Operation Plan for Technology Start-up Support Scheme for Universities at HKU (TSSSU@HKU)

Technology Transfer Office
The University of Hong Kong
11 September 2023
Operation Plan and Regulations for TSSSU@HKU

Introduction
1. The Innovation and Technology Commission (ITC), under the Innovation and Technology Fund (ITF), has set up the Technology Start-up Support Scheme for Universities (TSSSU) to provide funding to six local universities to support their teams in starting technology businesses and commercialising their research and development (R&D) results. The funding from TSSSU aims to provide better support for technology start-ups to translate new ideas into business opportunities. TSSSU@HKU scheme is such funding scheme under the University of Hong Kong (HKU).

2. The funding scheme was set up in 2014 with up to HK$4 million a year made available to each of the six local universities with technology disciplines on an annual reimbursement basis. With effect from the 2019-20 Government financial year, ITC doubled the annual funding to HK$8 million a year. To further strengthen the support for start-ups, in addition to the original component of the Scheme (which will be termed “TSSSU-O” hereunder and in related documents), an enhancement measure was introduced with effect from 2023-24 to provide dollar-to-dollar matching funds to those start-ups which have demonstrated good growth potential through securing investment from the private sector (which will be termed “TSSSU+” hereunder and in related documents). In other words, TSSSU comprises TSSSU-O and TSSSU+ from 2023-24 onwards. TSSSU-O funds HK$8 million a year and TSSSU+ offers HK$8 million matching funds a year.

3. This document is based on the Guidelines of the TSSSU Scheme from the Innovation and Technology Commission (the “ITC Application and Reimbursement Guidelines”), with additional requirements and information relevant to HKU. Applicants may wish to consult the ITC Guidelines available concurrently on the Technology Transfer Office (TTO) (www.tto.hku.hk) and the Research Services websites (www.rss.hku.hk), as they are the overarching guidelines for this Scheme. In case there is any disparity between the ITC Guidelines and this operation plan, the former should prevail.

Objectives
4. Knowledge Exchange (KE) is one of the three pillar missions of the University. Technology transfer, which is an important part of KE, is the process of bringing technological innovation, inventions and intellectual property developed from R&D projects in the University to the industry and the market for the benefits of society and the economy.

5. The objective of the TSSSU@HKU is to make use of the funding support from the Government to encourage more technology start-up ventures to be formed, primarily based on technologies developed at the University, and thereby cultivate and enrich the entrepreneurial culture and ecosystem within HKU.

6. Due to the limited resources available from the TSSSU@HKU scheme, the funding support, for most cases, is intended to be a seed-funding scheme facilitating ideas, innovations, research results to germinate into an incubation stage through a start-up company, so that it may potentially attract angel funding and venture capital support to grow the company to fully exploit the innovative technology for commercial development. It is not intended to be an investment to sustain a business or a supplementary research project funding or an alternative to applied research project funding.

7. Disregard the success or failure of the start-up ventures funded by this scheme, the participants of the Scheme would gain valuable entrepreneurship experience through the process of taking a new technological innovation to the real application environment and gain the start-up experience first-hand.
Funding Focus and Priorities

8. As stipulated by the ITC Guidelines, TSSSU@HKU is a technology “start-up” funding for new ventures. The application must be from a qualified company registered in Hong Kong (see Paragraph 26), represented by the Person-in-charge of the application company meeting the eligibility criteria as detailed in Paragraph 25. Preference will be given to inventions, technologies and intellectual property developed at HKU.

9. Funding focus and priorities will be given to (but not limited by) the following:
   (a) Start-up using inventions and technologies developed by HKU. (Proper licensing agreement with HKU is needed prior to application).
   (b) Start-up using inventions and technologies developed jointly between HKU and its collaborators. (Similarly, proper licensing agreement with the IPR owners is needed prior to application).
   (c) Start-up based on technology developed by students or alumni during their course of study at the University as part of their curriculum (e.g. Final Year projects, research projects). The application team must have the right to commercialize the relevant technology.
   (d) Technology innovations by staff or students resulting from employment or studies at HKU, with a significant ‘knowledge’ and ‘technology’ component.

10. As this is intended to be funding for technology start-ups, especially using technology developed by HKU or at HKU, trivial use of technology (e.g. a simple website) or a me-too copy-cat venture (e.g. another me-too mobile app) would unlikely be considered for funding.

