



China-U. S. CERC CVC IP Management Agreements Overview

中美清洁能源研究中心清洁汽车联盟 IP管理协议简介

Xiaojun Lu (卢霄峻)

Deputy Director
Overseas R&D Management Office
Tsinghua University

清华大学海外项目部副主任

2013. 02. 26



清华大学
Tsinghua University



Purpose of The Agreements

协议目的

- Coordinate with U.S. management team to set up framework and general policies for CERC CVC IP management.

中美双方共同协商制订CERC CVC IP管理框架及政策。

- Provide IP management guidance to joint research development and technology transfer within/between China and U.S. consortium members.

为中美各自联盟成员之间的联合研发和技术转移工作提供IP管理方面的指导。

- Facilitate the organization of consortium members in China.

协助组织中方联盟成员。



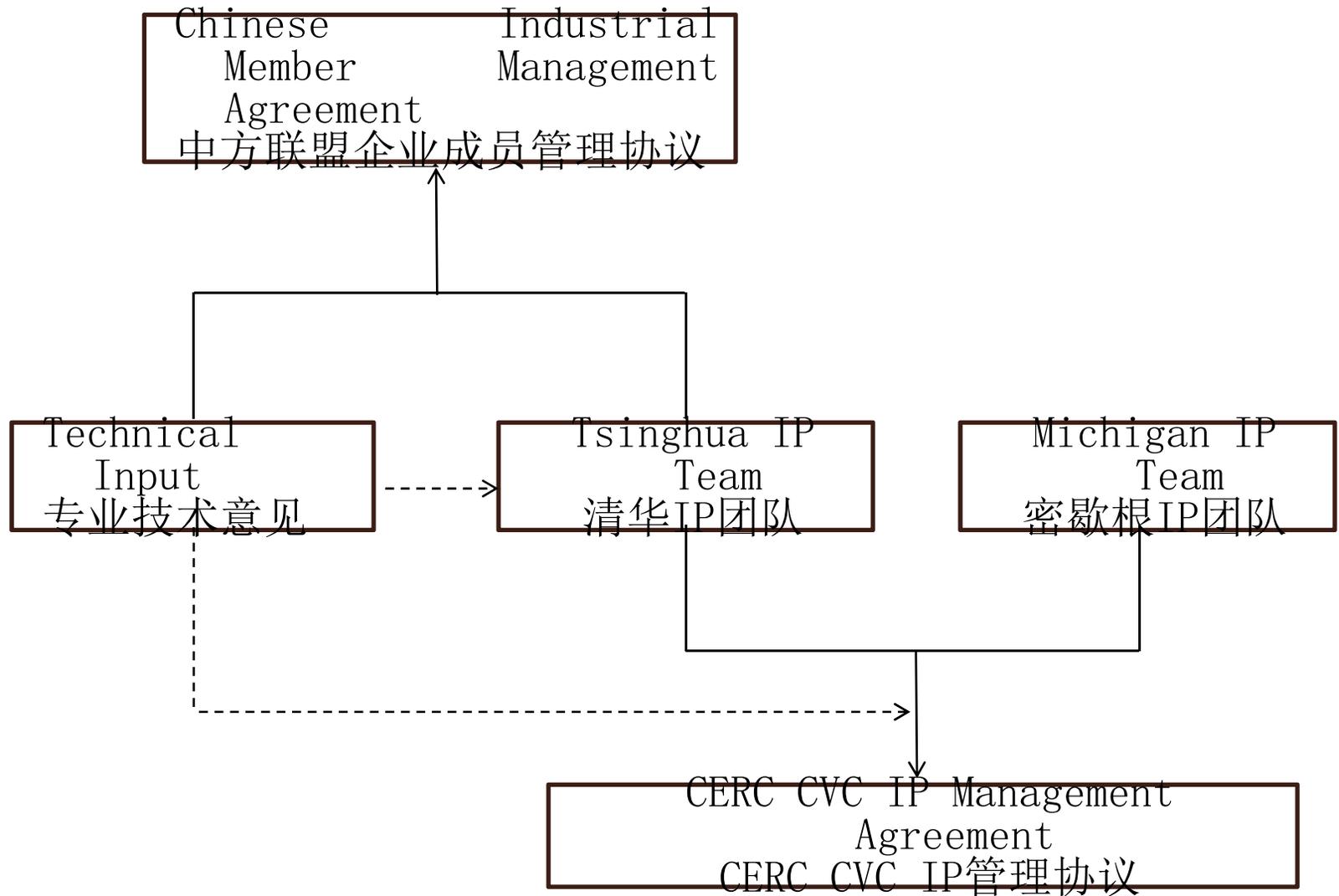
Mechanism for IP Management

IP管理机制

- One representing institution represents each side for agreement negotiation and management
各方联盟由一家代表单位进行协议磋商和管理工作
 - Tsinghua represents 8 institutions plus industrial members in China
清华代表中国8家科研单位和中国企业成员
 - Michigan University represents 6 institutions plus industrial members in U.S.
密歇根大学代表美国6家科研单位和美国企业成员

Mechanism for IP Management

IP管理机制





Highlights of IP Management Agreement

IP管理协议要点

- Annual and final reports for Jointly Funded Research Projects: technical and IP reports.
联合资助科研项目须提供年度和结题报告汇报技术和IP成果信息。
- Confidentiality: three (3) years from receipt.
接收的保密信息应在接收后3年内予以保密。
- Publication: 30 days advance notice.
文献发表需提前30天提交对方审阅。



Highlights of IP Management Agreement

IP管理协议要点

- Background IP (背景知识产权):
