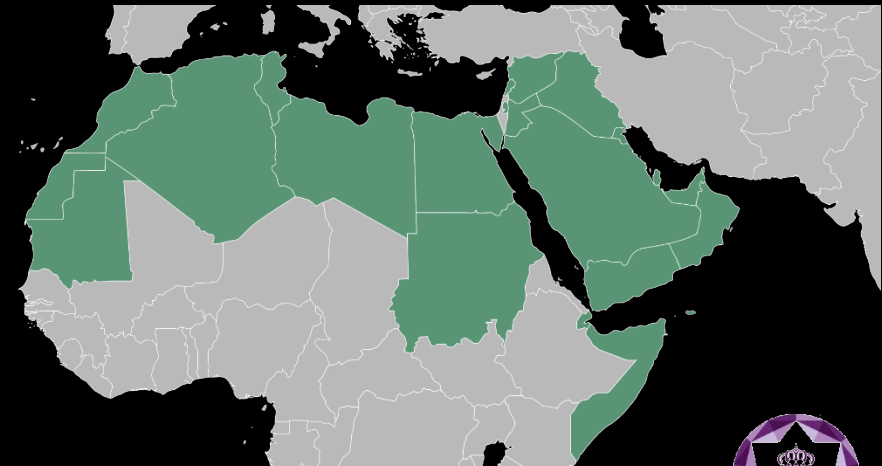


Generation, Management and Utilization of IP in the Arab Region's Public Sector

Sparks of good practice and areas of “must work harder”



Contents

The Royal Scientific Society and iPARK

The Two Problems of Institutional IP

The Two Eventualities for Value Realization

Issues with Ownership Rights (Jordan)

Capturing the Value of IP from Publicly Funded R&D (Jordan, Qatar, KSA)

The Utilization of Big Data (Dubai)

National Tech Transfer Infrastructure (Jordan)

Tangents: Further public sector responsibilities beyond funded R&D

Conclusion



iPARK at the Royal Scientific Society

Active Ecosystem Players



iPARK @ The Royal Scientific Society



Established in 1970, the largest applied research institution, consultancy, and technical support service provider in Jordan



iPARK was set up in 2003 as the RSS arm concerned with enabling and supporting innovation and Entrepreneurship

At iPARK, we



**innovators
& entrepreneurs**



IPCO @ iPARK: Advisory with an Investment Mentality

IPCO @ iPARK was set up as Jordan's first TTU in ~2005

Aims to create value from innovation

Establishment related to national economic development

Became a central national TTU office in 2010

Established the Jordan Tech Transfer Network

Registered IP agents in Jordan, but behaves as an advisory office



University & Industry Support



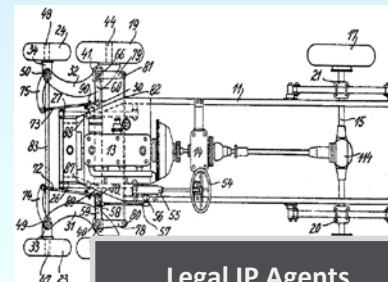
Investment planning



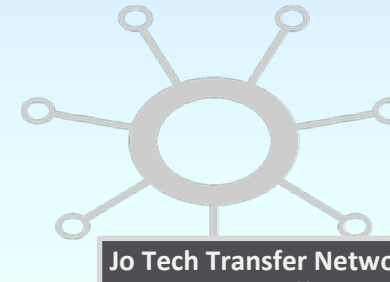
Deal structuring



Governance frameworks



Legal IP Agents



Jo Tech Transfer Network central office



The Two Problems of Institutional IP

Where is it?

Where is it going?



