



WIPO Regional Seminar on IP, Technology
Transfer and Commercialization
27th-28th AUGUST 2014 , SINGAPORE

“Facilitating Technology Transfer and Management of IP Assets; Country Experiences”.

Experiences of country of Sri Lanka

Management of IP Assets

- “There is no doubt that the due protection and management of the so created knowledge and intellectual property should be assured.
- As the subject of intellectual property, spreads across many facets of human life such as innovation and creativity, trade, industry, environment, health, access to knowledge and food security, the mainstreaming of intellectual property in the respective development-oriented activities is also important.

It is a unitary system in the sense the management of IP Assets comes under one umbrella

- Identifying the role of IP protection & Management as a vital parts of the country's future economic development, Sri Lanka amended its laws relating to intellectual property with the introduction of the Intellectual Property Act No. 36 of 2003

NATIONAL INTELLECTUAL PROPERTY OFFICE



National IP Office (NIPO) is mandated with the management of IP Assets

- All trademarks, designs, industrial designs and patents must be registered with the Director General of Intellectual Property.
- NIPO is headed by the DG of IP.
- Decisions of the DGIP can only be challenged in Court.

Legal Framework

IP Act No.36 of 2003 governs the IP System

- The law governs copyrights and related rights, industrial designs, patents, trademarks and service marks, trade names, layout designs of integrated circuits, geographical indications, unfair competition, databases, computer programs and undisclosed information.

Intellectual Property Act No. 36 of 2003, Relevant Provisions for Technology Transfer

Chapter XI – XVIII

- Definition of an Invention – Sec.62 (1)
- Right to Patent – Sec.67 (1)
- Employer owns the IP rights - Sec. 69 (1)
- Rights of Owner of the Patent – Sec.84 (1)
- Limitation of owner's rights – Sec. 86 (1)
- Assignments and Transmission of Patent Applications and Patents –Sec. 88 (1)

How to Transfer Technology?

License Contracts – Sec. 90

- ❖ According to the IP act owner of the patent can grants his patent rights to the another person to do all or any of the acts referred to in Sec.84
- ❖ A licence contract shall be in writing signed by or on behalf of the contracting parties.



University of Moratuwa one of the leading University of Asia, has introduced Intellectual Property Policy .

The purpose of this Policy is to provide the necessary procedural framework for support; protection of the resulting Intellectual rights; specify incentives to encourage further engagement in research and development; and the requisite processes for the transfer of benefits at large with due retention of ownership rights.

Technology Transfer:

- UOM with the assistance of the inventors/designers shall identify potential licensee(s) and strive to market the IP for commercialization.
- UOM process the right to contract with an external organizations to market and manage the commercialization of the IP.



NATIONAL
SCIENCE
FOUNDATION

National Science Foundation is the National Focal Point for the dissemination of Science & Technology (S&T) Information in the Sri Lanka.

