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Article 1 [Purpose] The purpose of these Guidelines is to prescribe detailed matters necessary for enforcing the Regulations Governing Seoul National University's Intellectual Property Rights (hereinafter referred to as "Regulations").

Article 2 [Standard Form of Research Contract] The standard form of a research contract under Article 6 of the Regulations is presented in <Annexed Form 1>. Special attention shall be paid to the following subparagraphs, since they are basic operation guidelines of the SNU R&DB Foundation:

1. It cannot be warranted that intellectual property rights through research output, research reports, and research results do not infringe the intellectual property rights of a third party. However, there is room for negotiations to the extent of such phrase as "to its knowledge, warrants that they do not infringe";
2. The academic presentation of research output of research results shall not be restricted. However, in order to assist in securing rights to intellectual property, cooperation may be given by delaying such presentation through "consultation after giving prior notice";
3. In principle, intellectual property rights occurring from research results shall be owned by the institution where the inventor belongs and, in some cases, may be co-owned with an enterprise that supports research expenses. In case of co-ownership, since a university does not practice intellectual property rights, expenses relating to intellectual property rights shall be borne by the enterprise;
4. In cases wherein intellectual property rights co-owned with an enterprise are practiced by the enterprise, royalties shall be paid to the university. In cases wherein the share owned by the university is purchased by the enterprise, the purchase price shall be based on 100~500% of the total research expenses, and there is room for negotiation according to the case;
5. In case an intellectual property right co-owned with an enterprise is selected as a standard intellectual property of a standardization group determined by the enterprise, one ~ three times the amount of the share purchase price under Subparagraph (4) shall be additionally paid to the university;
6. "Practicing" of background intellectual property rights shall be separately negotiated. However, where the conditions of practicing are prescribed in the management

regulations of a government-aided research project or other research project contracts, etc., such conditions shall be taken into consideration; and

7. Ownership and practicing of intellectual property rights that might occur in connection to an ended research project shall be separately negotiated.

Article 3 【Employee Invention Report】 ① The employee invention report form of the R&DB Foundation under Article 7 of the Regulations shall refer to the report form under the following subparagraphs:

1. Employee Invention Report (Agreement on Succession of Right) and Patent Agent Designation Report <Annexed Form 2>;
2. Invention Proposal and Prior Art Search Report <Annexed Form 3> limited to patent.

② The R&DB Foundation may request for additionally required data and use of computing system besides the forms prescribed in Paragraph (1), and the relevant inventor shall faithfully comply with the request.

③ In principle, an agent for a patent application shall be designated by the R&DB Foundation. However, an agent for a patent application may be separately designated where a Patent Agent Designation Report <Annexed Form 2> is submitted on condition that the agent fee shall be supported within the standard fee schedules (hereinafter referred to as “standard fee”) determined by the Intellectual Property Management Committee (“hereinafter referred to as the “Committee”) and the excess amount shall be borne by the inventor as his/her own expense.

④ All intellectual properties created by an inventor during his/her term of service for Seoul National University or Seoul National University-affiliated corporate bodies shall, in principle, be regarded as employee inventions. However, where such intellectual property is recognized as a free invention by the Committee, this shall not apply.

Article 4 【Procedure for Deliberation on Invention】 ① In cases wherein the required documents under Article 3 as received from an inventor are not complete, the R&DB Foundation may request the inventor to supplement them; unless the supplementation is completed, the employee invention report shall be regarded as not having been received.

② The grades for an invention for which a patent is to be applied for (hereinafter referred to as “patent invention”) shall be composed of S, A, B, and C, and the standards by grade are as follows:

1. Grade S: Appraisal outcome is extremely good, and applications for both domestic and foreign patents are required;
2. Grade A: Appraisal outcome is good, and applications for foreign patents are to be deliberated on;
3. Grade B: Appraisal outcome is normal, and applications for domestic patents are required;
4. Grade C: Appraisal outcome is not good, and applications for patents are not

required;