Problem 1: No way of managing assets



<https://horizonhomefurniture.net/furniture-shopping-tips-part-1/stack-of-chairs-messy/>

-  Poor to mis-management
-  Inefficient/lost opportunities
-  Empowerment/authority gaps
-  Active market dynamics
-  Empowerment, capacity
-  Monetization
-  Network and marketplace



Problem 2: No opportunity to realize value



<http://woodtransam.blogspot.com/>

-  Legal framework
-  Structure, transparency
-  Empowerment, capacity
-  Investment (acquisition phase)
-  Passive outreach
-  No network, ecosystem
-  No business development



“First you catch the bear, then you skin the bear”



Image: Red Dead Redemption 2, game



Navigating the 2 problem reality

Good governance

- Effective value creation and logging for IP assets

Lack of clear governance infrastructure can make it difficult/risky/impossible to find and manage IP assets

Lack of an active value capture mechanism can render asset management devoid of tangible value

WE can normally find loopholes to allow institutions to find and own and manage IP assets even when the infrastructure is poor

However, if there is consistently no prospect of value realization due to lack of value chain, then this barrier is not surmountable

We consistently fall through the trapdoor of building laws and official instruments and thinking that “money will happen” even though a value chain is a challenging gap to fill

Active asset management

- Effective value capture for IP assets



The 2 Potential Avenues for Value Capture



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Capturing the Value of Creativity

Value Creation
Develop,
build,
acquire,
seed, invest,
patent,
innovate...

Value Capture
Harvest,
cash-out,
sell,
license...



The more
creative you
are in value
creation

The more
creative you
must be in
value
capture!

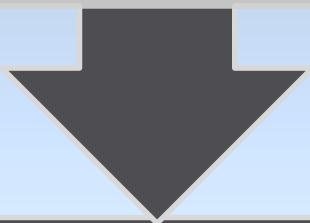
S. Michel, Harvard Business Review Oct 2014



Capturing Value

Modern Industry

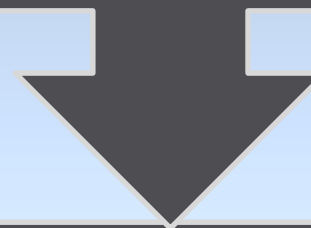
Technology is a factor of production, just like raw materials



Knowledge Economy

Technology is a product!

