

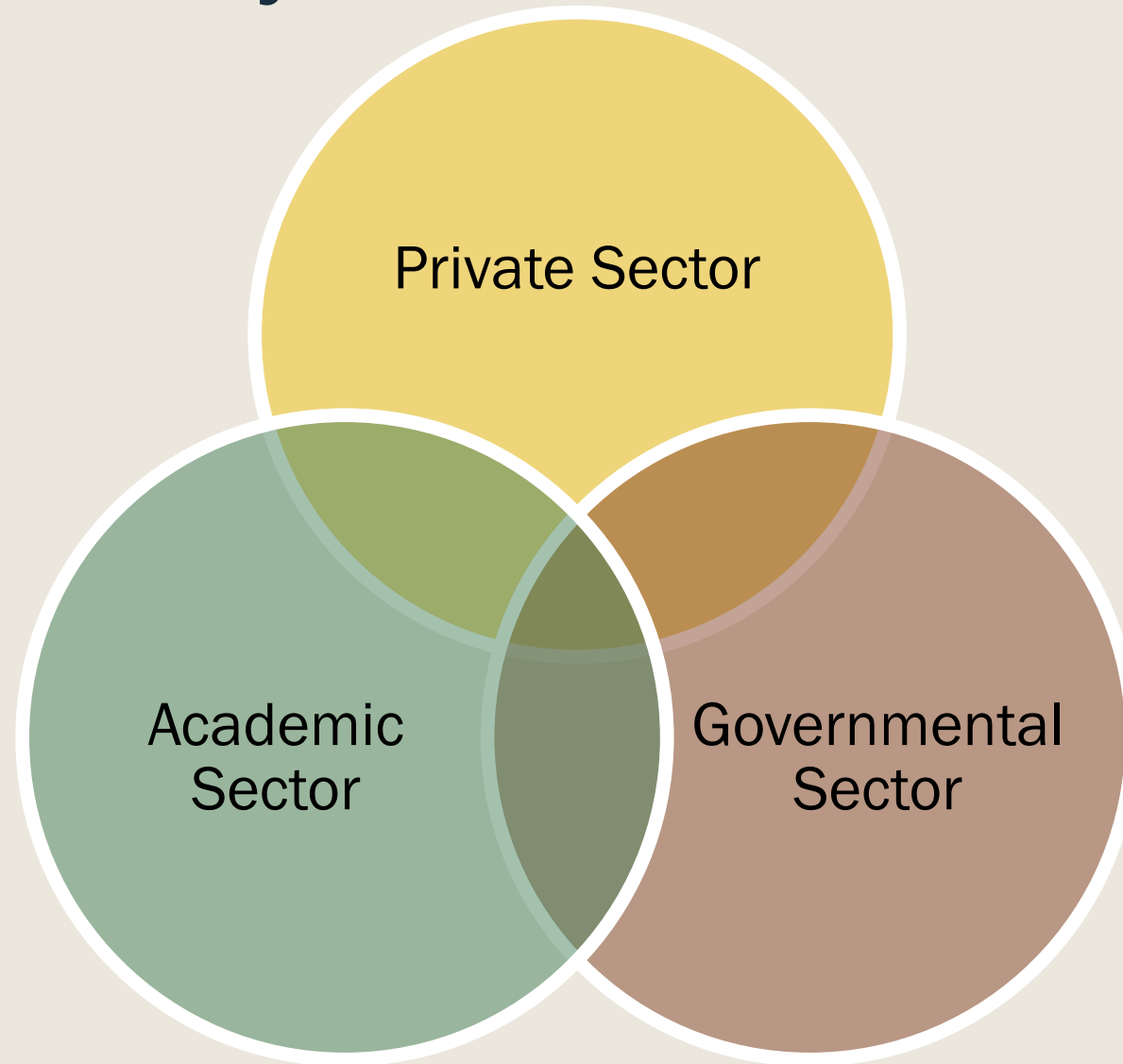
INTELLECTUAL PROPERTY MANAGEMENT BY THE GOVERNMENT OF ISRAEL

Dr. Sharon Bar-Ziv

Sapir Academic College, School of Law
Expert Meeting on Managing Intellectual Property Assets in the
Governmental Sector, (Geneva, May 2019)



Israeli R&D System



Agenda

Objectives

Legal Framework

Investment

Patents

Governmental Databases

Governmental R&D Objectives

Market Failure

- Gap between Society's needs and Industry's Benefits

Specific Research Missions

- National Security
- Public Health
- Agriculture
- Energy
- Space

Cooperation Between Research Sectors

- Private-Public

Legal Framework for IP Management in the Israeli Governmental Sector

Coordination Level

- Different **Policy Reports** on Private-Public TT (2002, 2003, 2005, 2008)
- Limited attention to the governmental sector

Legislation Level

- **Proposed legislation** (2004, 2005) – “Israeli” Bayh-Dole
- **Financial Regulation** (2010-2011) – “Management of Knowledge Products”
- **Financial Regulation** (August 2018) - Procurement

IP Management in the Israeli Governmental Sector - Health

Governmental Knowledge

- A knowledge product that was **created by an employee**, owing to the employee's service in a governmental hospital
- A knowledge product **created by an employee for a period of 18 months after the end of the service**

IPR Ownership

- State ownership
- The hospital will act on behalf of the state in the matter of IPR

Commercialization

- Licensing (exclusive/non-exclusive)
- Anti-Shelving Clause

Revenues

- Distribution of revenues: 35% to the researcher, 55% to the hospital, 10% to the state.

IP Management in the Israeli Governmental Sector - Agriculture

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Revenues

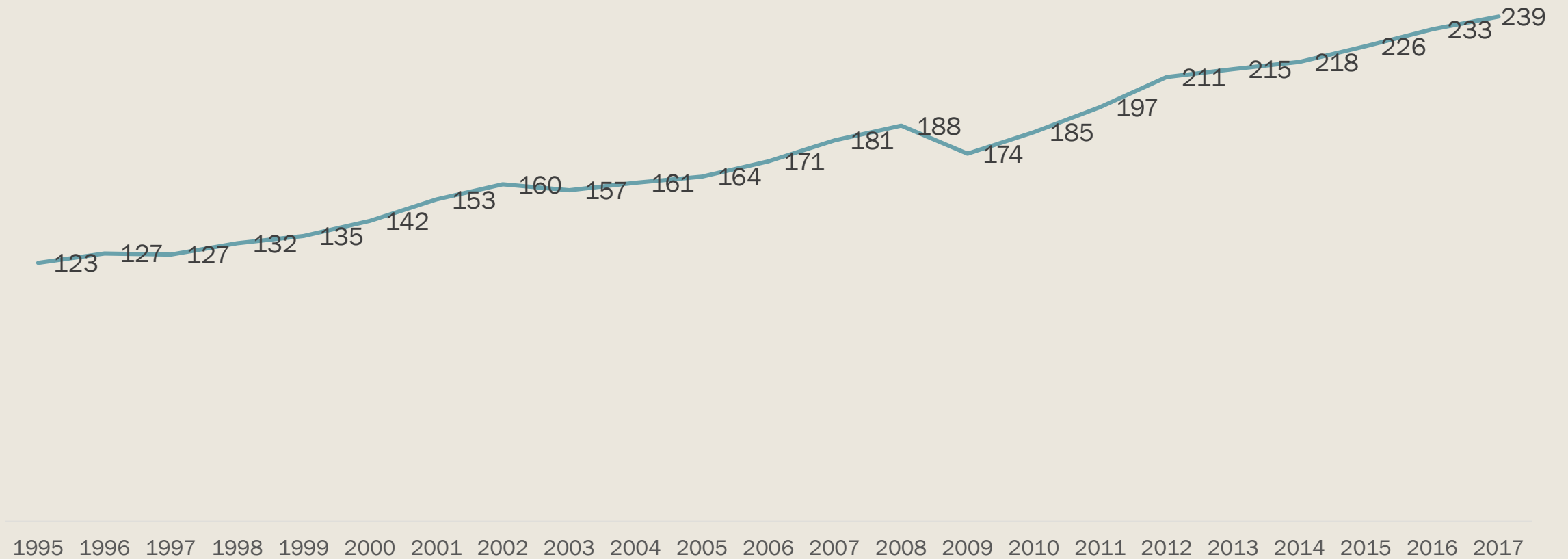
- Distribution of revenues: 31.5% to the researcher, 10% to the IP fund, 33.5% for research within the administration, 25% overhead (state and administration, according to the income)