 - Encourage limited background IP licensing to Jointly Funded Research Projects, but no obligations.

鼓励对联合资助科研项目给予有限背景知识产权许可，但不强制。

- Representing institution negotiates background IP licensing with industrial members for Jointly Funded Research Projects when necessary .

在有必要时，由代表单位与联盟企业成员协商对联合资助科研项目进行背景知识产权许可事宜。



Highlights of IP Management Agreement

IP管理协议要点

- Sole Project IP (独立项目知识产权):
 - Owned by the inventing party(s).
由研发单位拥有。
 - Limited license to other institutions for Jointly Funded Research Projects.
对参与联合资助科研项目的学术单位给予有限许可。
- Joint Project IP (联合项目知识产权):
 - Jointly owned by contributing parties.
由联合研发单位共同拥有。
 - Limited license to other U.S. and Chinese institutions.
对中美其他科研单位给予有限许可。



Highlights of IP Management Agreement

IP管理协议要点

- Joint Project Patent Application and Commercialization:

联合项目知识产权申请与商业化:

- One lead institution elected by contributing institutions on each side manages patent application and commercialization in the respective country.

各方专利贡献单位推选一家领头单位负责本国专利申请和商业化。

- Lead institutions from both sides jointly determine the works in third party countries with input from other contributing institutions

双方领头单位参考各贡献单位意见代表决定在第三方国家的工作。

- The costs and revenues shall be shared according to the contribution percentages of the contributing

· · · · ·



Highlights of IP Management Agreement

IP管理协议要点

- Each license shall reserves the rights for institutions to practice the licensed patents for academic and educational purposes and to license to U.S. and Chinese governments.

