

NLC «Karaganda technical university»	Rules on the Business skills park business incubatore, start-up and spin-out companies with the participation of the university in the authorized capital in accordance with the legislation of the republic of kazakhstan	KTU R IV-07-2021 Version 02 Date 2021.09.20 Page. 1 out of 10
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Approved by
Quality Management
Representative

 G.S. Zhetysova
" 04 " 10 2021

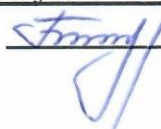


RULES

ON THE BUSINESS SKILLS PARK BUSINESS INCUBATORE, START-UP AND SPIN-OUT COMPANIES WITH THE PARTICIPATION OF THE UNIVERSITY IN THE AUTHORIZED CAPITAL IN ACCORDANCE WITH THE LEGISLATION OF THE REPUBLIC OF KAZAKHSTAN

KTU R IV-07-2021

Developed by Buzyakov R.R.



Karagandaa

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Date of introduction 2021.10.04

(year, month, day)

1 Scope of application

This Rules of the Business skills park business incubator, start-up and spin-out companies with the university's participation in the authorized capital defines the procedure for implementing the Business skills park business incubator, start-up and spin-out companies university's participation in NLC Karaganda Technical University (hereinafter referred to as the University).

2 Terms, definitions and abbreviations

- University – NLC «Karaganda Technical University» (NLC «KTU»);
- Rules – Rules of the Business skills park business incubator, start-up and spin-out companies with the university's participation in the authorized capital
- RQM -representative of the quality management.
- CQMA – Center for Quality Management and Accreditation;
- QMS – quality management system.
- IP – Intellectual property

3 General provisions

3.1 These Rules have been developed in accordance with the Law «On Science», the Law «On Commercialization of the Results of Scientific and (or) Scientific and Technical Activities», the Law «On Non-Profit Organizations», the Civil Code of the Republic of Kazakhstan, as well as other regulatory legal acts of the Republic of Kazakhstan and internal regulatory acts of NLC «Karaganda Technical University».

3.2 This Regulation is mandatory for all structural divisions (faculties, departments, scientific and financial divisions, etc.) involved in the life cycle of training specialists with postgraduate education.

3.3 The following basic concepts are used in this Rules:

- commercialization in science is a key stage of innovation activity, as a result of which the costs of the developer (or owner) of an innovative product are reimbursed and they receive profit from their activities.
- a patent is a security document confirming the exclusive right of the patent holder to an invention, utility model or industrial design. The patent also certifies priority and authorship.
- a license agreement is an agreement under which one party, the patent owner (licensor), transfers the right to use an invention (utility model, industrial design) to another person (licensee), and the latter assumes the obligation to make payments to

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the licensor stipulated by the contract and perform other actions provided for in the exclusive or non-exclusive license agreement.

- authorized capital is money and / or property deposited by the founders during the registration of a legal entity.

- intellectual property is the result of the creation of the human mind. IP objects include inventions, literary and artistic works, symbols, names and images used for commercial purposes.

- royalties - a type of license fee, periodic compensation, usually monetary, for the use of patents, copyrights, franchises, natural resources and other types of property.

- lump-sum payment - a one-time fee for the right to use the subject of the license agreement before the economic effect(profit) from its use is obtained.

- resident of a business incubator (Resident) – a legal entity or individual who has successfully passed the selection procedure and concluded an agreement to create a start-up company with the University.

3.4 The Rules are created with the aim of stimulating the creation and development of start-up the University`s companies, ensuring favorable conditions for working on projects and defines the mechanisms for working with start-up projects at the University.

3.5 Objectives of the Rules:

3.5.1 stimulating research aimed at developing new technical solutions to form the basis for creating start-up companies;

3.5.2 search for and evaluate developments and initiatives that have commercial potential for creating startups;

3.5.3 creation and development of university innovation infrastructure aimed at supporting and developing start-up companies;

3.5.4 creating legal conditions to ensure the competitiveness and investment attractiveness of the University's start-up companies;

3.5.5 development of entrepreneurial competencies, promotion of entrepreneurship among University employees and students.

4 Main functions of the Business skills park Business incubator

4.1 The Business skills park business incubator selects projects of business teams in accordance with the «Methodological Instructions on conducting the youth competition of the KTU`s business projects» for their incubation with the possibility of further assistance in the creation of small businesses.

4.2 The Business skills park business incubator supports business teams and their projects during their initial development for one year.

4.3 The business incubator creates the most favorable conditions for the initial development of small businesses:

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4.3.1 Provides preferential paid and free business incubation services, which may include the provision of premises, co-working areas, workplaces, furniture, computer and copy equipment, communication facilities, the use of secretarial services, security, cleaning of premises, utilities, consulting, information, educational and other services.

4.3.2 Assists business teams and small businesses in attracting investment.

4.3.3 Provides support to small businesses in solving administrative problems, developing strategies, negotiating with foreign partners, investors, participating in exhibitions, conducting presentations and other aspects of business.

4.4 Types, cost and scope of other services are determined by cooperation agreements concluded between the residents of the business incubator and the University, in accordance with the agreement on mutually beneficial cooperation.

4.5 If a Resident of the business incubator fails to comply with the terms of this Rules, as well as suspends activities related to the implementation of an innovative project, according to the submitted business plan, the University has the right to terminate the agreement on mutually beneficial cooperation unilaterally, notifying the other party in 30 days in advance.