INVESTMENT IN R&D



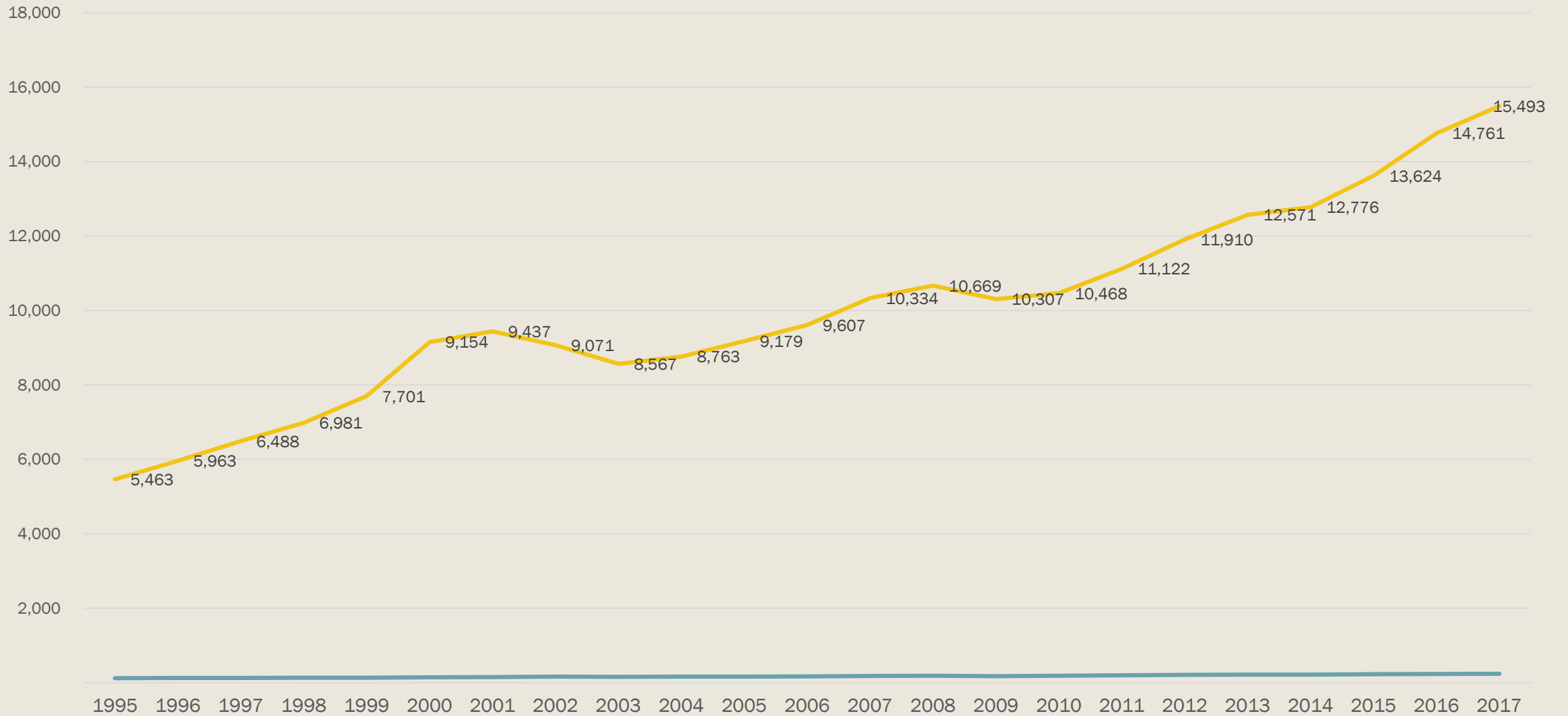
Government R&D Expenditures 1995-2017

(Millions of USD, 2015 Prices)



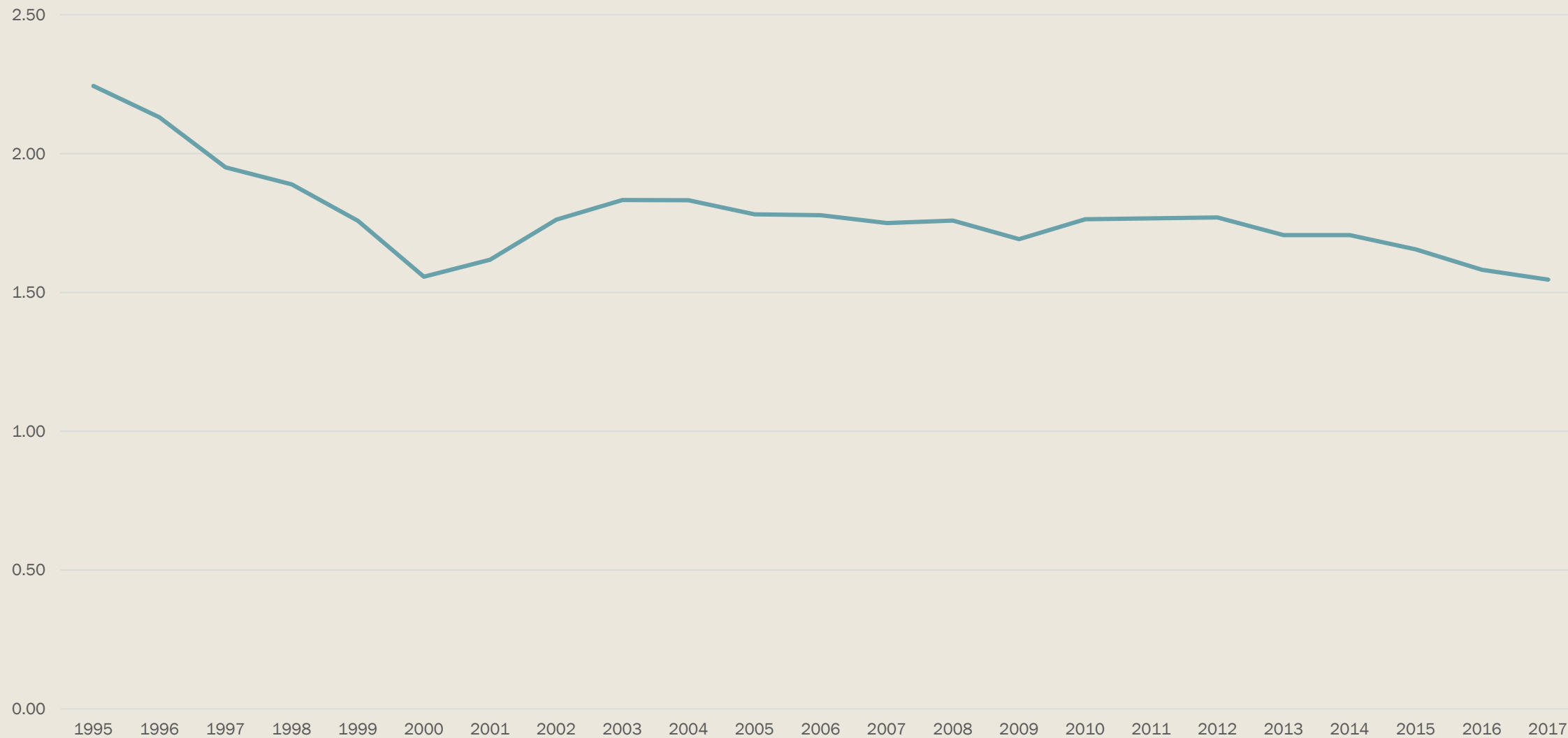
Government R&D v. Total Expenditures 1995-2017

