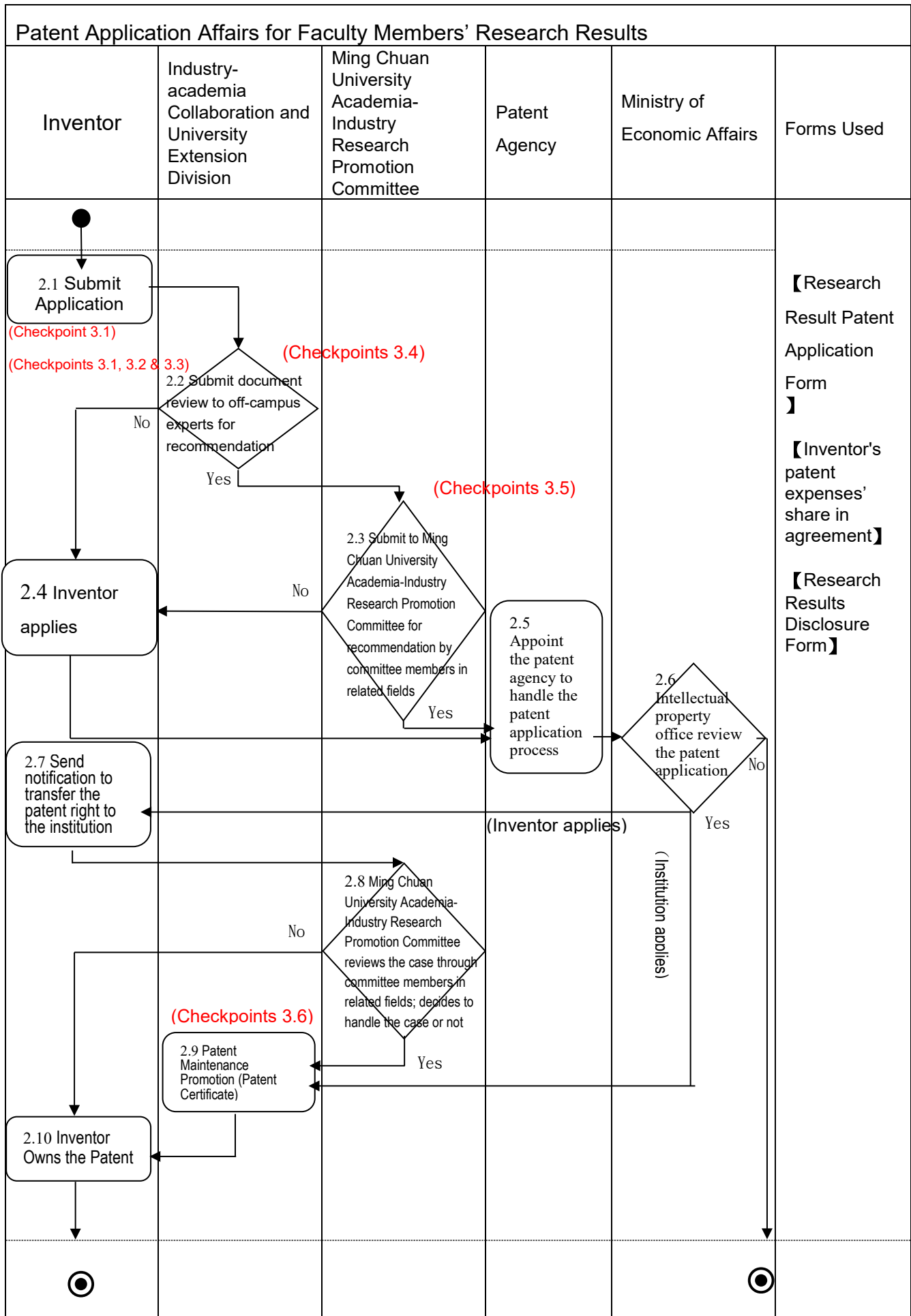


# Patent Application Affairs for Faculty Members' Research Results

## 1.Flow Chart



## 2. 作業程序：Operations Procedures:

鼓勵教師創新研發及產學研究風氣，促進產官學間之研究合作，並能有效的管理及運用本校研究發展成果，以提升產學之研發能量。The aim is to encourage faculty members to do innovative research, establish research atmosphere, promote academia-industry research collaboration, efficiently manage and apply the institutional research achievements, and promote academia-industry research and development power.

