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| Communication on Computer Programs § 69b UrhG (copyright law) | Vollfl_mZNEU_li_SW |
| Please mail separately in sealed envelope! |
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| To  | From  |
| Technical University of MunichTUM ForTe - Office for Research and InnovationPatents and Licenses80333 Munich |  |
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| Phone  | Email  |
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|  |  |
| To be completed by Technical University of Munich |  |
| Received on: | File Number: |
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| Written confirmation of receipt: | Forwarded on: |
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|  |  |
| 1. Name/Title  |  |
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|  |  |
| 2. Enclosures: |  |
|  |  |
| The following documents are enclosed with the Communication on Computer Programs  |
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| [ ]  ........... pages describing the Computer Program . ............ sketches / drawings |
|  |
| [ ]  **Two copies** of the source code on a data storage device e.g. CD, DVD, USB-Stick |
|  |
| [ ]  Declaration of the Chair  |
|  |
| [ ]  Software developer’s own work / publications in the field of the program (where available) |
|  |
| [ ]  Documents reflecting the state of the art (publications; patent specifications etc.)  |
|  |
| [ ]  Copy / Copies of third-party funded agreements / cooperation agreements (where available) |
|  |
| [ ]  ..................................................................................................................... |

3. Persons (authors) who have contributed to the development of the software

Please use a separate column for each software developer. Please also specify external co-developers or independent developers. In case of more than three developers, please copy the below table and attach it as an extra sheet.

A developer is defined as a person that contributed creatively to the development of the computer program.

|  |  |
| --- | --- |
|  | I herewith report the software stated in section 1  |
| **3.1** | Name, First Name |  |  |  |
| **3.2** | Title / Academic degree |  |  |  |
| **3.3** | Nationality  |  |  |  |
| **3.4** | Occupation (engineer, physician etc.) |  |  |  |
| **3.5** | Institute / Chair |  |  |  |
| **3.6** | Office Address  |  |  |  |
| **3.7** | Office Phone No.  |  |  |  |
| **3.8** | E-Mail (Office) |  |  |  |
| **3.9** | Official Position at the time of development (e.g. professor, research assistant / research associate/ doctoral / diploma candidate, technician etc.) |  |  |  |
| **3.10** | Employment Type (employment contract for student research assistant, contract for work and services, teaching assignment, civil servants etc.) |  |  |  |
| **3.11** | Any changes to the above No. 3.9 and 3.10 since completion of the development? |  |  |  |
| **3.12** | Home Address (for external and independent developers) |  |  |  |
| **3.13** | Private Phone (for external and independent developers) |  |  |  |
| **3.14** | Percentage on the development | % | % | % |

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| **4.1** | An assignment; my bachelor or master thesis | [ ]  Yes  | [ ]  No  | [ ]  Yes  | [ ]  No | [ ]  Yes | [ ]  No |
| **4.2** | My doctoral thesis  | [ ]  Yes  | [ ]  No  | [ ]  Yes  | [ ]  No | [ ]  Yes | [ ]  No  |
| **4.3** | My employment contract /employment relationship | [ ]  Yes  | [ ]  No  | [ ]  Yes  | [ ]  No | [ ]  Yes  | [ ]  No |

 **4. The software was developed during the performance of my tasks or in line with the instructions of my employer, in the course of …**

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| **4.4** | **Was the software developed under a third-party funded project, i.e. in the course of a project sponsored by public institutions (e.g. EU, DFG, BMBF, Foundation) or an industry partner?** Please provide a copy of the collaborative agreement / third-party funds agreement, if applicable [ ]  Yes [ ]  No |

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| **4.5** | **When developing the software, was a code used that already existed at the Chair?**  [ ]  Yes [ ]  No**If yes: Has the code already been published in one way or another?** If yes: when and how? [ ]  Yes [ ]  No**Are the developers of the already existing code identical with the persons stated in table 3?** [ ]  Yes [ ]  No |
| **4.6** | **When developing the software, were third party’s codes used?** E.g**.,** further development of a commercial software?  [ ]  Yes [ ]  No**If yes, which?** |
| **4.7** | **Was Open Source Software utilised when developing this software?**  [ ]  Yes [ ]  No **If so, which Open Source Software was utilised?** Please also state the link under which you can find the license conditions of the OSS |
| **4.8** | **Was the software created out of a technological need** (i.e. is there only one possibility how the software program could be designed) **or did you have design possibilities** (e.g. choice of the programming language; own creative contribution)?  |