(Million of USD, 2015 Prices)



Israeli Central Bureau of Statistics, 2019

Government R&D Expenditures as Part of Israel's Total R&D Expenditures 1995-2017 (%)



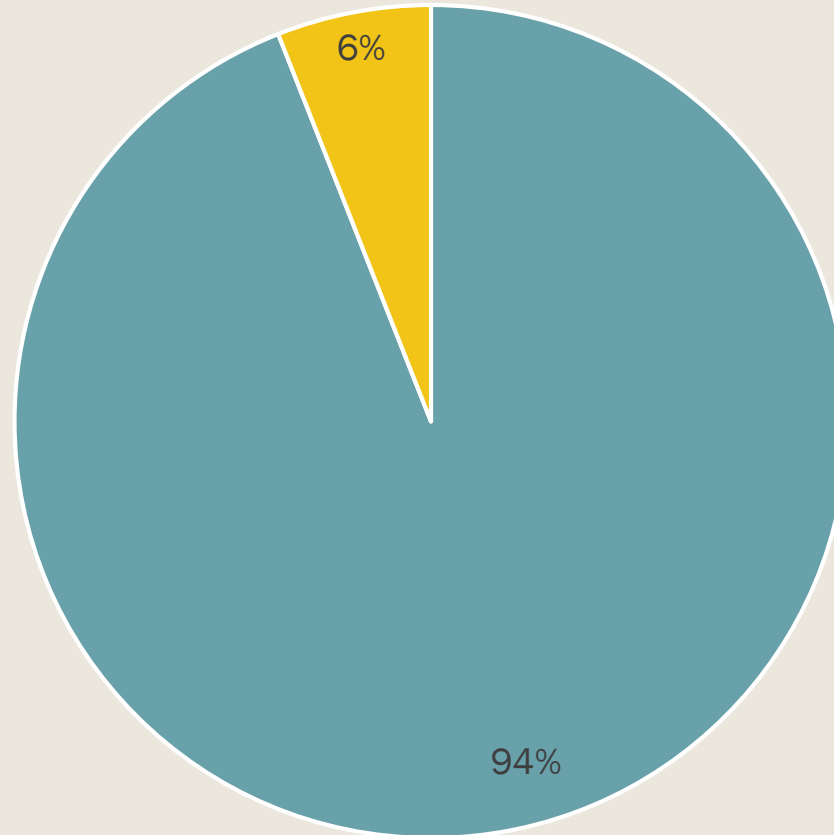
*WHAT CAN BE LEARNED FROM
PATENT ANALYSIS?*



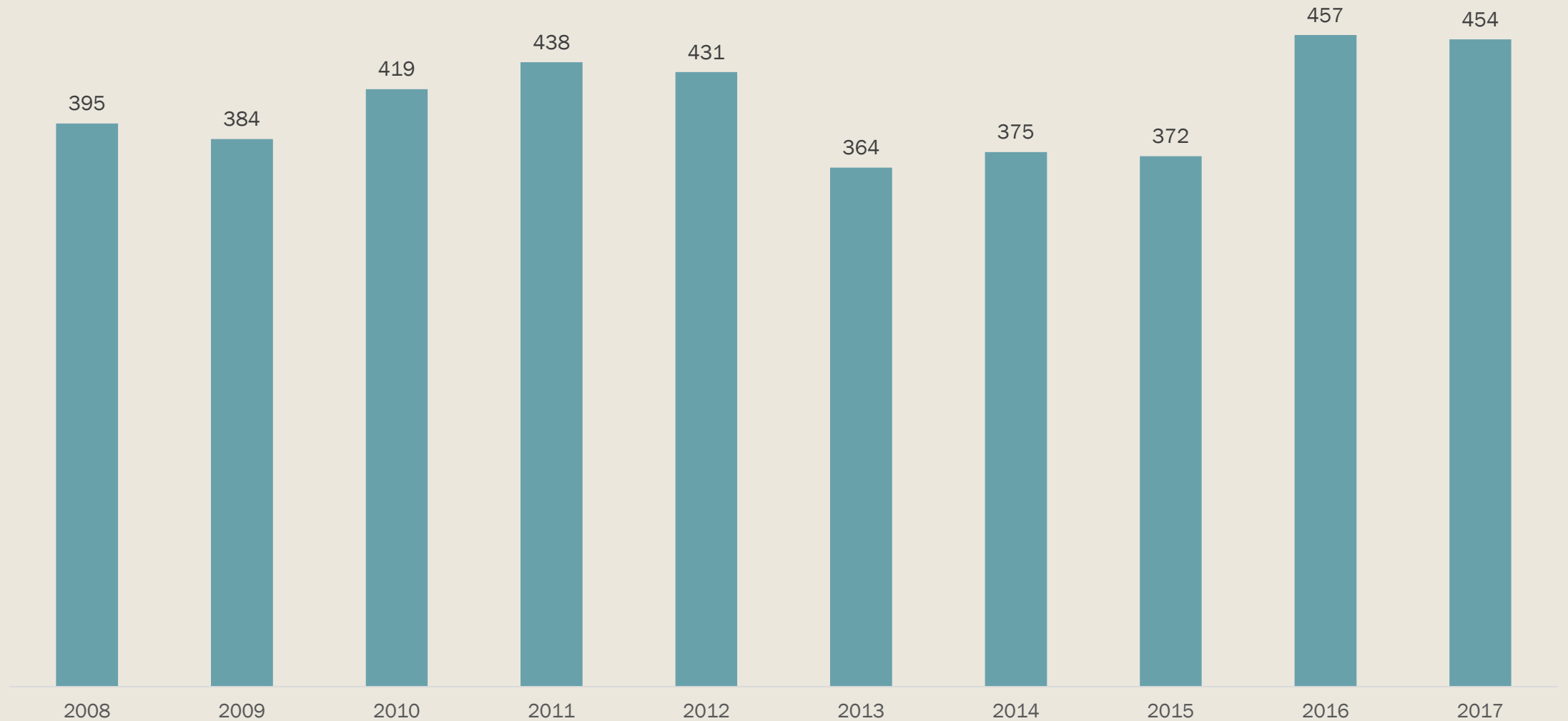
Governmental v. Israeli Patent Applications (1989-2015)