- ③ (Phase 1 deliberation) With regard to a received patent invention, the Patent Deliberation Committee shall be convened to determine whether to support expenses for the domestic application and whether to deliberate on it as a subject of foreign applications based on the deliberation documents in the following subparagraphs:
 - 1. A prior art review report prepared by an outside specialized institution concerning a received patent invention;
 - 2. A phase 1 appraisal table corresponding to <Annexed Form 4> prepared through an interview wherein an inventor, a designated agent, and a person in charge from the SNU R&DB Foundation participate;
 - 3. A patent evaluation sheet (if necessary) prepared through an outside institution/evaluation program; and
 - 4. Other documents determined by the Committee.
- ④ (Phase 2 deliberation) With regard to a subject of foreign applications, the Patent Deliberation Committee shall be convened within one (1) year of the date of domestic application, and it shall determine whether to support expenses for foreign applications based on the phase 2 appraisal table corresponding to <Annexed Form 5>. The Patent Deliberation Committee may include persons in the following subparagraphs as outside expert (in cases wherein faculty/staff, etc. fail to comply faithfully with the supply of additional materials necessary for the deliberation on a foreign application, introduction of a prospective customer of the technology and market experts, and presentations before the Patent Deliberation Committee, etc., the relevant foreign application may be regarded as having been abandoned):
 - 1. A department manager who belongs to an enterprise related to the relevant invention or a chief-researcher-grade expert or an experienced person equivalent thereto;
 - 2. Outside expert such as patent attorney, etc., who is deemed necessary for evaluation;
 - 3. An expert in technology transfer and technology commercialization.
- ⑤ As for matters concerning the application for and registration of intellectual properties other than patent, support may be given by the decision of administrators of the Patent Deliberation Committee without going through the deliberation procedure under this Article.
- ⑥ Notwithstanding Paragraph (3) of this Article, upon a request from the representative inventor, administrators of the Patent Deliberation Committee may decide to support the patent invention of a domestic application without a request for examination (hereinafter referred to as "provisional application").

Article 5 【Principle of Supporting Expenses for Securing Rights to Intellectual Property】

① In principle, support shall be given in the manner of one (1) patent invention annually per representative inventor (hereinafter referred to as "Basic Support"); whether to support expenses for a received patent invention and its scope shall be determined by the Patent Deliberation Committee based on the technical excellence,

marketability and patentability, etc., of such patent invention.

- ② In principle, a patent invention for which it has been decided that expenses for foreign applications will be supported shall be progressed through PCT application procedures. However, if falling under any of the following subparagraphs, a foreign application to an individual country may be progressed limited to one (1) country only without the PCT application:
 1. Where a patent invention has been publicly known prior to application;
 2. Where a patent invention is required to be registered to an individual country promptly; or
 3. As decided by the Patent Deliberation Committee.
- ③ In the case of an individual foreign country application pursuant to PCT application under Paragraph (2) of this Article as well, in principle, support shall be limited to one (1) country only. Furthermore, the Patent Deliberation Committee may abandon a foreign application in cases wherein patentability is reported to be negative in the international search report, etc., in the course of PCT application procedures, or filing an individual foreign country application is deemed unnecessary.
- ④ Notwithstanding Paragraphs (1) ~ (3), if requested by a representative inventor, the Patent Deliberation Committee may decide the amount equivalent to 5% of the average amount of the research awards received by the representative inventor for the last three (3) years plus the additional amount determined considering the industry-academe cooperation achievements, etc., for the same period (hereinafter referred to as "Additional Support"). However, based on the accumulated amount for the relevant year obtained by adding Additional Support to the Basic Support, the maximum numbers of supportable patent inventions and foreign application countries shall not exceed three (3) each.
- ⑤ Notwithstanding Paragraphs (1) ~ (4), if requested by a representative inventor, in accordance with the decision by the Patent Deliberation Committee, an amount exceeding the scope of Basic Support or Additional Support may be supported (hereinafter referred to as "Special Support"). However, where one or more person of the inventors has already received Special Support and has not yet repaid it, a request for Special Support for the relevant patent invention shall not be made.
- ⑥ All expenses required from application to registration of intellectual property rights shall be supported based on the standard fee schedules of the R&DB Foundation. In cases wherein the agent fee for the agent designated by the inventor exceeds the standard fee, the excess fee shall be borne by the inventor. However in a foreign application, where the expenses for the prosecution stages are required in order to expand the scope of a patent right, support may be provided through deliberation by the Committee.
- ⑦ With regard to an invention for which it has been decided that expenses support shall not be given in accordance with the procedure for deliberation on invention under Article 4, the R&DB Foundation may maintain the application for or registration of