Patent as an asset: defend exclusivity in a court of law



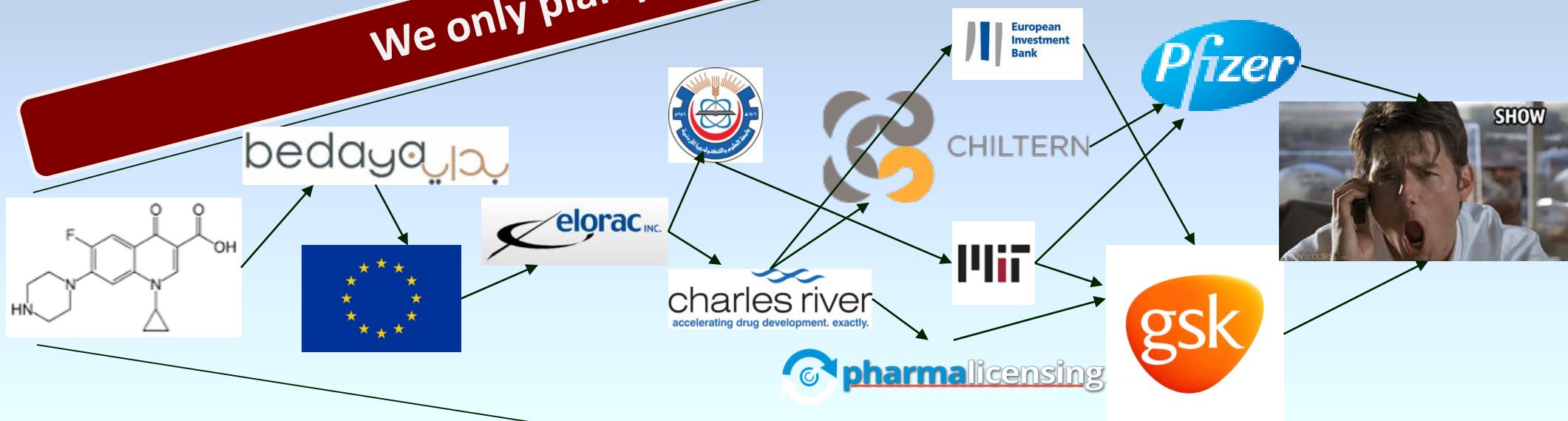
Patent as a partnership tool



A partnership plan is the only plan



We only plan partnerships!



The smallest innovator in smallest institution in smallest country can have a **BIG** role in development and enterprise



Public (and similar) institutions and IP

These institutions have no business pretending to be a business

The predominant value capture avenue is through vesting IP in operators

The perspective of the public sector in terms of what this actually entails is critical

Fair handling/value for public or IP

Vested interest in turning IP into a thing that can be granted

Active pursual of deals

Occasional direct capture of value

Further public sector responsibilities beyond funded R&D



Issues with Ownership Rights

An unexpected legal vacuum

giphy.com



Ownership rights as per Jordanian labor law

Law No. 12 of 2007 Amending the Labor Law

In short:

Employee
owns IP
when:

- not related to business of employer **and** no use of resources

Employer
gains
ownership
when:

- Shared ownership as per written agreement

المادة ٢٠- يلغى نص المادة (٢٠) من القانون الاصلي ويستعاض عنه بالنص التالي :-
المادة ٢٠-

أ- تحدد حقوق الملكية الفكرية لكل من صاحب العمل والعامل بالاتفاق خطياً بينهما فيما يتعلق بأعمال صاحب العمل اذا استخدم العامل خبرات صاحب العمل او معلوماته او ادواته او آلاته الاولية في التوصل الى هذا الابتكار .
ب- تكون حقوق الملكية الفكرية للعامل اذا كان حق الملكية الفكرية المبتكر من قبله لا يتعلق بأعمال صاحب العمل ولم يستخدم خبرات صاحب العمل او معلوماته او ادواته او مواده الاولية في التوصل الى هذا الابتكار ما لم يتفق خطياً على غير ذلك .



Ownership rights as per Jordanian patent law

Law No. 71 of 2001 Amending the Patents Law

In short:

Employee
owns IP
when:

- not related to business of employer **and** no use of resources

Employer
owns IP
when:

- related to business of employer **or** if there is use of resources

يلغى نص كل من الفقرتين (ج) و(د) من المادة (5) من القانون الاصلي ويستعاض عن كل منهما بالنص التالي :

ج. لصاحب العمل اذا كان الاختراع الذي توصل اليه العامل اثناء استخدامه يتعلق بانشطة صاحب العمل او اعماله او اذا استخدم العامل في سبيل التوصل الى هذا الاختراع خبرات صاحب العمل او اعماله او معلوماته او ادواته او مواد الموضوعه تحت تصرفه وذلك ما لم يتفق خطيا على غير ذلك .

د. للعامل اذا كان الاختراع الذي توصل اليه لا يتعلق بانشطة صاحب العمل او اعماله ولم يستخدم في سبيل التوصل الى هذا الاختراع خبرات صاحب العمل او معلوماته او ادواته او مواده الاولية الموضوعه تحت تصرفه في التوصل لهذا الاختراع ما لم يتفق خطيا على غير ذلك .



Turns out 2 laws are not enough...

Labor law does not apply to public sector employees

By extension, patent law does not apply either

Public sector employees are governed through special “civil service” regulations

The only provision within these regulations is that an inventor would receive their annual increase x5



Turns out 2 laws are not enough...

Labor law does not apply to public sector employees

Public university academics are also not governed by labor law!