■ Israeli Patent Applications ■ Israeli Governmental Patent Applications

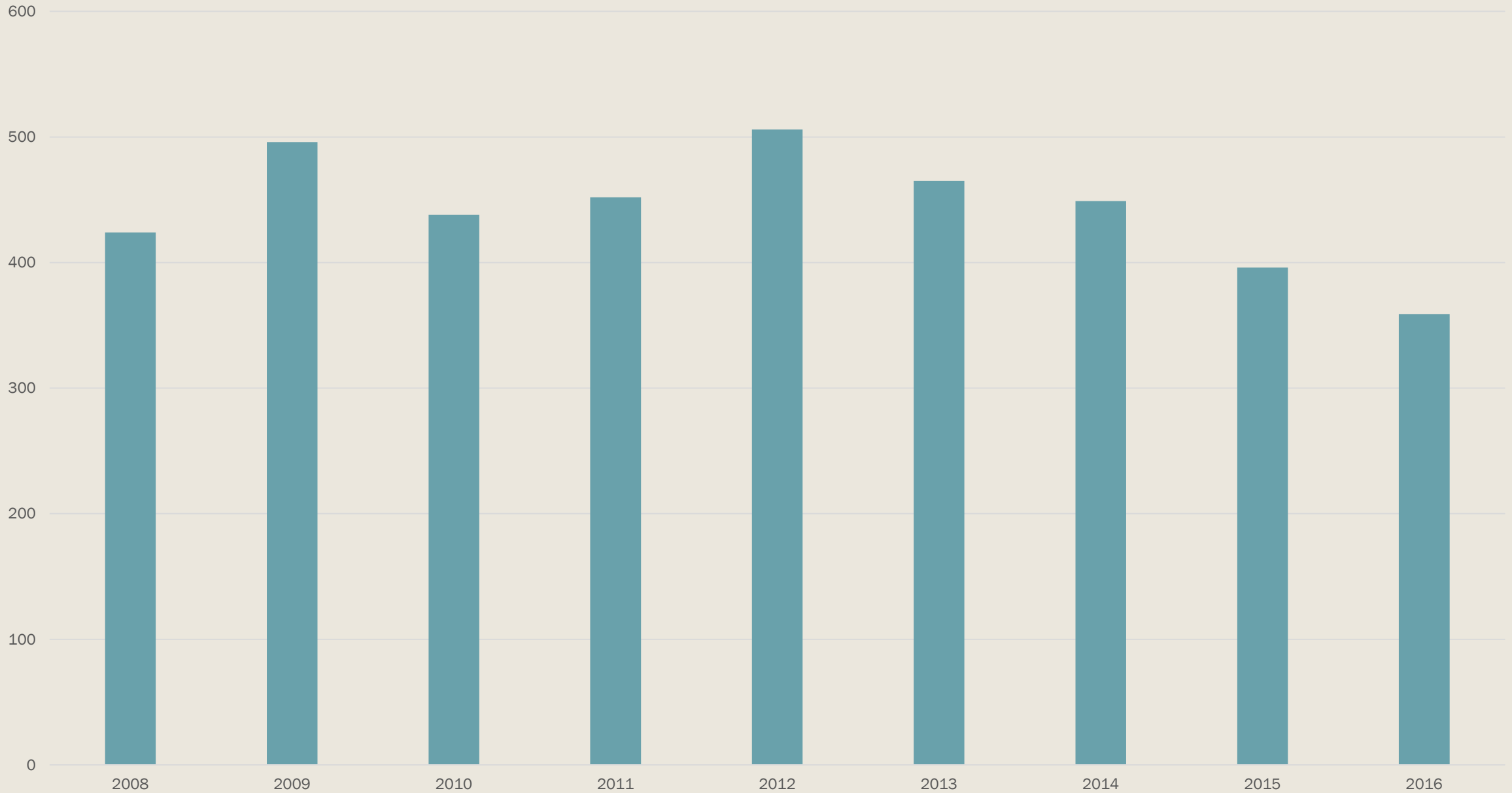
N=26372



Patent Applications Filed by Israeli Universities (2008-2017)

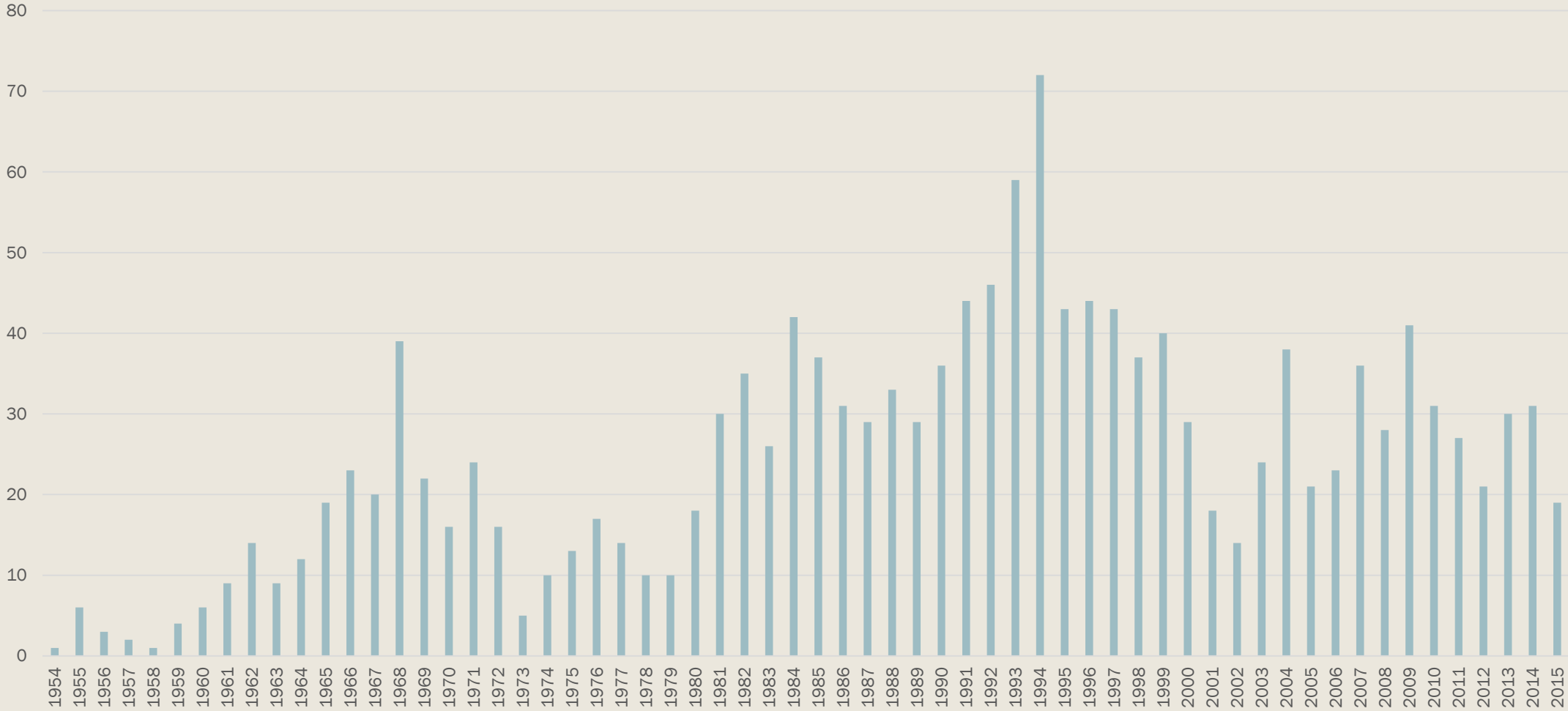


Revenue From Selling IP, 2008-2016 (Millions, USD)