5 Mechanisms for creating and supporting start-up companies at the University

5.1 A startup is an individual entrepreneur or a legal entity related to small or medium-sized businesses, established at the University, with the aim of commercializing innovative ideas or the results of scientific and (or) scientific and technical activities.

5.2 Start-up companies of the University are created within the framework of the current legislation of the Republic of Kazakhstan and this regulation.

5.3 The University provides support to start-up companies and their projects during their initial development period of no more than three years.

5.4 Mechanisms for creating a start-up company:

5.4.1 By granting the use of exclusive rights to an object of intellectual property (hereinafter referred to as IP), the right holder of which is the University. The activity of a start-up company should consist in the practical application (implementation) of IP, the exclusive rights to which belong to the University. IP is licensed to a startup without the University's participation in the authorized capital:

- in the form of royalties.
- as a lump sum payment.

The terms of the license agreement may include, among other things, articles related to the payment of remuneration in case of sale of the start-up company to a third party.

5.4.2 By entering the University into the authorized capital of a start-up company with intangible assets, while an IP object belonging to the University can be used as a

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contribution to the authorized capital.

5.4.3 By entering a start-up company in cash, tangible assets (property), in accordance with paragraph 5 of Article 28 of the Law «On Science». If the authorized capital is formed by depositing certain property (property rights, equipment, office furniture, etc.) by the University, an assessment of the property will be carried out during the preparation of a set of documents and a corresponding act will be drawn up, and then such property will be put on the balance sheet of the enterprise.

5.4.4 By allocating funds from the University for the development of a product/service by the start-up company or the author's team and obtaining IP rights by the University for its subsequent contribution to the authorized capital of the start-up company. According to paragraph 1 of Article 967 of the Civil Code of the Republic of Kazakhstan, the author may assume an obligation under the contract to create a work, invention or other result of intellectual creative activity and grant the customer, who is not his employer, exclusive rights to use it. All IP rights in this case are registered in the name of the University.

5.4.5 By providing a monetary reward in case of receiving a prize in a competition held by the University, the winner is obliged to allocate funds exclusively for the project implementation purposes.

5.4.6 By providing the University with premises and equipment of the start-up company for a certain period of time.

5.5 Under the conditions of creation described in paragraphs 5.4.5 and 5.4.6, start-up companies undertake to::

5.5.1 observe the interests of the University in the implementation of the project;

5.5.2 include representatives of the University in the Supervisory Board of the start-up company being created, in the number of at least one person;

5.5.3 if a start-up company is established in accordance with paragraphs 5.4.1-5.4.4, include the University in the list of founders;

5.5.4 indicate that the project is a university project in various publications (including, but not limited to, press releases, articles, etc.), as well as the start-up company's website.

6 Distribution of shares and revenues in the creation and support of start-up companies of the University

6.1. The founders of a start-up company may be:

- The University when entering the authorized capital with intangible or / and tangible assets;
- an investor who is ready to invest in its development;
- employees of the university - authors of the development;
- project leaders who are not directly the authors of intellectual property, but play a major role in their promotion (including employees of the university's innovation

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infrastructure departments);

- the author (s) of the results of scientific and/or scientific and technical activities, the exclusive rights to which belong to him (them), including jointly with other individuals and / or legal entities.

6.2. Income distribution is determined by cooperation agreements concluded between representatives of start-up companies, the investor and the University, in accordance with the agreement on mutually beneficial cooperation.

6.3. Types of income depend on the company's start-up model used. If a university development license is transferred to an existing company, the revenue is expressed in the form of royalties. In the case of the university's participation in the authorized capital of companies, sources of income can be both royalties themselves and dividends received by the University as a participant (shareholder) of the company.

6.4. Income received from the activities of start-up companies is allocated for the legal protection of intellectual property, payment of remuneration to the author and persons who assisted in the commercialization of the results of scientific and (or) scientific and technical activities, and other expenses of the start-up company provided for in the charter.

6.5. In case of non-fulfillment of the terms of the Regulation, as well as suspension of project implementation activities, according to the submitted business plan, the University has the right to terminate the agreement on mutually beneficial cooperation unilaterally, notifying the other party in writing 30 days in advance.

6.6 Upon liquidation of the start-up company, the exclusive rights to the results of scientific and (or) scientific and technical activities made by the University as a contribution to the authorized capital are transferred to the University. If the right to use the results of intellectual activity has been made as a contribution to the authorized capital, the corresponding license agreement is terminated from the date of liquidation of the start-up company.

7 Making changes to the document

The development, execution, approval and approval of these Rules, as well as making changes to it, must be carried out in accordance with the Legislation of the DP KTU II-01.

8 Approval and implementation

Approval of these Rules are carried out with the compliance-officer, Vice-rector for SW, Acting Vice-rector for EW, the head of the CQMA, the chief accountant, the chairman of the Youth Association «Zhas Orda» and issued in the «Approval List» (Appendix A).

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9 Copying and distributing the document

Copying and distributing in this Rules s are made in accordance with DP KTU II-01.

10 Safekeeping

Safekeeping of these Rules is made in accordance with DP KTU II-01.

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Appendix A (mandatory)

F.04-2020

Approval sheet

[illegible]

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Appendix B (mandatory)

F.05-2020

Introduction sheet

[illegible]