By extension, patent law does not apply either

Without an institutional IP policy, there is a terrible legal void

Public sector employees are governed through special “civil service” regulations

Questionnaire of Jordanian legal experts: patent law would apply

The only provision within these regulations is that an inventor would receive their annual increase x5

Questionnaire of Jordanian legal experts: innovation/patents are not a normal component of academic research activities...



Capturing the Value of IP from Publicly Funded R&D (KSA, Qatar, Jordan)

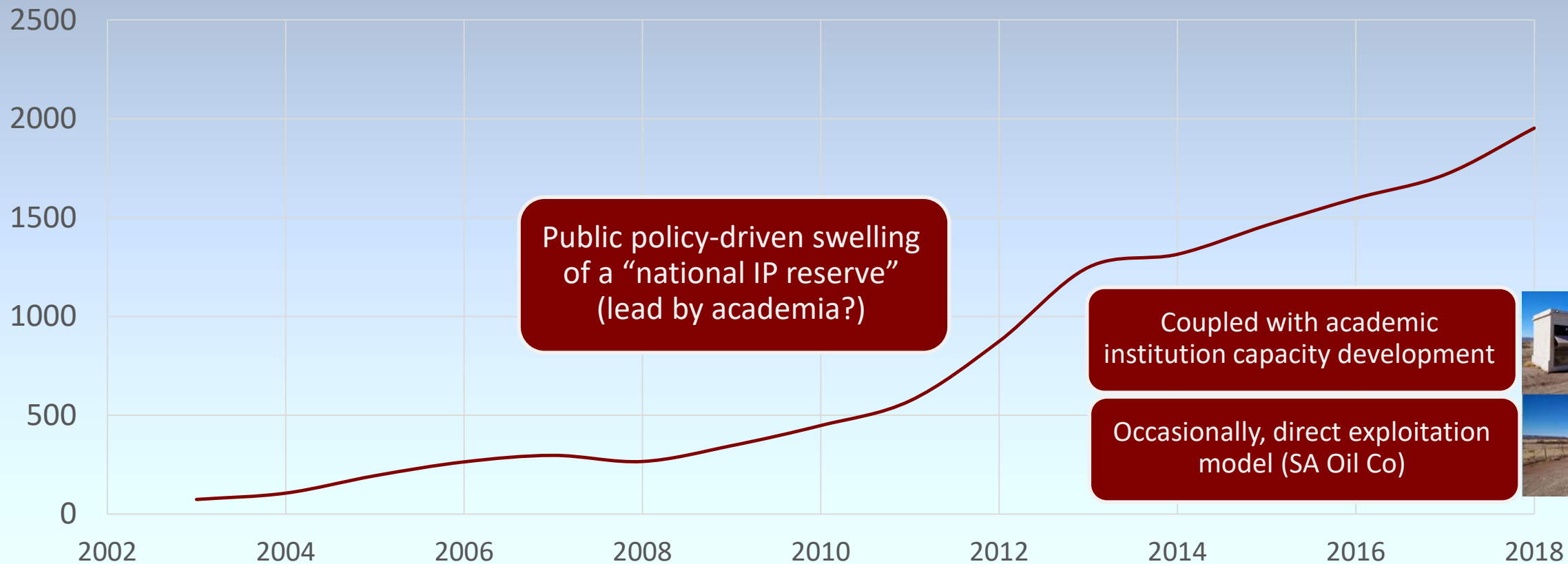


giphy.com



Step 1: The Push for an IP Portfolio

NUMBER OF PATENTS FILED BY [SA] BY PUBLICATION DATE
(ESPACENET)



Step 2: So... what do we do with all this IP?



الهيئة FIND US CONTACT

INNOVATION & INCUBATION FUNDS PARK & FREE ZONE ENGAGEMENTS & ACTIVITIES ABOUT INFO BANK

واحة قطر للمعلوم والتكنولوجيا
QATAR SCIENCE & TECHNOLOGY PARK
عضو في مؤسسة قطر
Member of Qatar Foundation

Research to Startup Program

Creation, acceleration and scaling of startups that leverage technologies developed by leading research institutes and universities in Qatar.

