**Fu Jen Catholic University**

**Regulations Governing the Management of University Trademarks**

Passed at the Fifth Meeting of the Executive Council for the 2016-2017 Academic Year on January 19, 2017

Passed at the Eighth Meeting of the Executive Council for the 2016-2017 Academic Year on May 4, 2017

Article 1

These Regulations were formulated in order to protect and effectively manage the University name, University emblem, and other legally registered trademarks of the University.

Article 2

Applications for the use of University trademarks as well as trademark protection, licensing, and management are overseen by the Business Incubation Center (“the Center”) in the Office of Research and Development.

Article 3

The Fu Jen Catholic University Trademark Committee (“the Trademark Committee”) has been established in order to effectively manage all University trademarks. The Trademark Committee is composed of seven members, with the Vice-President for Academic Affairs, the Director of Research and Development, and the Director of the Business Incubation Center serving as ex officio members. Two instructors at the University and two experts or scholars from off-campus will be appointed as elected members. The Vice-President of Academic Affairs serves as Chair. Elected members are appointed by the President for a term of two years and may be reappointed.

The Trademark Committee is tasked with the following duties:

* + - 1. To review applications to register, transfer, license, or protect a trademark;
			2. To review trademark licensing and handle disputes;
			3. To manage other matters related to trademarks.

Article 4

A minimum of five Trademark Committee members must be present at a meeting in order to pass a resolution. A resolution must earn the support of a majority of members in attendance. When necessary, related personnel may be invited to attend a meeting.

Article 5

University trademarks are licensed non-exclusively. Potential licensees include:

1. Direct licensees: Programs, associations, instructors, staff members, students and alumni associations of the University are not required to apply for the use of University trademarks for non-commercial operations, academic activities, and other charity events. Direct licensees may use the University name and emblem free of charge.
2. Public licensees: Government agencies, schools, research organizations, entities and legally registered corporations must submit a University Trademark Use Request Form (Appendix I) to the Center in order to use University trademarks for non-commercial operations, academic activities, and other charity events. After the application has been reviewed and approved by the Trademark Committee and then authorized by President, a public licensee may use the University name and emblem free of charge.
3. Commercial licensees: A corporation or legally registered enterprise (hereinafter “firm”) applying for the use of University trademarks for commercial purposes must satisfy the following requirements:
4. The firm is currently in operation and is legally registered in the Republic of China.
5. The firm is residing in the Business Incubation Center at the Office of Research and Development.
6. The products of the firm were produced through a collaborative initiative with faculty at the University.
7. The products of the firm are recommended for trademark licensing by a scholar or expert who has made an outstanding contribution to academia or by a well-known international or domestic firm whose capital and turnover are significant.
8. The firm must provide a government-issued permit if the product is a drug, medical instrument, health food, or cosmeceutical.
9. The firm must submit proof of product liability insurance covering at least NT$20 million.

Article 6

The review fee of NT$20,000 must be submitted along with the application for commercial licensing. Review fees are not refunded if an application fails review. Licensing fees, royalties, and deposits will be specified separately on trademark licensing agreements.

Article 7

The following documents must be submitted to the Center as part of an application for a trademark license:

1. Trademark License Request Form (Appendix II)
2. Company Registration/Change of Registration Form and Declaration of Sales and Business Tax by a Business Entity (401)
3. Collaborative Agreement with the Business Incubation Center
4. Contract(s) with University faculty members for product development
5. Recommendation letter from project leader
6. Recommendation letter from an expert, scholar, or well-known firm
7. Government-issued permit (if the product to be licensed is a drug, medical instrument, health food, or cosmeceutical)
8. Proof of product liability insurance (minimum: NT$20 million)
9. Contribution plan
10. Declaration of responsibility
11. Product sample

Article 8

The scope of the trademark license is limited to products which have passed review and to the terms of the trademark licensing agreement.

Article 9

Income derived from trademark licenses will be distributed as follows: thirty percent (30%) will be used to cover the University’s administrative expenses; seventy percent (70%) will be allotted to the Center in order to promote and employ R&D results. Based on the practical needs of individual cases, income distribution may be adjusted following the approval of the President.

Article 10

The University will take legal action against trademark infringement and demand compensation for damages. If the offender is a faculty member, staff member, or student at the University, they will be likewise disciplined in accordance with University regulations.

Article 11

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.