Funding Scope and Duration

11. Based on the conditions and requirements set by ITC, TSSSU@HKU is a cash-based funding scheme (as opposed to a ‘project-based’ funding scheme). Due to the reimbursement nature of the funding support from the Government, the successful applicant will be awarded cash funding in form of an interest-free cash-advancement from HKU equal to the awarded amount under TSSSU in instalments. The cash-advancement will be fully redeemed with the reimbursement from the Government to the University under the TSSSU Scheme of ITC. The funded start-up is held responsible to assist HKU to claim the reimbursement by abiding to the Guidelines set by ITC under the TSSSU Scheme and provides the University with all required reports and documents. For TSSSU+, start-up is required to submit bank statement and return to Company Registry on its latest capital status showing the amount of private investment1 received during the recognized matching period. The bank account should be opened with a conventional bank (includes cheque deposit function) in Hong Kong with the name of the account holder identical to that of the name of the start-up.

12. Each successful technology start-up can be funded for no more than three (3) years2 under TSSSU-O and TSSSU+ respectively, with a maximum funding capped at HK$1.5 million per year, subject to the final Approved Funding Budget (AFB) by the University and the ITC. Any unspent award by the end of the Government financial year will be forfeited and the equivalent cash-advancement amount should be returned to HKU. For TSSSU+ application, the dollar-to-dollar matching fund will be provided to start-ups which can secure at least the same amount of private investment during the recognised matching period. For the 2024-25 application, the recognised matching period will be from 1 April 2023 to 31 March 2024, which is the Government financial year immediately before the TSSSU+ reimbursable period.

---

1 Private investment should come from independent third parties including venture capitalists, angel funds, private companies or individuals in the form of cash contribution received in return of shareholding in the start-ups. Please refer to ITC’s FAQ for further details on the eligibility and calculation of private investment.

2 The three-year period should count consecutively from the first year that a start-up is approved for TSSSU funding. For example, if a start-up was first approved for funding in 2020-21 (Year one) and only applied for continued funding in 2022-23 (Year three), it will not be eligible for seeking further funding in 2023-24 (Year four).
13. The TSSSU funding should be used in a reasonable, proportionate and proper manner in the following areas for achieving the milestones set out in the approved business plan:
   (a) essential items for setting up and operating the technology start-ups (e.g. furniture and equipment, legal and accounting services, rental of necessary and suitable premises, manpower etc.);
   (b) R&D expenditure (e.g. manpower, equipment, licensing fees or royalties due to HKU, other direct costs, etc.); and
   (c) promotional activities and marketing of their R&D deliverables, products or services.

14. Any expenditure item or part thereof which is already funded by the Government, a Government subvented body/institution, the University or third parties will however not be funded under TSSSU, i.e. no double payment is allowed for the same part of an expenditure item.

15. Some examples of items not to be funded under TSSSU are –
   (a) rental expenses that are irrelevant to the operations of the technology start-ups;
   (b) manpower expenditure on bonus, contract gratuities, annual salary increment as well as general fringe benefits and allowances such as expenses on housing (including nominal rental for quarters), education, training, passage and travelling, food, medical, dental, insurance, severance pay, overtime and untaken leave, etc.;
   (c) expenses on mass production activities;
   (d) expenses on offering gifts (e.g. cash coupons) for marketing and/or promotion purposes;
   (e) expenses incurred as matching fund for other schemes of the Innovation and Technology Fund;
   (f) costs of forming associations;
   (g) investment of any kind except for deposit of funds in the bank accounts of the funded technology start-ups;
   (h) repayment of any loan (including but not limited to student loan) taken out by the funded technology start-ups and their members and employees;
   (i) any trip that is unnecessary or irrelevant to the operations of the technology start-ups;
   (j) entertainment expenses that are unnecessary or irrelevant to the operations of the technology start-ups;
   (k) fees charged to technology start-ups arising from general services (e.g. office administrative services, etc.) provided by HKU;
   (l) any expenditure item that is unnecessary or irrelevant to the operations of the technology start-ups; and
   (m) any events or activities that are inconsistent with the laws or regulations of Hong Kong or other applicable jurisdictions.

