INTEGRATING INTELLECTUAL PROPERTY INTO INNOVATION POLICY

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An innovation is the implementation of a new or significantly improved product (good or service), or process, a new marketing method, or a new organizational method in business practices, workplace organization, or external relations.

The minimum requirement for an innovation is that the product, process, marketing method or organisational method must be new (or significantly improved) to the firm.

A common feature of an innovation is that it must have been implemented. A new or improved product is implemented when it is introduced on the market. New processes, marketing methods or organisational methods are implemented when they are brought into actual use in the firm’s operations.
Innovation Policy and National Systems of Innovation

- Innovation policy seeks to maximize the amount of innovative activity in a society and convert the innovative output into useful products and services so as to fuel employment creation and economic growth.

- A national system of innovation is primarily about how the knowledge base and the industrial base relate and interact with each other and the various other institutions and elements that facilitate and support that interaction.

- Policy makers try to understand their respective national innovation systems so that they can determine where best to provide support, ease blockage and facilitate smooth flow of knowledge.
Integrating Intellectual Property into Innovation Policy Formulation

**Framework conditions**
Education, infrastructure (hard and soft), good governance, business friendly climate, tolerance of failure

**Initiatives to support** knowledge base, industrial/service sector and their collaboration

- Grants, subsidies, FDI research bases, immigration, return of skilled nationals
- Tax, FDI production centers, Skilled nationals, immigrants, Procurement, Standards,
- Licensing, Spin offs, JV etc

**Open innovation, partnerships, Collaboration, mobility, tax credits, Voucher schemes, clusters**

**Knowledge Base**
Universities, PROs, Industry R&D

**Industrial/Service Sector**

**Support Structures**
Angels, VCs, incubators, science parks, innovation centers, IP service providers (IPOs, Chambers of Commerce, Lawyers, Business consultants)

IP stimulates
IP enables
IP adds value
Innovation is often risky, time consuming and costly and once produced there is no means for the innovator to appropriate its benefits for it is by nature a public good the use of which by third parties cannot be excluded. Thus, there is little incentive for innovators to engage in such activity and as such an optimum supply of innovation for the benefit of society is not produced.
The IP system allows the inventors, innovators and creators amongst us proprietary rights over their output. They have under certain conditions the right to exclude third parties from using and exploiting these outputs without their authorization.

The ability to own and control these outputs vis-à-vis third party use and exploitation is a powerful incentive for innovation.

An IP system is therefore an essential component of the innovation policy options available to decision makers.
IP Enables

- By providing for inventive, innovative and creative output to be owned, the IP system creates the platform from which transactions with respect to these intangibles can take place.

- Therefore IP can be sold, licensed, donated or dealt with in a variety of different ways allowing for revenue generation as well as further investment and development.

- Public goods on the other hand being freely available to all no single person will take the risks and the burden of investing in its further development and/or its commercialization.
IP Adds Value

- A product or service protected by one or more IP rights can compete more effectively in the market place; patents or trade secrets may result in a superior product (because it better meets consumer needs due to improved features, be produced faster/cheaper) it may have a more attractive design or its reputations symbolized by its trademark may attract loyal customers.

- A product or service protected by IP is therefore better able to differentiate itself from its competition and delivers more value to the consumer
Services Provided by the Innovation Division - Knowledge base

- Capacity building programs for the benefit principally of universities, public research organizations, scientists, funding institutions etc.
Successful Technology Licensing

- A 4 to 5 day program for the benefit of technology managers, scientists, researchers, lawyers, policy makers, funding institutions, start-ups and spin-offs.

- Topics covered include:
  - negotiating licensing agreements;
  - marketing R&D results and IP assets;
  - using IP for funding the development of research results on which the R&D institution wants to retain the ownership;
  - valuation of IP assets;
  - calculating royalties and other forms of payment.

- Both, the program and the exercises can be adapted to basic, advanced and training-of-trainers levels, priority sector for the country or the R&D institutions (e.g. biotechnology, chemistry, agriculture, energy, etc.)
WIPO University Initiative Program

- Assist universities and R&D institutions in enhancing their IP and Technology Management capacity. The Program assists the partner institutions through their University IP Coordinators (UIPCs) in the following four key areas:

  1. Creation of the IP and Technology Management Infrastructure
  2. Developing Skilled Human Capital
  3. Promotion of Effective Use of IP, in particular, Patents
  4. Creation of National/Regional/Global University IP Forum
A three to five day program for the benefit of technology managers, policy makers at Ministries of Science and Technology (S&T) and IP Offices, policy makers at universities and R&D institutions, and other staff of technology transfer offices. The Program deals with the following topics:

- IP and university Institutional IP policy;
- R&D management;
- R&D contracts and agreements;
- Invention disclosure process;
- Technology evaluation;
- Patent information search;
- Patent protection;
- Ownership criteria;
- Benefit sharing among the stakeholders;
- Setting up technology transfer offices and its functions;
- Commercialization processes;
- Licensing and startup/spinoff;
- Incentive to researchers;
- Conflict of interest;
- Effective university-industry collaboration;
- Case studies; and
- IP and technology management Simulation exercises
Patent Drafting Training

This training program consists of a five-day on-site workshop and a 2-month follow-up distance-learning exercises with patent attorney tutors.

The Program is designed for the benefit of scientists, researchers, technology managers, inventors and attorneys with technical background and who will likely be drafting patents in the future. The training module is designed based on the WIPO Patent Drafting manual and covers the following issues:

- understanding the scope of patents;
- legal criteria of patentability;
- structure of patent documents and patent application procedures;
- determining what, when, how and where to patent; and
- claim designing and related drafting skills.

The Patent Drafting training is available in basic and advanced levels.
Services Provided by the Innovation Division – Industrial Sector

- An important component of the innovation system is the enterprise sector. Focused activities will be implemented for supporting the enterprise sector use the IP system in their competitive strategies.

- These activities include programs for training of trainers on IP and Business Competitiveness, studies on IP for SMEs and support for the translation and/or adaptations by member states of a variety of publications on different aspects of IP for Business developed by the Division.
Publications on Intellectual Property for Business Competitiveness
IP PANORAMA 02: Trademarks and Industrial Designs

Learning Points [PDF]

- Trademarks and industrial designs to increase the power of marketing
- Brand building
- How to protect trademarks and industrial designs
- Trademark management

IP PANORAMA 03: Invention and Patent

Learning Points [PDF]

- Basics of invention and patent
- Patent application
- Patent infringement
- Patent management system

IP PANORAMA 04: Trade Secrets

Learning Points [PDF]

- Basics of trade secret
- Trade secret management program