

Kyushu University Regulations for Joint Research

Kyushu University Regulation No. 94 of 2004

Effective date: April 1, 2004

Last amended: March 31, 2022

(Kyushu University Regulation No. 127 of 2021)

(Purpose)

Article 1 These Regulations shall provide for the implementation of joint research at Kyushu University (hereinafter referred to as the "University") with a private organization or any other external organization (hereinafter referred to as a "private organization, etc.") and other necessary matters.

(Basic Policy)

Article 2 In promoting joint research with a private organization, etc., the University shall endeavor to produce creative and pioneering results by making responsible judgments and decisions based on appropriate procedures on an autonomous and independent basis, while fully respecting its mission.

(Definitions)

Article 3 In these Regulations, the meanings of the terms set forth in the following items are as provided respectively in those items:

- (i) joint research: research conducted by an employee of the University who engages in academic research jointly with research personnel of a private organization, etc. on a common theme;
- (ii) researcher: an employee who implements joint research and a student in a doctoral program (excluding a two-year master's program that constitutes the first part of a doctoral program, and the part equivalent to a master's program in an integrated doctoral program; the same applies hereinafter) employed under the doctoral students joint research program for enrollment/career support provided in Article 17-2;
- (iii) principal researcher: an employee who represents researchers;
- (iv) research collaborator: a person within the University other than researchers who collaborates in the implementation of joint research or a person outside the University who participates as an individual in the implementation of joint research, who satisfies any of the following requirements:
  - (a) a person who is likely to create inventions, devices, new varieties of plants, designs or works among intellectual property provided in the Intellectual Property Basic Act (Act No. 122 of 2002) through joint research;

- (b) a person who is likely to retain confidential information provided in a joint research agreement; or
- (c) a person who is likely to publish the results of joint research;
- (v) visiting joint researcher: a person who currently engages in research work at a private organization, etc. and is dispatched to the University for joint research while holding their office at the private organization, etc.; and
- (vi) division: each graduate faculty, the Faculty of Arts and Science, each Attached Research Institute, the International Institute for Carbon-Neutral Energy Research, the Hospital, the Research Institute for Information Technology, the Platform of Inter-/Transdisciplinary Energy Research, the Institute for Asian and Oceanian Studies, each Center for Common Education and Research, each Center for Leading Research, the Academic Research and Industrial Collaboration Management Office, the Education Innovation Initiative, the Integrated Initiative for Designing Future Society, the Data-Driven Innovation Initiative, and the Open Innovation Platform.

(Application)

Article 4 The head of a private organization, etc. that intends to implement joint research with the University shall submit an application form to the head of the division to which the principal researcher of the joint research belongs (hereinafter referred to as the "division director of the principal researcher's division"); provided, however, that this does not apply if the University offers joint research to a private organization, etc. (limited to joint research for which the University pays research expenses to a private organization, etc. or joint research from which no research expenses arise; the same applies hereinafter).

(Decision Making)

Article 5 (1) If an application referred to in the preceding Article is made or the University offers joint research to a private organization, etc., the division director of the principal researcher's division shall make a decision as the representative division for implementation concerning the implementation of joint research (hereinafter referred to as "decision making") only if the content of the joint research can be expected to bring about remarkable research results that contribute to education and research at the University and it is found that the execution of the University's operations would not be impeded.

(2) When the division director of the principal researcher's division conducts the decision making in the case where a researcher of the relevant joint research belongs to another division, the division director must obtain consent from the head of the other division in advance.

(3) If the division director of the principal researcher's division has conducted the decision making

referred to in paragraph (1), the division director shall request the President or the special officer in charge of agreements provided in Article 2, paragraph (1) of the National University Corporation Kyushu University Rules for Delegation of Official Authority on Finance and Accounting(Kyushu University Accounting Regulation No. 30 of 2011) (hereinafter referred to as the "President, etc.") to conduct the agreement procedure, and notify the head of a private organization, etc. of the commencement of the procedure toward concluding an agreement.

(Conclusion of Agreement)

Article 6 (1) Based on the notice referred to in paragraph (3) of the preceding Article, the President, etc. shall conclude an agreement relevant to joint research (hereinafter referred to as a "joint research agreement") with the head of a private organization, etc. with regard to the following matters:

- (i) research theme;
- (ii) purpose and description;
- (iii) research team;
- (iv) research expenses and details;
- (v) location;
- (vi) research period;
- (vii) matters provided in Article 10, paragraph (2), Article 11, and Articles 14 through 16; and
- (viii) other necessary matters relevant to the implementation of joint research, etc.