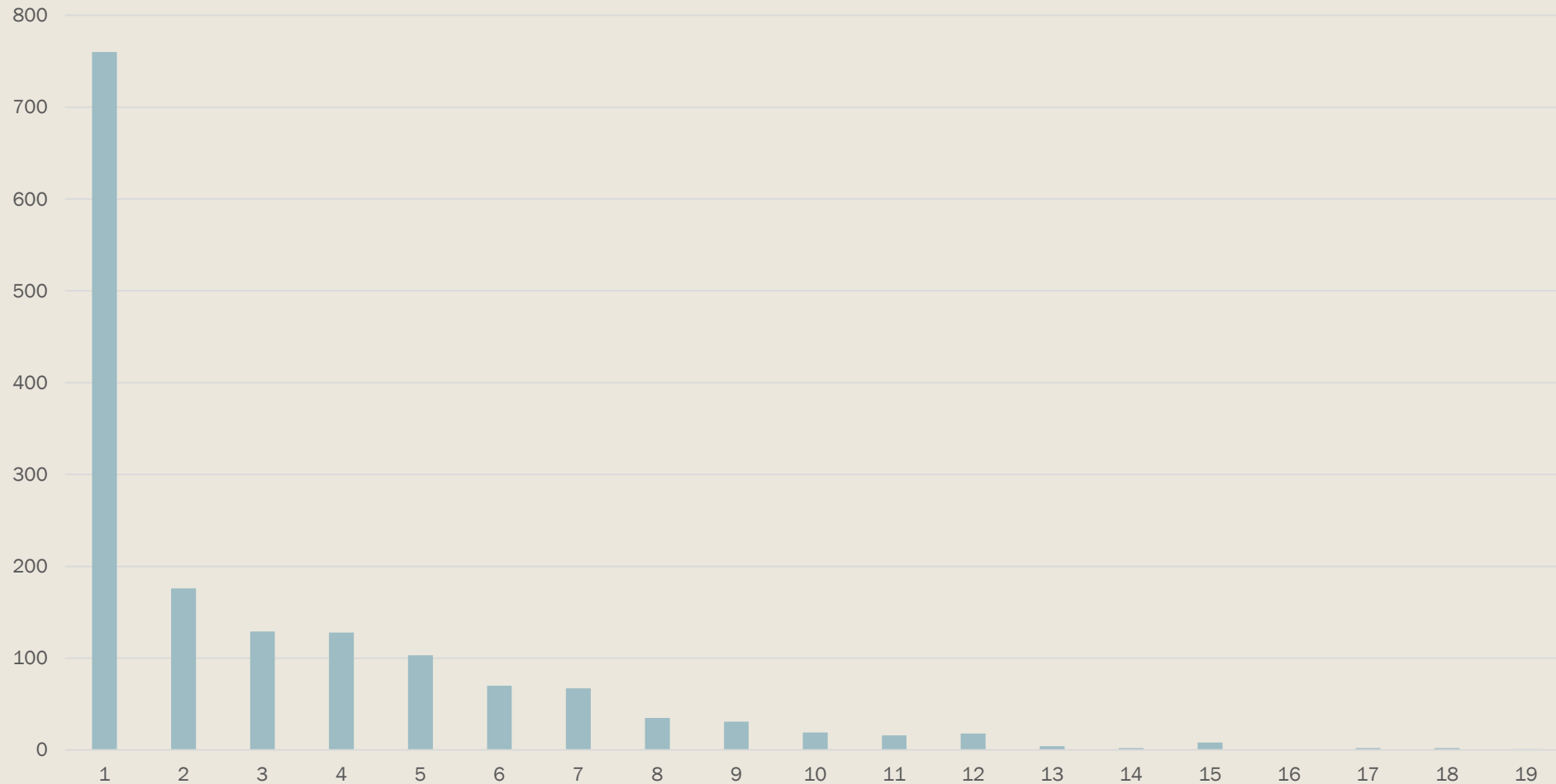
Distribution of Government Patent Applications, filed in Israel (1954-2015)

n=1577



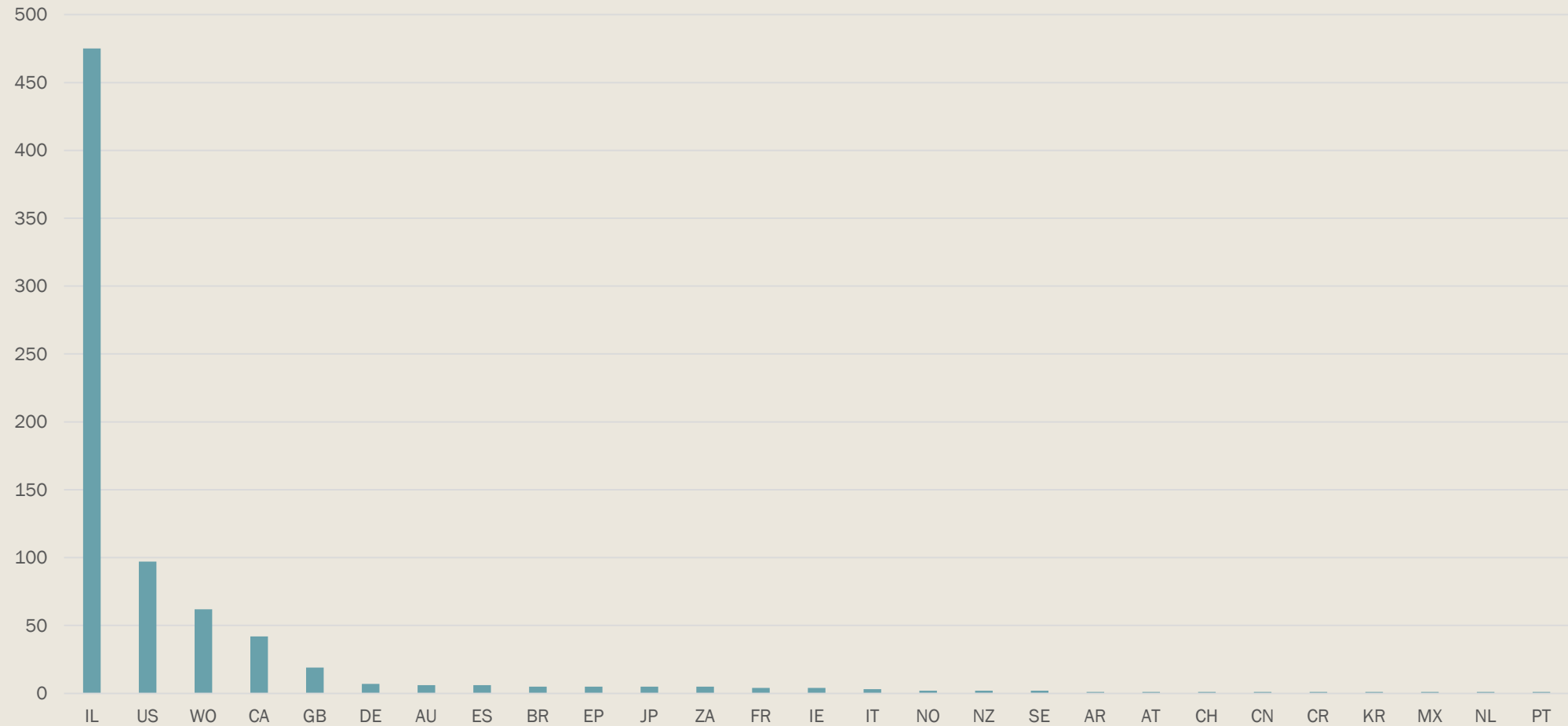
Governmental Applications - # of Countries (1989-2015)

