staff member, or registered student of Wenzhou-Kean University and its affiliated units. The objector must submit the dissent file and relevant evidence to the Office of Research and Sponsored Programs within the notification period. If there is any objection to the proposed transaction price, the objector shall provide a conversion opportunity 10% higher than the originally publicized proposed transaction price and submit the letter of intent of the proposed transferee and the identity certificate or qualification certificate of the proposed transferee. The letter of intent of the proposed transferee includes the name of scientific and technological achievements, transformation method, proposed transaction price, the determination method of the transaction price, payment method, validity period, etc., which shall be signed and sealed by the designated representative or authorized representative of the proposed transferee.

2. After receiving the objection and relevant evidence, the Office of Research and Sponsored Programs shall notify the person challenged of the copy of the dissent file, and the person challenged shall make a written reply within 7 days from the date of receiving the dissent file. If the person challenged fails to make a reply within the time limit, it shall be deemed as a waiver and shall not affect the progress of the objection procedure.

3. The Office of Research and Sponsored Programs shall investigate, verify, and

research the facts and reasons that are put forward by the objector and person challenged. If necessary, the Office of Research and Sponsored Programs may organize experts with relevant departments and colleges to demonstrate together, make an objection ruling and inform the objector and the person challenged. The ruling of objection has two results:

1) If the reasons of objection fail to establish, the Office of Research and Sponsored Programs shall continue the review on the transformation of scientific and technological achievements.

2) If the reasons of objection are sufficient to establish, the transformation of scientific and technological achievements is suspended.

If any party of objection is not satisfied with the ruling, it shall apply for re-examination to the Office of Research and Sponsored Programs within 7 days from the day receiving the notice of objection ruling.

4. The Office of Research and Sponsored Programs shall re-examine in the form of meetings. The re-examination results have finality.