(2) If the President, etc. has concluded a joint research agreement, the President, etc. shall report this to the division director of the principal researcher's division.

(3) If the division director of the principal researcher's division has received the report referred to in the preceding paragraph, the division director shall report this to the head of the other division from whom the division director obtained consent based on the provisions of Article 5, paragraph (2).

(Compliance with Agreement)

Article 7 (1) Researchers, research collaborators and other persons involved in the implementation of joint research must comply with the joint research agreement concerning the joint research and other related regulations of the University (hereinafter referred to as the "agreement and related regulations, etc.").

(2) The head of the division to which researchers belong must supervise the researchers so that they implement joint research properly under the agreement and related regulations, etc.

(Visiting Joint Researchers)

Article 8 (1) If a private organization, etc. wishes to dispatch visiting joint researchers to the University, the University shall collect expenses for visiting joint researchers specified separately as expenses necessary for accepting these researchers.

(2) If it is necessary in order to implement joint research, visiting joint researchers from a private organization, etc. may use the University's educational and research facilities, etc. with permission to the extent that the University's operations would not be impeded.

(Research Expenses)

Article 9 (1) A division that implements joint research shall make its facilities and equipment available for the execution of joint research and bear operating expenses, etc. necessary for maintenance and management of the facilities and equipment.

(2) As expenses required for the implementation of joint research (hereinafter referred to as "research expenses, etc."), a private organization, etc. shall bear expenses necessary for the execution of the research, an amount equivalent to expenses required to complement the primary educational and research work of the researchers, and expenses for visiting joint researchers specified in Article 8, paragraph (1) (hereinafter referred to as "direct expenses"), and an amount equivalent to expenses necessary for various procedures along with the implementation of the research (hereinafter referred to as "indirect expenses").

(3) Notwithstanding the provisions of the preceding paragraph, research expenses necessary for the implementation of joint research shall be borne by the division that implements the joint research, except for those borne by a private organization, etc.

(Suspension of Joint Research)

Article 10 (1) If it becomes necessary to suspend the relevant joint research or change the research period, research expenses or any other details of a joint research agreement, the principal researcher must report this to the division director of the principal researcher's division immediately.

(2) If the division director of the principal researcher's division has received the report referred to in the preceding paragraph, and there is a natural disaster or any other unavoidable circumstances in the execution of research, the division director may, based on an application from a private organization, etc., suspend the relevant joint research or change the research period, research expenses or any other details of a joint research agreement; provided, however, that if the suspension of the joint research or change of the details of the joint research agreement has been offered by the University, and the University pays research expenses to a private organization, etc. or no additional research expenses will arise, the application from a private organization, etc. may be omitted.

(3) If the division director of the principal researcher's division suspends joint research or changes the research period, research expenses or any other details of a joint research agreement pursuant to the preceding paragraph, the division director shall notify the President, etc. of this.

(4) If the President, etc. has received the notice referred to in the preceding paragraph, the President, etc. shall decide matters necessary for suspending joint research or changing the research period, research expenses or any other details of the joint research agreement, after negotiation with a private organization, etc.

(Ownership of Equipment)

Article 11 (1) Equipment, etc. acquired using research expenses shall belong to the University in principle.

(2) If the head of the division that implements joint research finds it necessary in the execution of the joint research, the head of the division may accept equipment owned by a private organization, etc. without compensation and use it jointly with the private organization, etc. Expenses required for the delivery, installation, operation, removal, etc. of equipment in this case shall be borne by a private organization, etc.

(Report of Status of Progress)

Article 12 The University and a private organization, etc. shall identify the status of progress by mutually reporting the status of progress as necessary during the research period and discuss the progress and other matters.

(Completion of Joint Research)

Article 13 (1) If the relevant joint research is completed, the principal researcher must report this to the division director of the principal researcher's division.

(2) If the division director of the principal researcher's division has received the report referred to in the preceding paragraph, the division director shall report this to the President, etc.

(Handling of Intellectual Property)

Article 14 The handling of intellectual property created along with the implementation of joint research is governed by separate provisions based on negotiation between the University and a private organization, etc., beyond what is provided in the Kyushu University Regulations for Handling Intellectual Property (Kyushu University Regulation No. 93 of 2004).