N=1577

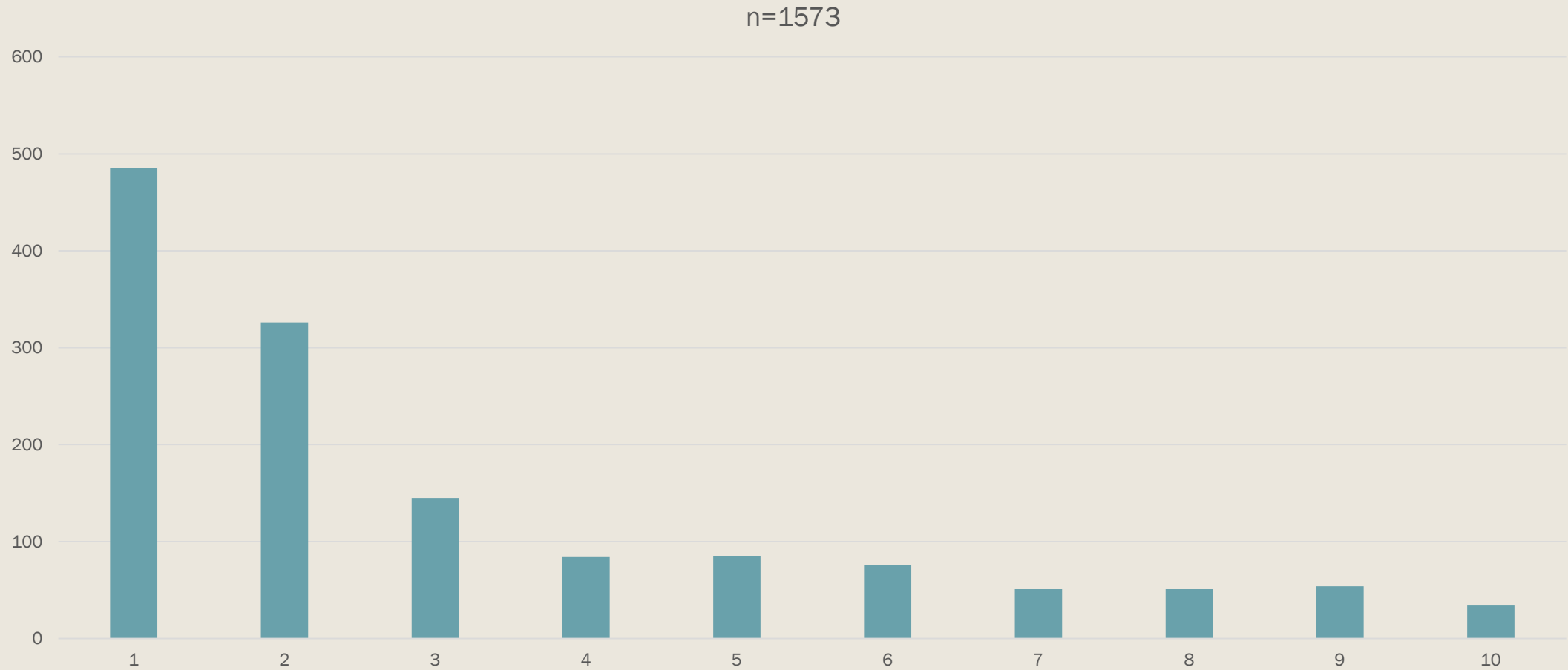


Distribution of Single Country Application (1989-2015)