- 2.1 發明人或創作人於職務上所產生之研發成果，填具專利申請相關表件後，送交創新暨產學營運處辦理申請專利。(檢核點；參見控制重點 3.1,3.2,3.3) Inventor or author fills in the relevant patent application for the research achievement and submits to the Industry-academia Collaboration and University Extension Division for handling the patent application process (Checkpoints; Please refer to Key Control Points 3.1, 3.2 & 3.3).
- 2.2 創新暨產學營運處收到申請文件並確認無誤後，送校外專家進行書面審查評估。(檢核點；參見控制重點 3.4) The Industry-academia Collaboration and University Extension Division will confirm the application upon receipt and submit to the off-campus experts for written document review (Checkpoints; Please refer to Key Control Point 3.4).
- 2.3 校外專家審查後推薦者，由創新暨產學營運處彙整意見，送請產學暨研發推動委員會相關專長領域委員審議評估。(檢核點；參見控制重點 3.5) The Industry-academia Collaboration and University Extension Division will compile the opinions of the off-campus experts for the applicants and submit to the Ming Chuan University Academia-Industry Research Promotion Committee for review by committee members in related fields (Checkpoints; Please refer to Key Control Points 3.5).
- 2.4 校外專家審查意見為不推薦或產推會相關專長領域委員審議結果為不推薦者，發明人或創作人得向創新暨產學營運處報備後，以本校為專利權人自行提出專利申請。Those applicants who failed to be recommended by the off-campus experts, or related field committee members of Ming Chuan University Academia-Industry Research Promotion Committee, may report to the Industry-academia Collaboration and University Extension Division and then apply for the patent on behalf of Ming Chuan University.
- 2.5 產推會相關專長領域委員審議結果為推薦者，由創新暨產學營運處委任相關專利事務所辦理專利申請。For those applicants who are recommended by the related field committee members of the Ming Chuan University Academia-Industry Research Promotion Committee, the Industry-academia Collaboration and University Extension Division will appoint the relevant patent agency to handle the patent application process.
- 2.6 委任之專利事務所向智財局提出申請，智財局進行專利審查。The appointed patent agency will submit the application to the Intellectual Property Office for review.
- 2.7 發明人或創作人以本校名義自費自行申請專利者，應於取得專利權後三個月內以書面通知創新暨產學營運處專利權讓與學校。Those inventors or authors who apply for the patent on behalf of Ming Chuan University and pay the fee by themselves should notify the Industry-academia Collaboration and University Extension Division in writing to transfer the patent right to the institution within three months upon receipt of the patent right.
- 2.8 產推會相關專長領域委員審議評估該專利權是否由本校代為管理、維護及推廣。The related field committee members of Ming Chuan University Academia-Industry Research Promotion Committee will review if the institution should manage, maintain and promote the patent right or not.

- 2.9 透過學校或自行申請獲證之專利經產推會相關專長領域委員評估結果為代管者，由本校代為管理、維護及推廣智慧財產權。(檢核點；參見控制重點 3.6) In the case of applicants who apply for the patent through the institution or by themselves and are approved by the related field committee members of Ming Chuan University Academia-Industry Research Promotion Committee, Ming Chuan University will be responsible for the patent to manage, maintain and promote the intellectual property (Checkpoints; Please refer to Key Control Point 3.6).
- 2.10 產推會相關專長領域委員評估結果若不予管理者，本校得將智慧財產權無償讓與發明人或創作人。If the results of the assessment of the related field committee members of Ming Chuan University Academia-Industry Research Promotion Committee are not administered, Ming Chuan University can grant the intellectual property rights to the inventor or creator for free.

### 3. 控制重點：

- 3.1 發明人或創作人提出專利申請時是否有繳交研究成果專利申請表。Does the inventor or author submit the Research Result Patent Application Form while applying for patent?
- 3.2 發明人或創作人提出專利申請時是否有附上專利費用分攤協議書。Does the inventor or author submit the Inventor's patent expenses' share in agreement while applying for patent?
- 3.3 發明人或創作人提出專利申請時是否有附上研究成果揭露書。Does the inventor or author submit the Research Results Disclosure Form while applying for patent?
- 3.4 專利申請資料是否有經校外專家審查評估。Is the patent application reviewed by off-campus experts?
- 3.5 專利申請資料是否有送請產學暨研發推動委員會相關專長領域委員審議評估。Is the patent application reviewed by the related field committee members of Ming Chuan University Academia-Industry Research Promotion Committee?
- 3.6 獲證之專利證書是否有造冊管理。Are the patent certificates compiled for management?

### 4. 使用表單：Used Forms

- 4.1. 研究成果專利申請表。Research Result Patent Application Form.
- 4.2. 發明人專利費用分攤協議書。Inventor's Patent Expenses' Share in Agreement.
- 4.3. 研究成果揭露書。Research Results Disclosure Form.

### 5. 依據及相關文件：Regulations and relevant documents.

- 5.1. 科學技術基本法。Fundamental Science and Technology Act.
- 5.2. 政府科學技術研究發展成果歸屬及運用辦法。Government Scientific and Technological Research and Development Results Ownership and Utilization Regulation.
- 5.3. 銘傳大學產學合作實施辦法。Ming Chuan University Procedures for Conducting Academia-Industry Cooperation.
- 5.4. 銘傳大學研究發展成果及技術移轉管理辦法。Ming Chuan University Procedures for Management of Research and Development Outcomes and Technology Transfer.