**5. Publication**

The term „publication“ here is not only limited to publications in journals but also encompasses e.g. talks at conferences, Open Source licensing and the publication of codes e.g. on GitHub

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| **5.1** | **Has the software or part of the software** (not of the underlying algorithm) **already been disclosed by you or third parties?**  [ ]  Yes [ ]  No**If yes: When and where?**  |
| **5.2** | **Do you envisage a publication of the software as such? If yes, please indicate the estimated date as well as the form of the publication or medium**  [ ]  Yes [ ]  No  |
| **5.3** | **Are you aware of any invention disclosure or communication of a computer program or patent/patent application relating to this software?** If so, please state the reference number of the invention disclosure or the official file number of the patent /patent application [ ]  Yes [ ]  No  |

**6. Description of the Computer Program**

|  |
| --- |
| Please enclose a complete description of your software including descriptive drawings and informative documents (such as publications, selected data material, User Guide, technical specifications, computer program name, version data). A suggestion on how to structure your description is enclosed |

**7. Development Status**

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| --- | --- |
| **7.1** | **What is the current development stage your software? (Idea, ready for series production? What do you envisage?)**If possible, please indicate a time frame. |
| **7.2** | **Are further developments by the authors, the team or the Chair possible, envisaged or already planned?** |
| **7.3** | **Will the developer’s professional competence remain with TUM for the short and medium term?** |

**8. Commercial exploitation of the software**

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| --- | --- |
| **8.1** | **Where do you see application possibilities for your software?** Please state possible industry sectors, products, companies etc.  |
| **8.2** | **Do you have established contacts with parties interested in your software?** Please state companies, contacts etc. **If yes, how much has already been disclosed to these contacts?** |
| **8.3** | **Are you planning a spin-off**? (Who is the contact person for the spin-off? Are there any other contact persons?) |
| **8.4** | **Are you aware of an envisaged third party funded project in which this software is going to be used as background IP?** |

**9. I agree to the transfer of rights of use to the computer software in accordance with §34 UrhG (see explanations).**

………………………………… …………………………………. ………………………………

Place, Date, Signature Place, Date, Signature Place, Date, Signature

………………………………… …………………………………. ………………………………

(Name Developer) (Name Developer) (Name Developer)

**Explanatory notes on the notification of computer programs**

**Regarding 9. consent of the author to §34 UrhG Transfer of rights of use:**

Section 34 of the German Copyright and Related Rights Act (Urheberrechtsgesetz), entitled "Transfer of rights of use", stipulates that a right of use can only be transferred with the consent of the author. The author may not refuse consent contrary to good faith.

Declaration of the Chair

Chair (full Professor): …………………………………………………………

Name of the Chair / Institute / Research Group: …………………………………………………………

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| Communication of Computer Programs of ...................................... Title ..................................................................................... (Date) (short title)................................................................................................................................................................................................. |
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| For the validation of legal and contractual frame-conditions please answer the following questions : |
| 1. Was the invention developed in the context of third-party funded projects? (e.g. EU, BMBF, DFG, co-operation with industry, others) |
| [ ]  No |
| [ ]  Yes - please give detailed information about the project/ project/s name and send copy/ies of contract/s |
|  |
|  |
| 2. Where resources involved for the invention that need to be reimbursed in case of a successful exploitation? **To** **what amount?** (third-party funds sponsored by funding authorities; industry partners, others)  |
| [ ]  No |
| [ ]  Yes - please give detailed information  |
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|  |
| 3. Do you have the intention to use this software as background IP for any third-party funded projects? |
| [ ]  No |
| [ ]  Yes - please give detailed information  |
|  |
|  |
| 4. The developers created the software during the performance of their tasks or in line with instructions |
| [ ]  No |
| [ ]  Yes |
|  |
| 5. I have taken note on the information about the communication. To the best of my knowledge, the data are correct. |
|  |
| ...................................................., the ...................................... | ......................................................................................(Signature & Seal ) |

**Enclosure**

In the following, you will find some suggestions on how to structure the description of your computer program

Extent of the Software Program

Usually, approximately four DIN A4 pages are sufficient for the description of the computer program but may as well be necessary. In individual cases, a longer or a shorter description may be needed.

Content-related Description of the Software

* Technical basics or scientific basics
* Which state of the art do you know
* How does your software work and how is it designed?
* What are the main novel features of your software?
* Advantages and improvements that your software offers compared to the state of the art
* Stage of development
* …..

Applications

* Which applications are possible?
* Which products can be realized?
* Which companies or industry sectors could be interested in the software?
* Are you interested in own exploitation, e.g., by a spin-off for further development?
* ……