

DEAN'S DIRECTIVE NO 1/2024

The Support of Commercialization of Knowledge Transfer
at FEEC BUT

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ARTICLE 1 SCOPE OF THE DIRECTIVE

1. The aim of the directive is to establish conditions and set up processes to support the commercialization of knowledge transfer at the Faculty of Electrical Engineering and Communication of BUT (hereinafter referred to as FEEC).
2. This directive is based on BUT Directive no 10/2023 Registration, Protection and Rules for Commercialization of Industrial Property Rights at BUT (hereinafter referred to as BUT Directive) and follows it. The purpose of this modification is to transfer the decision-making about the application of rights to industrially exploitable intellectual property and its protection to the faculties at which the intellectual property originates, under established conditions and the creation of a system of methodological support.
3. In accordance with the decentralised management structure of FEEC, the knowledge transfer takes place mainly at the departments of faculties.

ARTICLE 2 RESPONSIBILITY OF THE DEAN'S OFFICE

1. In accordance with BUT Directive, the Dean's Office ensures:
 - supervision of result declaration,
 - application of the right,
 - result protection,
 - termination of result protection.
2. The Dean's Office appoints a person in charge to perform the activities listed in paragraph 1.
3. The Dean's Office also guarantees:
 - legal support – contractual arrangements,
 - economic support – accounting and tax consultancy,
 - business-management support – ensuring contacts to external experts.

ARTICLE 3 KNOWLEDGE TRANSFER MANAGER

1. The Knowledge Transfer Manager (KTM) is appointed for each individual case by the Head of the Department of which the originator of the result is an employee.
2. In accordance with BUT Directive, the KTM is the contact person for commercialization matters.
3. The KTM prepares a proper assessment of the commercial potential of the result. The minimum requirements for the assessment are:
 - a) a description of the origin and financing of the creation of the result, including an analysis of the rights of third parties to the result
 - b) an analysis of the market exploitation of the result
 - c) recommendation or non-recommendation of further steps of commercialization of the result.
4. If needed, the KTM prepares a commercialization project according to BUT Directive and updates it continuously.
5. The KTM regularly evaluates the conditions of commercialization and keeps documentation for each case containing information on:
 - a) its commercial potential (products, customers, competitors, etc.)
 - b) dealings, visits, presentations and negotiations with originators and customers
 - c) prices and costs.

6. The KTM passes the data regarding commercialization to the person in charge, who maintains them in the information system.

ARTICLE 4 FINANCIAL SUPPORT FOR COMMERCIALIZATION OF KNOWLEDGE TRANSFER

1. It is assumed that the knowledge transfer takes place in collaboration with industrial partners and that its financing is therefore ensured through a cooperation or exploitation agreement.
2. If the financing of knowledge transfer is not ensured according to par. 1, the Head of Department may apply for financial support from the faculty funds. The application for financial support is submitted to the Vice-Dean for Research and PhD Study and is accompanied by a commercialization project, which is prepared by the knowledge transfer manager in accordance with BUT Directive.
3. A committee, composed of at least the Dean, the Vice-Dean for Research and PhD Study and the Financial Officer, decides about the financial support for the commercialization of knowledge transfer.
4. The minutes of a committee meeting are taken. The committee decides no later than 30 days after the submission of applications.
5. The financial support is generally 50% of costs, unless otherwise specified in a particular case.
6. The source of the financial support is the faculty funds:
 - a) Investment property reproduction fund for investment costs
 - b) Fund of operating resources for non-investment costs.
7. The financial support can be used to pay:
 - a) protection of the result (patent applications and other methods of intellectual property protection, payments to patent attorneys, maintenance fees),
 - b) external services and analyses (market surveys, research, expert references),
 - c) services of knowledge transfer managers and businessmen,
 - d) equity investment into spin-off companies,
 - e) support for further development phases (prototype creation).

ARTICLE 5 COMMERCIALIZATION SUPPORT SETTLEMENT

1. The financial support is kept separately in the accounts for each case.
2. The KTM will prepare a report on the progress and the use of the financial support by the end of January of the following year in which the financial support was awarded and, if necessary, will apply for further funding
3. Once a year, the Dean submits reports on progress and the use of financial support for all funded cases for debate to the Academic Senate of FEEC.

ARTICLE 6 COMMERCIALIZATION REMUNERATION

1. The originator of the result from BUT in the form of industrial property, to which BUT exercised the right, is entitled to a one-off remuneration towards BUT. The remuneration is paid to the originator according to BUT Directive
2. If the commercialization of the result is successful, the profit resulting from the exploitation of this result is divided between FEEC and a department according to the following table:

Case	FEEC remuneration	Department remuneration
Without financial support (art. 4 par. 1)	20 %	80 %
With financial support (art. 4 par. 2)	50 %	50 %

3. If the financial support is provided, then FEEC remuneration is 50% of the profit unless otherwise specified. FEEC remuneration is used to cover overhead costs and to replenish funds.
4. The remuneration for departments also includes remuneration for the originator and the knowledge transfer manager. The minimum amount of remuneration to the originator is 10% of the net income. The Head of Department decides about the amount of the remuneration.
5. Profit represents the difference between the income from the concluded contract by the exploitation of the result and the external expenses associated with the market appreciation of the result, in particular with the protection of the result (patent applications and other methods of intellectual property protection, payments to patent attorneys, maintenance fees, etc.), payments for external services and analyses (market surveys, research, expert references, etc.), payments to external businessmen and brokers, related bank fees, etc. Institutional support or any other form of subsidy from public funds is not considered to be a profit in terms of this Article.
6. Expenses paid by FEEC that have mounted since the previous payment of the remuneration are always subtracted. Profits achieved for one result are counted continuously.

ARTICLE 7 FINAL PROVISIONS

The Directive enters into force on 12 March 2024

doc. Ing. Miloslav Steinbauer, Ph.D. m. p.
Chairman of the Academic Senate
at FEEC BUT

prof. RNDr. Vladimír Aubrecht, CSc. m. p.
Dean of FEEC BUT