(Preparation of Final Report)

Article 15 The principal researcher shall compile a final report through cooperation with a private

organization, etc. with regard to the research results obtained during the implementation period.

(Publication of Research Results)

Article 16 The University shall publish research results obtained in joint research in principle; provided, however, that the time and method of publication shall be determined through negotiation between the University and a private organization, etc., to the extent that the confidentiality of confidential information and the management and use of intellectual property would not be impeded.

(Comprehensive Collaboration Research)

Article 17 Comprehensive collaboration research shall be implemented pursuant to a handling policy provided separately, beyond what is provided in these Regulations.

(Doctoral Students Joint Research Program for Enrollment/Career Support)

Article 17-2 The doctoral students joint research program for enrollment/career support shall be implemented pursuant to the rules provided separately, beyond what is provided in these Regulations.

(Detailed Regulations)

Article 18 Beyond what is provided in these Regulations, necessary matters concerning the implementation of joint research, etc. are provided by detailed regulations.

Supplementary Provisions

These Regulations come into effect as of April 1, 2004.

Supplementary Provisions (Kyushu University Regulation No. 93 of 2005)

1. These Regulations come into effect as of April 1, 2006.
2. A joint research agreement concluded by a person responsible for accounting pursuant to the provisions of the Kyushu University Regulations for Joint Research prior to the amendment, which is concluded when these Regulations come into effect, is deemed to be a joint research agreement concluded by the Director of the Intellectual Property Management Center based on the Kyushu University Regulations for Joint Research after the amendment.

Supplementary Provisions (Kyushu University Regulation No. 36 of 2006)

These Regulations come into effect as of March 1, 2007.

Supplementary Provisions (Kyushu University Regulation No. 116 of 2006)

These Regulations come into effect as of April 1, 2007.

Supplementary Provisions (Kyushu University Regulation No. 68 of 2009)

These Regulations come into effect as of April 1, 2010.

Supplementary Provisions (Kyushu University Regulation No. 70 of 2010)

These Regulations come into effect as of December 1, 2010.

Supplementary Provisions (Kyushu University Regulation No. 48 of 2011)

These Regulations come into effect as of October 1, 2011.

Supplementary Provisions (Kyushu University Regulation No. 89 of 2012)

These Regulations come into effect as of April 1, 2013.

Supplementary Provisions (Kyushu University Regulation No. 134 of 2014)

These Regulations come into effect as of April 1, 2015.

Supplementary Provisions (Kyushu University Regulation No. 59 of 2016)

These Regulations come into effect as of October 1, 2016.

Supplementary Provisions (Kyushu University Regulation No. 32 of 2017)

These Regulations come into effect as of November 1, 2017.

Supplementary Provisions (Kyushu University Regulation No. 62 of 2017)

These Regulations come into effect as of February 1, 2018; provided, however, that notwithstanding the provisions of Article 3, item (ii), Article 6, paragraph (1), item (iv), Article 9, paragraph (2), and Article 17-2 of the Kyushu University Regulations for Joint Research as amended by these Regulations (hereinafter referred to as the "New Regulations"), prior regulations continue to govern joint research that falls under either of the following:

- (i) joint research to be commenced by March 31, 2018; or
- (ii) joint research that is not subject to management, coordination, etc. by the Academic Research and Industrial Collaboration Management Office of Kyushu University and that is commenced by March 31, 2019 (excluding the case where the principal researcher notifies the University of the intention to implement joint research pursuant to the New Regulations).

Supplementary Provisions (Kyushu University Regulation No. 59 of 2018)

These Regulations come into effect as of March 1, 2019.

Supplementary Provisions (Kyushu University Regulation No. 75 of 2018)

These Regulations come into effect as of April 1, 2019.

Supplementary Provisions (Kyushu University Regulation No. 69 of 2020)

1. These Regulations come into effect as of April 1, 2021.
2. The provisions of Articles 4, 5 and 10 of the Kyushu University Regulations for Joint Research as amended by these Regulations apply to an application filed with the University or an offer made by the University on or after April 1, 2021; and prior provisions continue to govern joint research for which an agreement is concluded or agreement details are modified based on an application filed on or before March 31, 2021.

Supplementary Provisions (Kyushu University Regulation No. 127 of 2021)

These Regulations come into effect as of April 1, 2022.