T.C.

ISTANBUL MEDIPOL UNIVERSITY

INSTRUCTION ON THE PRINCIPLES OF ACADEMIC STAFF ESTABLISHING COMPANIES IN

TECHNOLOGY DEVELOPMENT ZONES\*

**Aim**

**ARTICLE 1 – (1)** The aim of this instruction; is to determine the procedures and principles for the faculty members of Istanbul Medipol University to establish a company in the Technology Development Zones, become a partner in an established company and take part in the management of these companies.

# Scope

**ARTICLE 2 – (1)** This instruction covers the provisions regarding the management of the process of Istanbul Medipol University faculty members to establish a company in the Technology Development Zones, become a partner in an established company and take part in the management of these companies, and the competent authority in this matter.

# Base

**ARTICLE 3 – (1)** This instruction has been prepared based on the 3rd Law of Higher Education Law No. 2547. ARTICLE; 7 of Law No. 4691 on Technology Development Zones. ARTICLE; ARTICLE 6 of the Regulation on Technology Transfer Offices of Higher Education Institutions No. 30263 and ARTICLE 28 and 29 of the Regulation on Employee Inventions, Inventions Made in Higher Education Institutions and Inventions Emerged in Publicly Supported Projects.

# Definitions

**ARTICLE 4 – (1)** The definitions in this instruction refer to;

1. **University:** Istanbul Medipol University,
2. **University Administrative Board (ÜYK):** Istanbul Medipol University Board of Directors,
3. **Teaching staff:** Lecturers working within the body of the university and who want to establish a company in the Technology Development Zones, become a partner in an established company and take part in the management of these companies (teachers defined in subparagraph (l) of the first paragraph of ARTICLE 3 of the Law No. 2547),
4. **Technology Transfer Office (TTO):** The office within the university, which is responsible for the coordination of research projects, technology transfer, management of intellectual property, coordinating the cooperation between the university and the public and industry, and incorporation activities,
5. **Technology Development Zone (TDZ):** It is an activity to transform a technological invention into a commercial product, method or service, where companies using high/advanced technology or oriented towards new technologies produce/develop technology or software by making use of the facilities of a specific university or high technology institute or R&D centre or institute within or near the same university, high

technology institute or R&D centre or institute, which they demonstrate and thus contribute to the development of the region; It represents the site where the academic, economic and social structure is integrated or the technopark with these features.

1. **Company:** According to the legislation, it refers to the legal entity established or partnered by the teaching staff in the TDZ or charge of its management.
2. **University Technology Fund (ÜTF):** It refers to a capital investment company that provides funds to companies established on issues of strategic importance for the university and of which the university is an affiliate.

# Basic Principles

**ARTICLE 5 – (1)** To commercialize the results of their research and to develop technology-based commercial products that will provide added value to the country's economy, and produce and market these products, it is considered necessary that the faculty members establish a company in TDZs, become a partner in an established company and/or take part in these companies is encouraged by

1. Suppose the company will benefit from the university's resources while performing its activities. In that case, it purchases services from the university through a separate contract for the resources to be utilized or the services to be received.
2. The financial, legal and ethical responsibilities undertaken by the instructor within the company are entirely his own, and the university has no responsibility.
3. The lecturer cannot benefit from the privileges obtained from his position at the university in any company activities and cannot use the university's name in any company activities.
4. The university has the following conditions regarding the company's field of activity:
   * The company's activities should not overlap with the activities of the university and/or the companies in which the university is affiliated and should not compete with the university in any way.
   * The company's activities should not contradict the academic title of the lecturer or the positions and duties of the university and the university's corporate identity in terms of content and ethics.
   * The time the lecturer will allocate for the company, coursework, research, administrative duties, etc., should not hinder their responsibilities.

# Incorporation Permit

**ARTICLE 6 – (1)** Faculty members apply to the University Executive Board to establish a company in TDZs, become a partner in an established company and take part in the management of these companies.

1. The application to the Board of Directors is made through the TTO, and the following documents are included in this application:
   * Information Form for Establishing or Joining a Company or Taking Part in Company Management
   * If the company to be established, become a partner and/or take charge in the management is established, the ARTICLEs of association of the company or the draft of the ARTICLEs of association if it is in the establishment phase
   * Statement of Acceptance and Commitment
2. The documents are examined by the TTO, and the prepared file is submitted to the Rectorate (to be decided by the University Administrative Board).

# Financing and Growth Strategy of the Company

**ARTICLE 7 – (1)** If the company needs financial support to grow, faculty members should first present these needs to the university. These requests are evaluated by the ÜTF, of which the university is/will be a participant, and financial support can be provided with case-specific partnership agreements.

**(2)** If the company needs mentoring or training, it should first apply to the TTO to procure these services. TTO will provide support for a fee within the framework of human resources and infrastructure and will direct you to other centres where support can be obtained when necessary.

# Intellectual and Industrial Property Rights

**ARTICLE 8 – (1)** During the activities carried out in the Company (Ex. R&D, production, marketing, TEYDEB project, etc.) are obliged to notify the university of any invention, in which he is an Inventor, in accordance with the University's Intellectual and Industrial Property Rights Management Instruction and relevant legislation. Invention notification will be evaluated and decided within the framework of the same instruction. The university may determine that the invention in question is a "Service Invention" in whole or in part, or evaluate it as a "Free Invention".

**(2)** If the investor wishes to object to the university's decision regarding the ownership of the invention, they can appeal to the authorities defined within the framework of the same instruction.

# Reporting Responsibility

**ARTICLE 9 – (1)** Every year, the instructor is obliged to notify the TTO about the information (official information of the company, intellectual property rights, number of personnel, etc.) of the company they are a partner of by signing a confidentiality agreement if necessary.

# Enforcement

**ARTICLE 10–** (1) This instruction enters into force on the date it is accepted by the Istanbul Medipol University Senate.

# Execution

**ARTICLE 11 – (1)** The provisions of this instruction is executed by the Rector of Istanbul Medipol University.

\*Accepted by the University Senate's decision dated 04/09/2018 and numbered 2018/25-02.