

The Regulation of Mahidol University
On the Administration of Copyrights of the University
B.E. 2547 (2004)

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For the well-arranged and efficient administration of copyrights of the University

By virtue of Article 16(2) and (11) of the Mahidol University Act B.E. 2530 (1987), the University Council on its 364 th Meeting on 19 May B.E. 2547 (2004) established this Regulation as follows.

Clause 1: This Regulation shall be called “The Regulation of Mahidol University on the Administration of Copyrights of the University B.E. 2547 (2004).”

Clause 2: This Regulation shall come into effect from the day subsequent to its publication date.

Clause 3: The Regulation of Mahidol University on the Administration of Copyrights of the University B.E. 2544 (2001) is repealed.

This Regulation shall preempt over all the regulations, rules, orders, declarations, or other decisions that resemble or are in conflict with it.

Clause 4: Pertaining to this Regulation:

“University” means Mahidol University.

“Faculty” includes graduate schools, colleges, institutes, centers, offices, other governmental bodies called by different titles with equivalent accreditation to Faculty, and organizations under the University’s supervision with equivalent accreditation to Faculty.

“Applied Centre” means Applied and Technological Service Centers

“Employee” means full-time and part-time employees paid by the income or annual budget of including employees working for the University and being paid by other earnings of the University.

“University Staff Member” includes full-time, temporary, and part-time staff members paid by income of the University, income of the offices of the University, or subsidies.

“Student” means Mahidol University student(s)

“Creator” means government officials, employees, university staff members, students, research assistants, and those invited by the University to work as advisor(s) or project advisor(s), and those assigned or authorized by the University to work for or observe the operation at the university, and are those who make or originate any creative works considered copyrightable works under the law on copyrights.

“Academic Journal” means journals to enhance knowledge development that published and released academic articles in various fields of study consecutively. .

Clause 5: The University shall hold copyrights of works made by Creator under the employment or order or supervision of the University or within the scope of the functions of the University including works reproduced or modified from copyrighted works, unless otherwise agreed in writing.

Copyrightable works made or originated by Student during the time they study in the University shall be copyrights of the University. In this respect, the University and Student shall make an agreement in writing.

Creator(s) desiring to publish copyrightable works as stated in paragraphs one and two in academic journals, may act on behalf of the University in transferring the right to the publisher by notifying the University within 15 days subsequent to the transferal.

Clause 6: The creator shall have the right to claim creatorship over and may publicize the works that he/she made or originated under his/her own name; notwithstanding, such publicity shall not be for profit.

In the publicity of the works stated in paragraph one, the University may authorize the Creator to use the name and symbol of the University to publicize such works; notwithstanding, the acknowledgement of ownership of copyright of the University shall be affixed on a part clearly seen.

Clause 7: The University may, remuneratively or non- remuneratively, license the copyrights to any person in accordance with the law on copyrights.

Clause 8: For the sake of service provision of copyright data, the University may notify the data on copyrighted work(s) to the Department of Intellectual Property, Ministry of Commerce or other related authorities as well as may reproduce or copy the said works for the University's library, the National Library, and other related authorities for the purposes of further education, research, and reference.

Clause 9: The Applied Centre shall be responsible for the implementation of copyrights of the university and perform the functions as follows:

- (1) prepare contracts or agreements related to copyrights;
- (2) act as coordinator in the process of notification of data on copyrighted work(s) and protection of copyrights;
- (3) consider commercializing potential copyrighted works;
- (4) Perform any other duties assigned by the President of the University.

Clause 10: To promote the creation of copyrightable works, the University shall allocate any benefits received from the utilization of copyrighted works amongst person(s) and organization(s) as follows:

- (1) the Creator
- (2) the University
- (3) the Faculty
- (4) the Department

The allocation of the benefits under paragraph one shall be done with the consideration on the use of the resources of the University and in accordance with the regulations and rates set by the University in the form of University

announcement. The allocation of the benefits under paragraph one shall be completed within one month of the receiving of the benefits.

Clause 11: The benefits received by the University pertaining to Clause 10 (2) shall be deposited into “The Funds for Benefits of Applied and Technological Service” in order to support the administration and promotion of works on intellectual property of the university.

Clause 12: The President of the University shall govern the provisions of this Regulation.

Declared on 31 May B.E. 2547 (2004)
Honorable Professor Natee Rukspollmuang
President of Mahidol University Council