The above examples are not exhaustive. Start-up should consult HKU TTO or ITC if they have any doubt.

16. Activities of the technology start-ups funded under TSSSU should primarily be conducted within the territory of Hong Kong. However, given the objective of TSSSU to support technology start-ups, up to 50% of the TSSSU funding provided to each technology start-up in each Government financial year can be incurred outside Hong Kong. Excessive and non-spending funding is required to be returned to HKU.

17. If the start-up uses technology and intellectual property belonging to the University, the start-up should contact the Technology Transfer Office of HKU, and should enter into a licensing agreement with HKU before using such technology or intellectual property.

18. TSSSU@HKU can only be awarded to registered companies. The company cannot be registered for more than two (2) years as of the date of the ITC’s Cut-off Date to be qualified as a “start-up” company for TSSSU-O and no more than seven (7) years company registration
for TSSSU+. Notwithstanding the foregoing, such two-year and seven-year eligibility requirement does not apply to a technology start-up which is recommended for the TSSSU funding for the second or the third year. The ITC’s “Cut-off Date” shall be 1 February of the application year.

19. To avoid disproportional distribution of limited funding resources and to control burn-rate of the start-up, manpower remuneration from the TSSSU@HKU funding is limited to a maximum allowable rate per full-time staff (or proportionally for part-time staff) depending on the qualification of the staff:
   (a) HK$12,000 per month maximum for a non-degree staff;
   (b) HK$18,000 per month maximum for staff with a Bachelor degree;
   (c) HK$24,000 per month maximum for staff with a Master or higher degree.
   For the avoidance of doubt, this above applies equally to team members (see Paragraph 24).

20. The Awardee Company may provide additional (or substitute) incentives to staff by:
   (a) topping up the above remuneration cap with funds from other sources;
   (b) providing alternative incentives like shares, stock-options, bonus, commission etc.

21. Each successful Awardee Company will be funded for one (1) Government financial year (or less) for the year that their funding application is awarded (The funding period will begin from the date of ITC’s funding approval which may happen after the start of the Government financial year in question). Awardee Company can apply for second and third year funding (continuous funding), but each year requires a new application and approval before award can be made. For the avoidance of doubt, notwithstanding “technology start-up will be funded for no more than three (3) years” as indicated in paragraph 12, a start-up will not be given blanket approval for funding support for more than one year since additional funding after the first year is always subject to further application and approval. Separately, a TSSSU-O Awardee Company can apply for TSSSU+ subsequent to the TSSSU-O’s funding year subject to its fulfilment of the latter’s eligibility and requirements.

22. Continuous funding application by past Awardee Companies will be evaluated together with all new applications on an equitable competitive basis. Successful completion of all milestones and deliverables are essential factors to be considered.

Eligibility

23. An Eligible Applicant must be from one of the following:
   (a) current faculty member of HKU serving as consultant, providing technical expertise and direction of the R&D work;
   (b) current student of HKU;
   (c) graduate of HKU for no more than 5 years as of the announced Cut-off Date of each application year for TSSSU-O, unless the application is a continuous funding application for the second or the third year. No more than 10 years as of the announced Cut-off Date of each application for TSSSU+.

24. The application for TSSSU@HKU must be made by a team (“the Team”) (i.e. more than one person), comprising at least one Eligible Applicant. The Team forming the technology start-up may have any mix of the following members of the University –
   (a) undergraduate / graduate / postgraduate students;
   (b) professor(s) or other faculty member(s) to serve as consultant(s), providing technical expertise and direction of the R&D work; and/or
   (c) business savvy university alumni, giving business and management advice, etc. The Team should collectively hold more than 50% of the shares in the company, unless HKU is also holding some equity in the company (e.g. in lieu of a technology license entered). For the avoidance of doubt, any person not associated with HKU cannot be part of the Team (but of course can be shareholders, investors or even founders of the company).
25. The Team forming the technology start-up is required to appoint a member of the Team as the person-in-charge, who should preferably be an Eligible Applicant, and is the person representing the start-up company in the application. The person-in-charge should be significantly engaged in the technology start-up’s business and be responsible for: (a) overseeing the operations of the technology start-up; and (b) liaising with HKU on matters relating to the funding support under TSSSU@HKU. The person-in-charge is required to hold a senior position in the technology start-up and can be reached by HKU during normal business hours. For the avoidance of doubt, the appointed person-in-charge cannot join other concurrently active teams funded by TSSSU.