INNOVATION & INCUBATION

FUNDS

PARK & FREE ZONE

ENGAGEMENTS & ACTIVITIES

Research-to-Startup Program (RTS)

- **Recruit** experienced entrepreneurs, match them with high-potential technologies that have been created in Qatar
- Aspires to merge these vetted matches to derive fundable startup ventures.



Scientific Research and Innovation Support Fund

The government's instrument for supporting R&D (in academia)

Limited size fund and shrinking, must find a sustainability model

It's mandate recently expanded to cover startups and innovation

Takes 75% of IP resulting from funded projects

New draft custom made win-win IP policy

New draft mechanism for funding startups and individual innovation

Instilling a new investment mentality through regulations

Avoiding equity ownership at all costs! Innovative approaches?



The Utilization of Big Data

Value hidden in plain sight

giphy.com



Open Data Driven Economic Growth



The screenshot shows the Dubai Data website homepage. At the top, there is a navigation bar with links for 'ABOUT', 'SMART DUBAI', 'MEDIA', 'CONTACT', and 'DUBAI DATA MANUAL'. The main header features the 'بيانات دبي dubaidata' logo and navigation links for 'APPROACH', 'QUICK START GUIDE', and 'DUBAI DATA LAW'. The central banner has a purple background with the text: 'We will unlock the benefits of data for the city' and '10.4 Billion AED' in large pink letters. Below this, it says 'Value added to the economy every year from data by 2021.' and shows an illustration of a diverse group of people. At the bottom, there is a 'dubaipulse' section with the text: 'Dubai's most valuable data sets are now open. Explore today to unlock our city's potential, through data.'

Dubai Data is the world's most comprehensive and ambitious data initiative.

Data is key to making Dubai the smartest and happiest city in the world.

Data will drive a new wave of economic prosperity.



National Structures for Technology Transfer

National networks for international platforms

giphy.com



Jordan model: addressing lack of resources and pipeline



Focus capacity in a central “private sector” office

Create satellites in each research and support institution spread capacity

Provide most services for free + sustainable revenue streams for the central office

Succeeded in building a “national IP reserve”

Brokered commercialization deals and direct investments

Implement investment maneuvers?

Partners Include:	IPCO	Jordan University of Science and Technology	University of Jordan
Petra University	Amman Chamber of Industry	Jordan Industrial Estates Company (JIEC)	Jordan Enterprise Development Corporation (JEDCO)
Al Urdonia Lil Ebda	Mutah University	Yarmouk University	King Abdullah II Design and Development Bureau (KADDB)
King Abdullah II Fund for Development (KAFFD)	Applied Scientific Research Fund (ASRF)	MonoJo	Hashemite University
Princess Sumaya University for Technology	National Center for Agricultural Research and Extension (NCARE)	German Jordanian University (P)	Zaytoonah Private University
National Center for Research and Development	Tafilah Technical University	Al-Ahliyya Amman University	Al-Istaa University



Jordan's TTO Booster Program (The Next Society)

Phase 1: Initial Preparations

- Some capacity building and review of IP policy

Phase 2: Preparation of Technology Portfolios

- Build technology portfolios

Phase 3: Preparation of Pitches

- Preparation of pitches for high potential technologies
- Identify best TTO offer

Phase 4: Technology Transfer Missions (Soft Landing)

- Match best offers with targeted EU partner TTUs (travel mission for 1-2-1 business meetings)



Tangents: Further public sector responsibilities beyond funded R&D

Potential Positive Maneuvers from the Public Sector

giphy.com



Government role goes way beyond Nogoya

Geographical indications, cultural heritage, heirloom crops, procurement concessions... etc.

The approach is not about laws, and the outcome is not about money

Governments: support sustainable commercial, national, and societal value realization