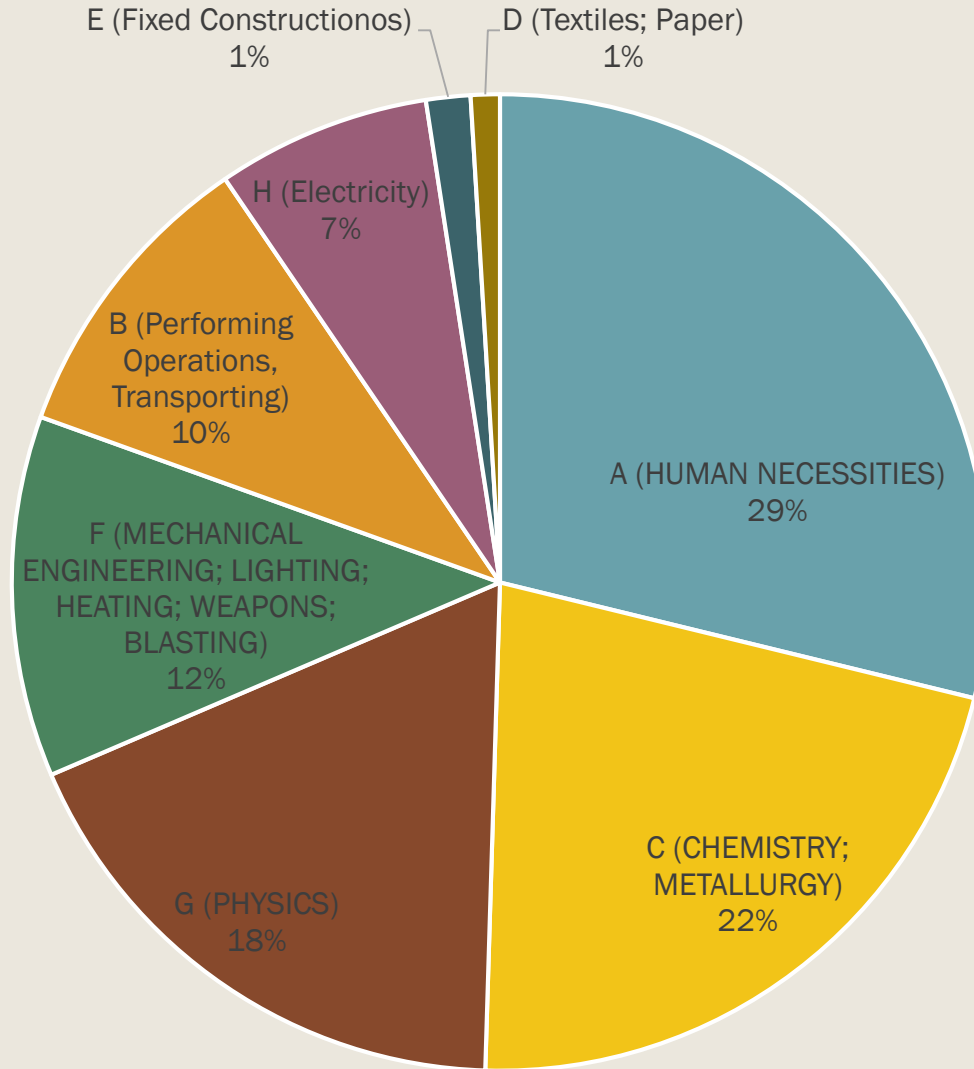
N=760



Governmental Applications – Family Size



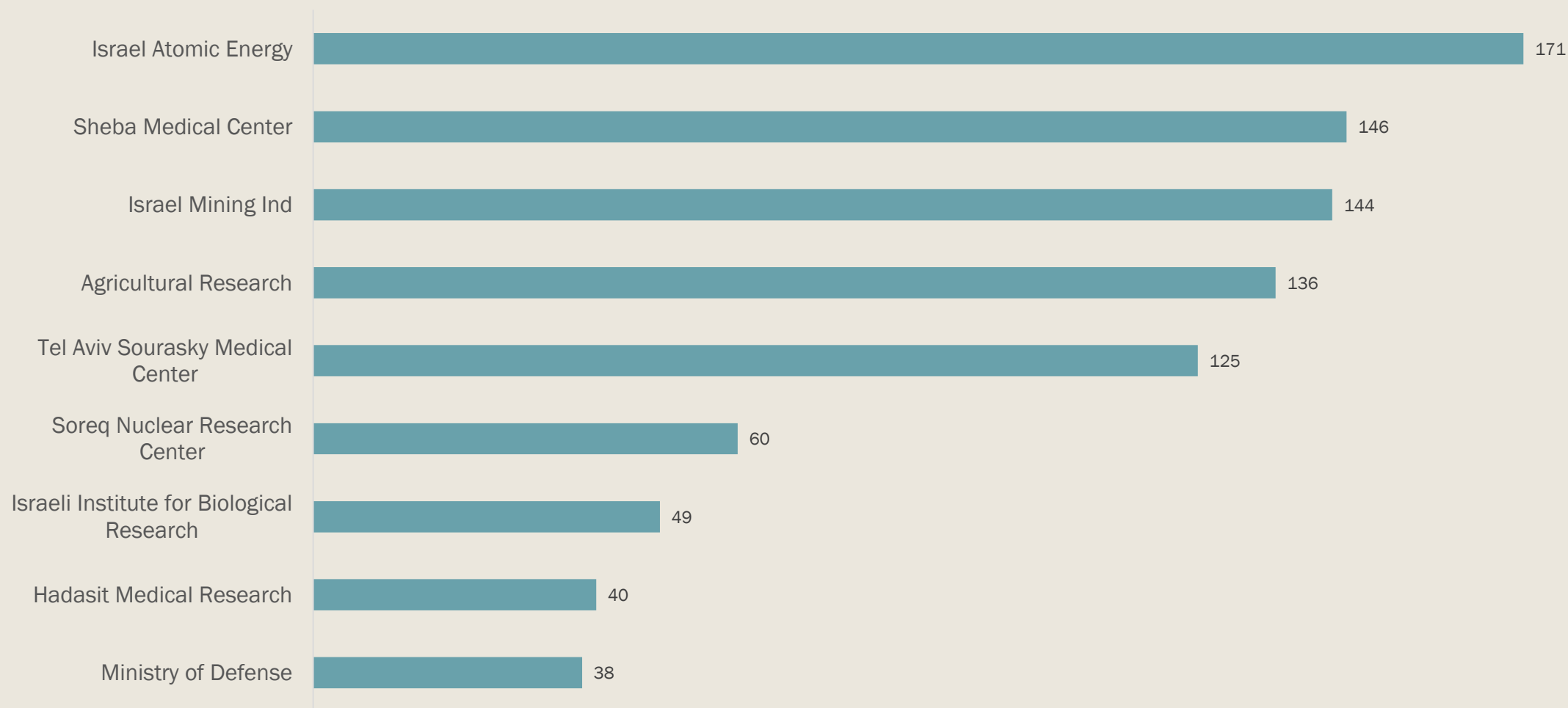
Government Patent Applications – Classifications (1989-2015)



n=1577

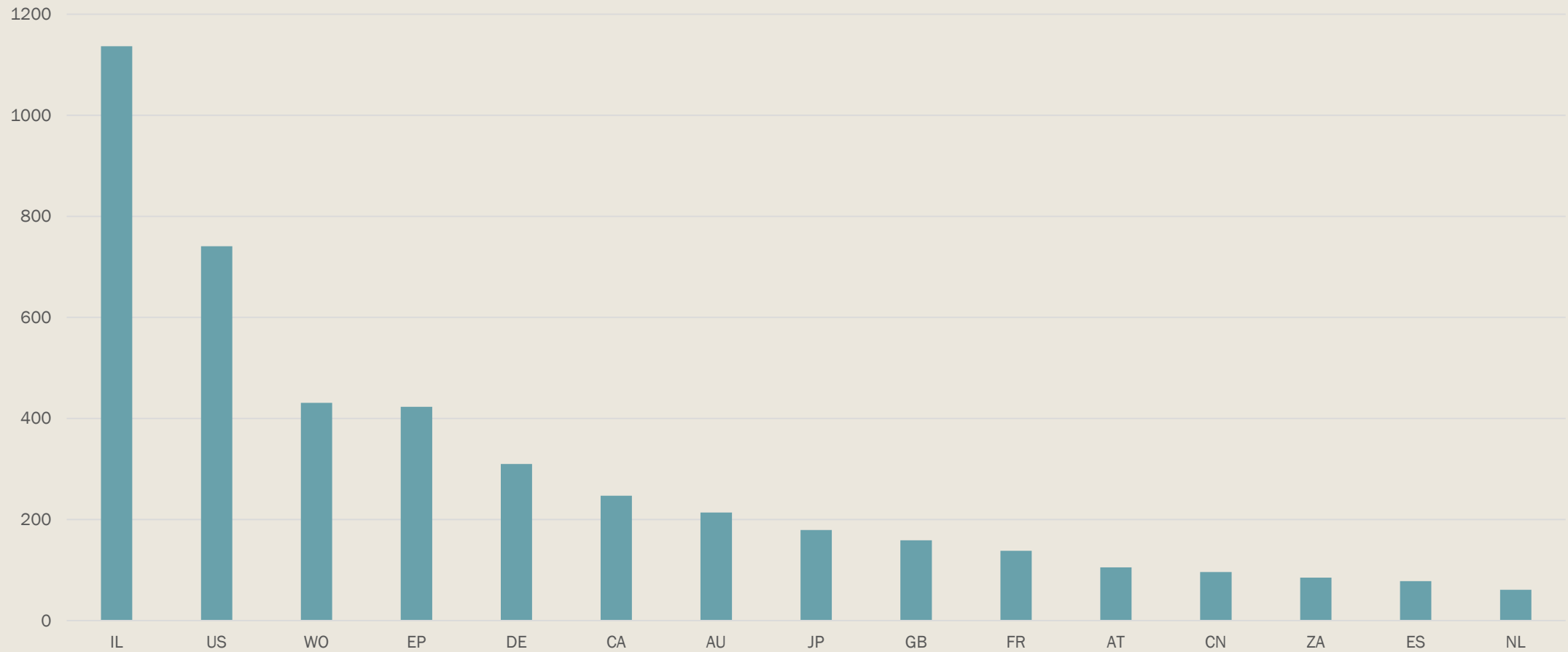
Government Patent Applications (1989-2015) - Assignees