26. For TSSSU-O, the awardee must be a company, regardless of size, registered under the Hong Kong Companies Ordinance for not more than two (2) years as of the Cut-off Date of each application year, unless it is a continuous funding application for second or third year. For TSSSU+, the awardee must be a company registered for not more than seven (7) years as of the Cut-off Date of each application year, unless it is a continuous funding application for second or third year.

27. Full-time staff/faculty member of the University, with University approval, can be a team member of the start-up funded by TSSSU@HKU, provided the staff/faculty member holds minority shares without any management role. If the staff/faculty member wants to hold majority shares, approval is needed by the University after the University confirms that there is no conflict of interest issue. The staff/faculty member would be subject to related policies and outside practice regulations of the University. It is expected the staff/faculty member involved would provide scientific/business input and mentorship to the start-up venture.

28. If staff/faculty member needs to take up management role in the start-up, especially in the earlier years of the start-up, they may apply to the University for leave of absence or fractional appointment. This would be subject to the Human Resource policies and procedures of the University.

Application Procedure

29. Call for application of the TSSSU@HKU will be made through email, websites of relevant HKU departments, and other normal funding call channels of the University. Application must be received by 5:00 pm (Hong Kong Time) of the announced Closing Date of each application year.

30. The applicant of the TSSSU@HKU should submit the completed application form provided in Annex A with duly signed signature, company’s chop and all relevant supporting documents in its Section C including, but not limited to:

- a YouTube link or other kind of file-sharing link (e.g. Dropbox) to a presentation video of around 3-5 minutes introducing the technology and business of the company
- a detailed business plan;
- a complete financial plan with budget, revenue and cash flow forecasts covering at least the next three years of operation;
- copies of IP licensing agreements;
- evidence of application eligibility such as Certificate of Incorporation, copies of graduation certificates or student/staff ID cards of all team members; and
- proof of matched funding or provision of any additional investments, etc;

electronically to HKU TTO (tssu@tto.hku.hk) on or before the deadline. All sections of the application form must be duly completed; otherwise the application will not be shortlisted for assessment. A signed hard copy of the application form, identical to the submitted electronic version, should be sent to HKU TTO within three (3) working days of the deadline.
31. Applicants are required to submit a detailed budget plan for the application. Not all items of the submitted budget plan may be approved for funding from TSSSU@HKU. The amount awarded by TSSSU@HKU would be the Final Approved Budget. All expenditures to be funded by TSSSU@HKU must be placed under the categories of Manpower, Equipment and Other Direct Costs.

32. The closing date of application for 2024-25 financial year shall be November 24, 2023 (the “Closing Date”).

Assessment and Selection
33. All applications will be assessed in a fair, open and objective manner by a Selection Panel formed by the University. The Selection Panel will evaluate each application based on, but not limited to, the following aspects of the application:

(a) TEAM: Capability of the start-up and its team to undertake the R&D proposed and manage the company (25%)
(b) FUNDING: Existence of private investment and the potential of attracting additional investment funding (25%)
(c) HKU-TECH: Commercialization of HKU Technologies (20%)
(d) MARKET: Commercial viability of the business (15%)
(e) TECHNOLOGY INNOVATION: Innovation and technology content of the business (10%)
(f) SOCIAL: Social and/or community impact of the business and R&D work (5%)

34. After the assessment and selection process, the university will forward its recommendations, together with the relevant application forms, to ITC for its final approval. The decision of the Selection Panel and ITC will be final.

35. HKU staff handling the TSSSU@HKU scheme and Selection Panel members will be bound by the confidentiality policy of HKU. Documents submitted to ITC for their vetting will be bound by ITC’s confidentiality policy.

Notification and Acceptance of Award
36. Applicants will be notified of the results within five (5) working days of TTO receiving final approval by ITC. This is expected to be about 1 month after ITC has received all the information required.

37. Successful application recommended for funding by the University and ITC (Awardee Company) will be offered the award with a cash-advancement agreement (see para. 11). The agreement may stipulate terms and conditions associated with the award imposed by the University. The award may contain an Approved Funding Budget different from the budget requested in the proposal and the applicant may need to revise the relevant parts of the proposal (e.g. milestones, budget etc) to reflect the necessary changes.