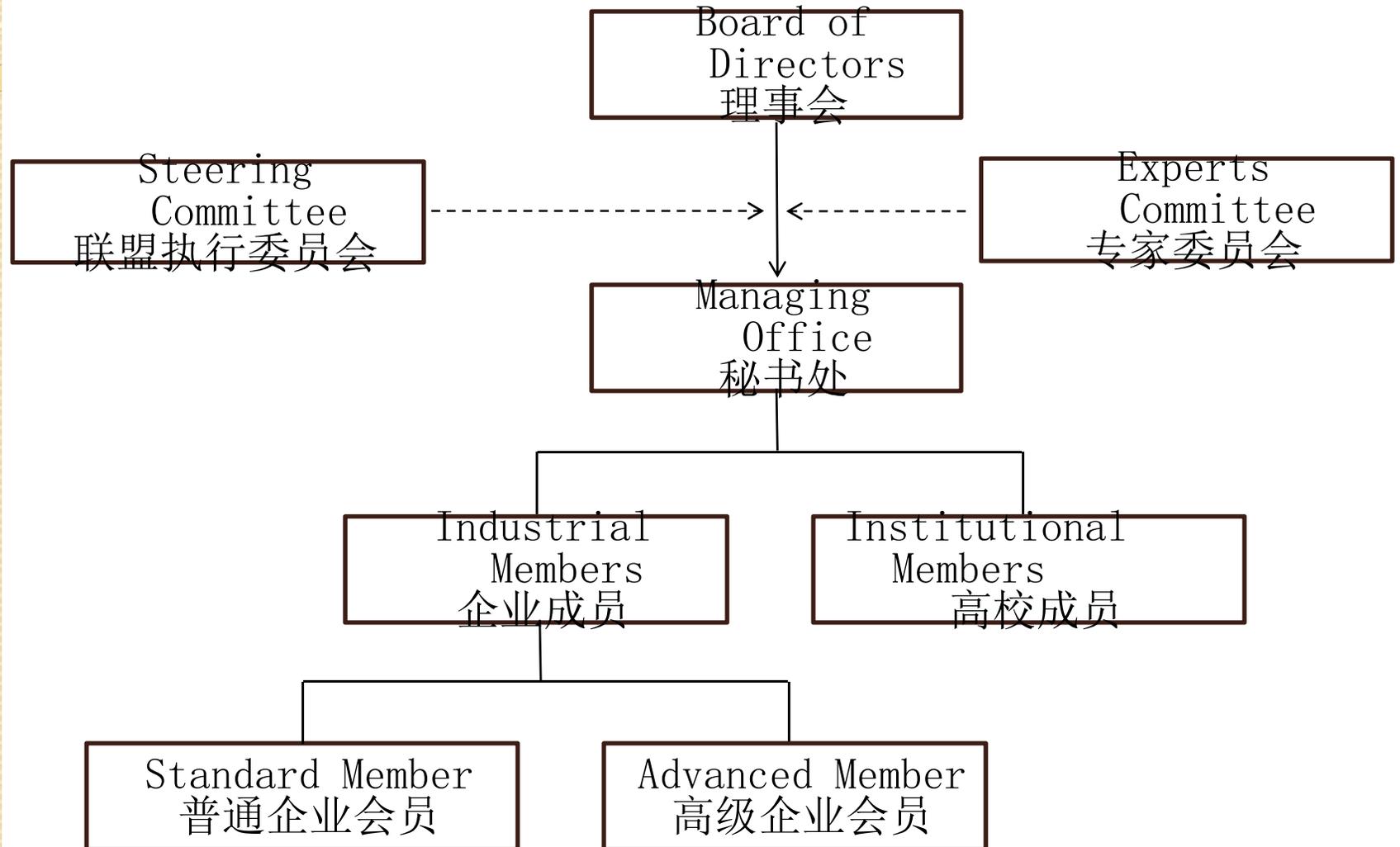
许可应保有各科研单位继续以科研教学目的使用专利的权利，并保有对中美政府许可的权利。

- Any member of CVC shall inform the lead institutions and contributing institutions about any infringement of Joint Project IP, and the contributing institutions shall determine the solutions and share the costs and recovered funds.