n=909

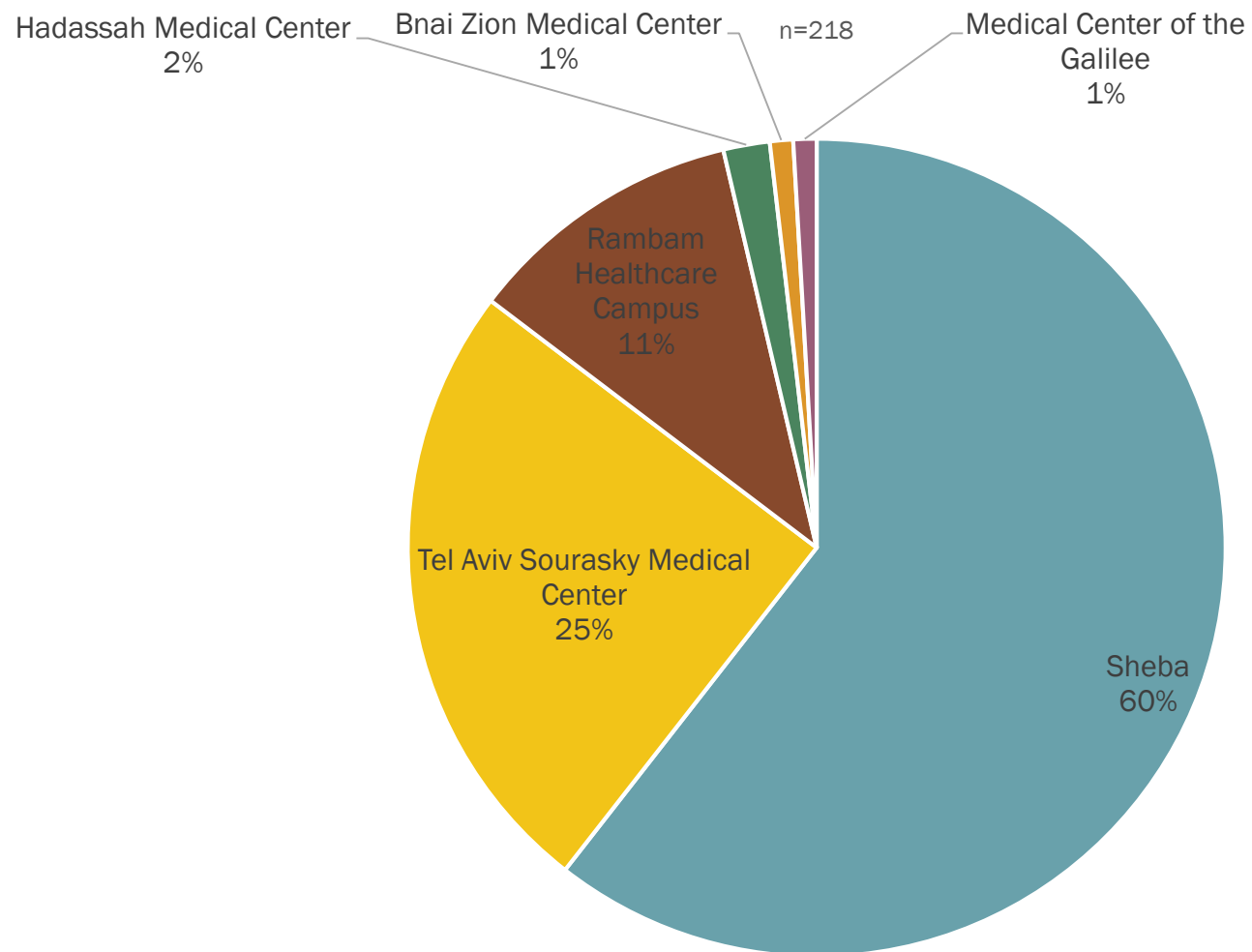


Government Patent Applications (1989-2015) – Top 15 Countries

n=4404

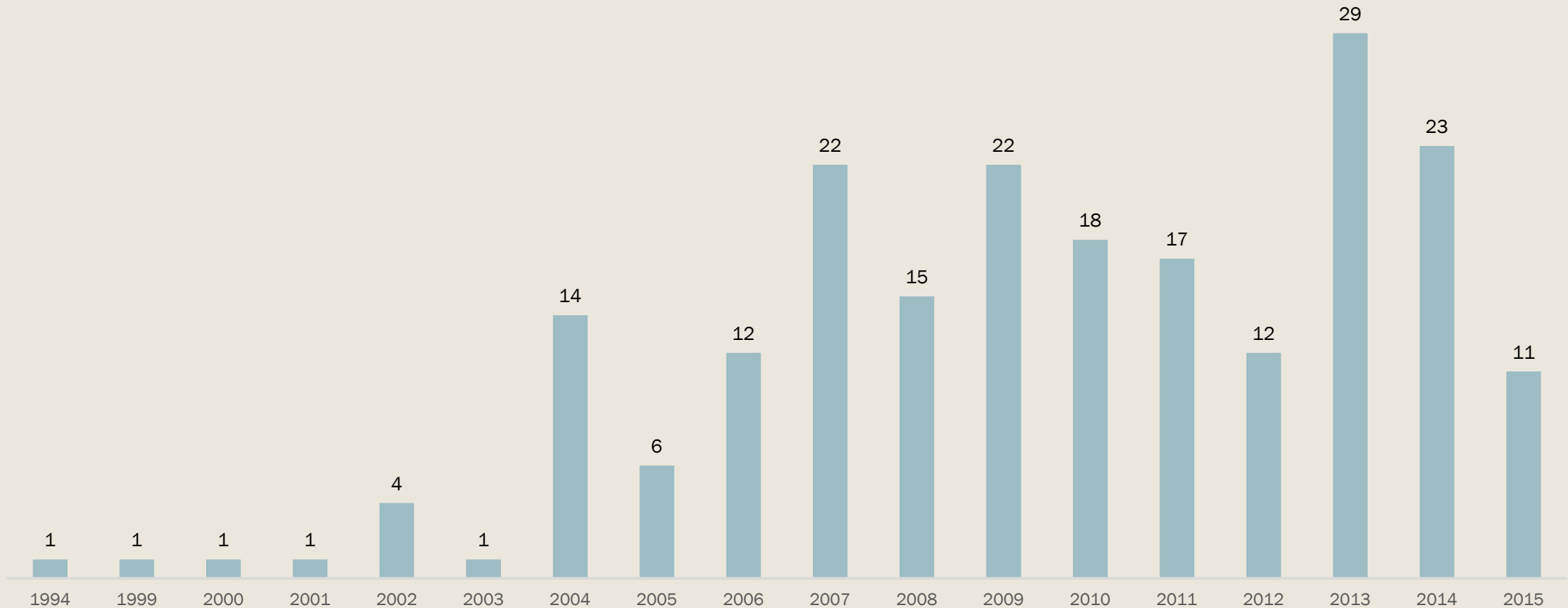


Governmental Hospitals Applications (1989-2015)



Distribution of Governmental Hospital Applications (1989-2015)

N=210



GOVERNMENTAL DATA



Data Driven Innovation

- Main contexts:
 - *Data as infrastructural source*
 - *Value creation mechanisms*
- Characteristics of Big Data:
 - *Volume*
 - *Variety*
 - *Velocity*

Government Databases

- Israel's copyright law (2007):
 - *Article 1: compilation is protected as literary work, compilation = a compilation of data, including database.*
 - *Article 4(b): originality of the compilation mean the originality in the selection and arrangement...of the data embodied therein.*
- Current policy – unrestricted use of governmental databases, no IP restriction or royalties.



THANK YOU!

Sharon Bar-Ziv

sharonbz@mail.sapir.ac.il