38. The applicant is required to return the signed agreement to TTO to confirm the acceptance of the offer within fourteen (14) calendar days from the date of receipt of the offer. The offer will lapse after the said period.

Intellectual Property Rights
39. The Awardee Company will own all intellectual property rights (IPR) created by the company from the project funded under the TSSSU@HKU scheme, unless otherwise specified by alternative agreements. Use of any background intellectual property (IP) will be governed by pre-agreed licenses with the University. If the Awardee Company does not use any
background IP of the University, it shall so declare in Annex A Section A 3(d). IP developed in collaboration with members of the University will be handled in accordance to the IPR policies of HKU. If in doubt, the HKU TTO should be consulted.

Disbursement, Reimbursement and Audit

40. The cheque will be issued to the start-up each year in advance in two instalments.

41. The first instalment will be paid within one (1) calendar month of approval or after completion of agreement signed. The second instalment will be paid six (6) months later, subject to satisfactory progress and achievement of the agreed milestones as well as the financial position showing the fund utilization. For start-ups funded under TSSSU+, production of copies of supporting documents showing the receipt of committed private investment (e.g. bank statements and returns to Company Registry, if applicable) is also a condition for paying the instalments.

42. The University will apply for reimbursement from the ITC to repay the cash-advancement given to the start-up under the Scheme. According to the requirement of ITC, the funded start-up has to provide the University with:

(a) a completed reimbursement request form (Annex B) for the expenditure incurred during the reimbursable period of the previous Government financial year. The expenses incurred should be on an accrual basis, i.e. funding will be provided if the expenses have been incurred within the Government financial year when the related activities have been conducted or the related services and goods have been delivered;

(b) the statement of expenditure and the auditors' report for the previous Government financial year submitted by the technology start-up, which are prepared in accordance with the 'Notes for Auditors' at Annex C, within three (3) months after the end of the previous Government financial year. For example, for 2024-25 financial year, this would be 30 June 2025. This would allow the University some time to work on its report to ITC;

(c) the bank statement and return to Company Registry on its latest capital status showing the amount of private investment it received during the recognised period for TSSSU+ application.

The reimbursement from ITC would therefore be fully used to repay the cash-advancement by the University under this Scheme, with any shortfall, unless otherwise agreed by the University in writing, has to be made good by the start-up. For start-ups funded under TSSSU+, if the amount of private investment eventually received is less than that as pledged at the time of application, the reimbursable amount for that start-up will be adjusted downward to an amount not more than the private investment received or the approved amount, whichever is lower.

Monitoring and Review

43. As required by ITC, each technology start-up should provide a half-yearly interim report and an annual report on the progress of its business to the University in each Government financial year. For the interim report, the technology start-up is also required to provide an unaudited account of expenditures with respect to the utilization of the first instalment funding. The technology start-up should also complete the relevant sections in Annex D(ii) when submitting the annual report to the University.\(^3\)

\(^3\) If a TSSSU funded technology start-up fails to comply with the funding requirements stipulated by ITC and/or the University including submission of the required documents (e.g. half-yearly report, annual report, statement of expenditure, auditors' report, reimbursement request (i.e. Annex B to this form), annual assessment of the technology start-up's performance (i.e. Annex D(ii) to this form), etc.) in good time and in good quality, its subsequent application(s) for TSSSU funding support and other ITF funding support might be affected.
44. The Awardee Company should submit the annual report to TTO within two (2) months of each Government financial year (that is, on or before 31 May of each funded year). The annual report should include, but not limited to, the following:
   i. Status and achievements of the start-up with respect to each of the objectives, milestones and deliverables, in the funded year;
   ii. Business and commercialisation success of the company including revenue, additional funding obtained or injected, merger and acquisition, partnership or major deals that are of material impact to the company etc.
   iii. IPR position of the company in the funded year;
   iv. Any other information that the Awardee Company considers useful.

45. The University will provide support, mentorship and other monitoring functions as required by ITC under the TSSSU scheme. The University will also coordinate all the funded start-ups under this Scheme and perform liaison function with ITC as appropriate.