such invention on condition that all the procedures shall be progressed in the name of the R&DB Foundation and the relevant expenses shall be borne by the inventor.

- ⑧ In principle, expenses support in the case of joint application with other institutions shall be prescribed by the agreement. However, where there are no specific provisions prescribed by the agreement, the decision of the Patent Deliberation Committee shall apply.

Article 6 Deleted <February 23, 2015>

Article 7 【Treatment of Expenses for Securing Rights to Intellectual Property】 ①

Considering the fact that expenses for application for, registration, and maintenance of intellectual property rights are executed over several years, in order for expenses for securing rights to intellectual property, operating the Committee, performing appraisal, and supporting technology transfer & commercialization project, etc., which are required for the execution of the Regulations, to be carried-forward to the following year and supported at any time during the year by each stage, a special reserve type of “intellectual property managerial accounting account” shall be separately established and operated in the accounting of the R&DB Foundation.

- ② Considering the fact that expenses for application for, registration, and maintenance of intellectual property rights are executed over several years, the expenses for securing rights to intellectual property appropriated in individual research expenses may be used within five (5) years of the close of a project. However after five (5) years have elapsed, such expenses shall be included in the intellectual property managerial accounting account under Paragraph (1) so as to be used; if there are enforcement regulations of an outside institution, those regulations shall preferentially apply.
- ③ The remaining amount of expenses for application for and registration of intellectual property rights, which were appropriated in research expenses before January 1, 2008 but were not used up until December 31, 2012, shall be included in the intellectual property managerial accounting account so as to be used; if there are enforcement regulations of an outside institution, those regulations shall preferentially apply.

Article 8 【Maintenance and Abandonment of Intellectual Property Rights】 ①

In principle, the R&DB Foundation shall bear the expenses for maintaining a patent for five (5) years after its registration and abandon the patent by not paying the yearly fee from the sixth year and thereafter.

- ② With regard to the patent for which the fifth annuity fee has been paid, the R&DB Foundation shall inform the representative inventor of such patent of the intent to abandon such patent within three (3) months based on the date of annuity fee payment. Where the representative inventor agrees to abandon the patent, the R&DB Foundation shall abandon its maintenance but may maintain the patent where the representative inventor bears the maintenance expenses or a subcommittee deems it

necessary.

- ③ The patent for which the inventor bears maintenance expenses according to Paragraph (2) shall be maintained in the name of the R&DB Foundation or, in case of a result of a research project supported by government, may be assigned to the inventor who was the principal investigator.
- ④ In cases wherein royalties occur due to the technology transfer of the relevant patent maintained in the name of the R&DB Foundation in accordance with Article 3, compensation shall be additionally made for the inventor; the detailed matters thereof shall be prescribed by the Seoul National University Royalty Distribution Guidelines.

Article 9 [Interpretation and Enforcement] Matters other than those set forth in these Guidelines shall be determined by the decision of the Intellectual Property Management Committee.

ADDENDA

Article 1 [Enforcement Date] These Guidelines shall enter into force on the date of their promulgation.

Article 2 [Transitional Measures] ① These Guidelines shall apply to the expenses for securing rights to intellectual property from year 2012; if appropriated in research expenses, such expenses shall, in principle, be used first.

- ② Compensation for a patent succeeded to by the SNU R&DB Foundation shall apply starting with the first new application after these Guidelines are established and promulgated.
- ③ As for any provision of these Guidelines related to the Regulations Governing Seoul National University's Intellectual Property Rights, where the corresponding provision of the Regulations is revised and promulgated after these Guidelines enter into force, the revised provision shall apply.