联盟的任何成员在知晓对联合项目知识产权的侵权行为时应及时告知相关领头单位和贡献单位。贡献单位将决定如何解决此类问题并分担有关费用和所追缴的款项。

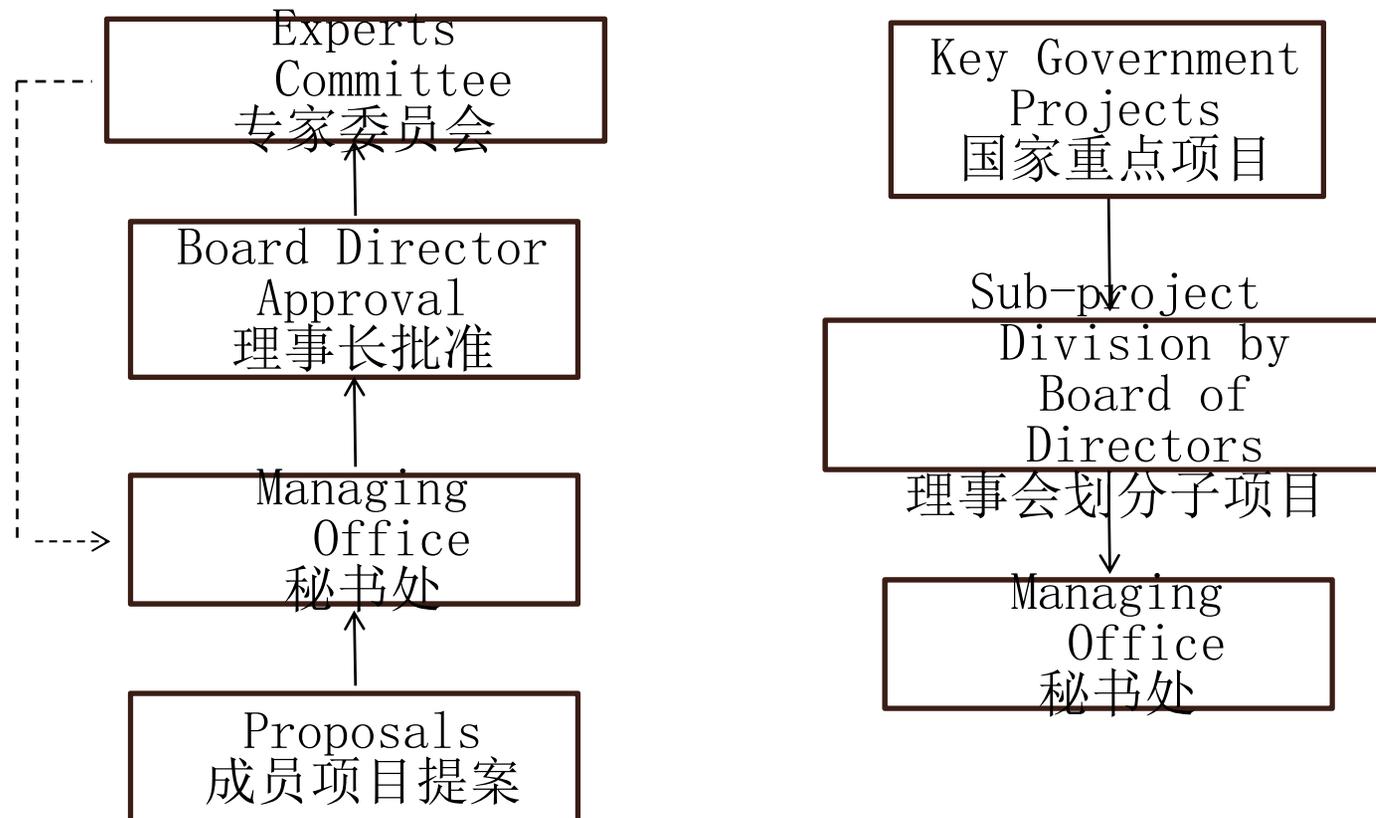
Member Management in China

中方联盟成员管理



Project Management 项目运行管理

- Centralized management for project establishment and financial management.
集中对立项和财务进行管理。





Consortium IP Management

联盟IP管理

- IPs generated from the projects managed by consortium shall belong to the consortium.
由联盟牵头的项目所产生的知识产权应归联盟所有。
- Contributing members can use jointly developed IPs .
合作开发成员可使用联合开发的知识产权。
- Licensing shall be approved by Board of Directors .
对外许可须由理事会通过。



Thank you!

Overseas R&D Management Office
Tsinghua University

Xiaojun Lu (卢霄峻)

Email: luxiaojun@tsinghua.edu.cn

Tel: +86-10-62773190