46. Funded technology start-ups should handle the keeping of books and records as well as other necessary documents, including the bank statements showing the receipt of the private investment amount under TSSSU+, to facilitate auditors to conduct the reasonable assurance engagement in accordance with the requirements stipulated in Annex C. The TTO of the University will be responsible for keeping all records and documents in relation to the TSSSU applications and reimbursements, monitoring of the R&D work and commercialisation of the technology start-ups. The Commissioner for Innovation and Technology and any authorised person acting on behalf of the Government may conduct random checks of the documents, records, etc. of the universities and the technology start-ups to ensure their compliance with the guidelines and requirements relevant to the funding support.

47. The University or ITC may terminate an approved TSSSU@HKU award or suspend funding support to an Awardee Company in rare and exceptional circumstances, including but not limited to evidence of mismanagement of funds, involvement in illegal activities by the start-up, significant departure from the original business proposal without approval etc., or when ITC sees fit to terminate the project in public interest. The University and ITC will reserve the right to demand return of all unspent funds after the termination of the project.

**Modifications to Business Proposal**

48. Each technology start-up funded by TSSSU@HKU is required to conduct its business and R&D work in accordance with the business proposal as approved for funding by HKU and ITC. Any material modification to the business proposal (including but not limited to change of PIC and key team members of the technology start-up; change of milestones; business scope; or the change in the approved budget; etc.) will require prior written approval from the University within the reimbursable period. ITC will be duly notified of such modifications, and may provide advice to the University on accepting or rejecting such changes. Technology start-ups should fill in Annex E(i) and/or Annex E(ii) for any material modification when seeking the approval from the University. No retrospective approval will be granted after the end of the Government financial year in which the application was approved.

**Publicity, Acknowledgement and Indemnification**

49. Acknowledgement of the HKU and ITF support should appear on all equipment, facilities, publications, publicity and media events related to an Awardee Company.

50. The following disclaimer should also be included in any publications and media events related to an ITF-funded technology start-up –

"Any opinions, findings, conclusions or recommendations expressed in this material/publication (or by members of this company) do not reflect the views of
51. To facilitate better support and continuous enhancement of the TSSSU@HKU Scheme, Awardee Companies will provide update information relating to their business status, including but not limited to product development and investment fund raising status, from time to time upon the reasonable request of HKU.

52. All Awardee Companies will fully and perpetually indemnify HKU and ITC from all liabilities and shall always keep HKU and ITC whole and harmless from all liabilities and all damages from all actions and activities of said company.

53. General information about each Awardee Company may be publicized through websites and other channels, which the University deems appropriate.

54. Subject to the provisions below, information provided by the start-ups in their applications and reports will be kept by ITC in confidence and all personal data will be handled in accordance with the relevant provisions of the Personal Data (Privacy) Ordinance (Cap. 486). In this regard, the Government shall have the right to disclose, without further reference to the start-ups, whenever it considers appropriate, Disclosable Information to other Government bureaux/departments, statutory bodies or relevant third parties for the purposes as prescribed in the application forms/reporting templates or other related purposes. Relevant information will also be posted on the ITF website for public access. In submitting the application/report, the start-up irrevocably and unconditionally authorises the Government to make and consent to the Government making any of the aforesaid disclosure.

55. By submitting the application/report, the start-up is regarded to have agreed to, and to have obtained from the entities and each individual whose information (including personal data) is provided in the relevant document, their consent for the disclosure, use and further disclosure by the Government of the information (including personal data) for the purposes set out above.

56. The funded start-ups shall conform in all respects with all legislation (including the Laws of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region), regulations and by-laws of the Hong Kong Special Administrative Region.

Enquiries

57. All enquiries related to the TSSSU@HKU Scheme should be directed to:

Director, Technology Transfer Office
15/F, K K Leung Building
The University of Hong Kong
Pokfulam, Hong Kong
Phone: +852 3917 3111
E-Mail: tsssu@tto.hku.hk
Website: http://www.tto.hku.hk

Version 1.0
11 September 2023

*Disclosable Information* means any information provided by the start-ups and the universities to the Government in their applications and reports including without limitation, information in connection with, their applications under the TSSSU, the names and addresses of and other information on the start-ups including past applications, other ITF projects they are undertaking / proposes to or will undertake, details of the applications and the projects, the project costs and the TSSSU funding, and any other information provided by the start-ups and the universities to the Government.