National Science Foundation Policy

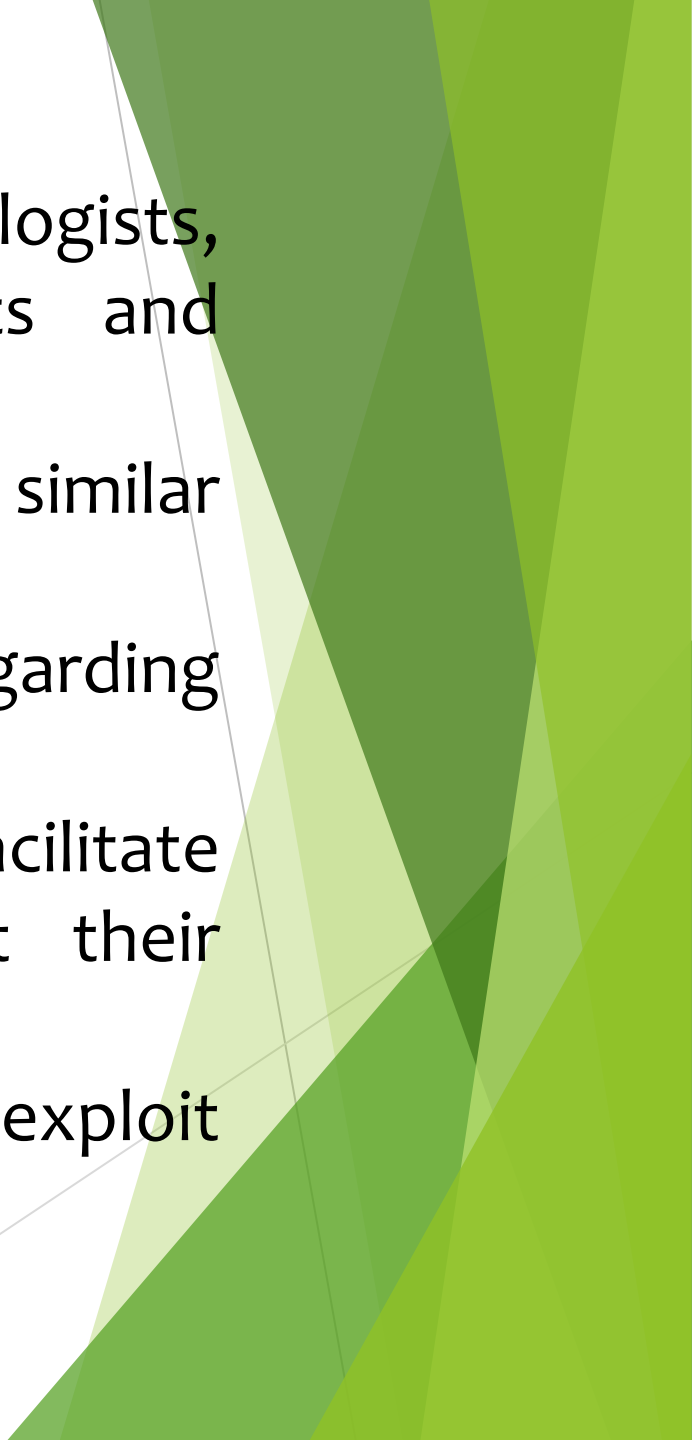
Technology Transfer

- ▶ Policy Objective: Develop, or acquire and adapt, scientific knowledge and technologies for transfer to achieve progressive modernization of all sectors and to enhance the country's competitiveness in the world economy Strategies .
- ▶ Facilitate scaling-up of research based innovative processes and technologies to pilot and commercial scales.

- Encourage industries and Research and Development institutions to give greater emphasis to high-tech innovations, technology transfer and commercialization.
- Develop appropriate technologies suitable for transferring to small and medium enterprises, particularly in rural areas, through collaboration among Research and Development institutions, the SME sector and other stakeholders using mechanisms such as Vidatha Resource Centres.

Innovations and Intellectual Property Rights

Policy Objective: Develop a culture of innovation and Intellectual Property and ensure the protection of Intellectual Property Rights (IPR)
Strategies

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- a) Inculcate IP awareness among scientists,technologists, science and technology teachers and students and develop an IP culture in Research and Development institutions, universities, technical colleges and similar institutions
 - b) Develop institutional policies and guidelines regarding innovations and IPR
 - c)Establish mechanisms to facilitate scientists,technologists and inventors to patent their innovations
 - d) Establish suitable mechanisms to effectively exploit innovations



INDUSTRIAL TECHNOLOGY INSTITUTE

The Industrial Technology Institute is a wholly owned institute of the Government of Sri Lanka and functions under the jurisdiction of the Ministry of Technology & Research.

ITI encourages and promotes protection of IP and commercialization of IP by licensing or transferring them to Industry. Such transfers can be either with a view of generating income for the Institute or promoting the technology and knowhow through the particular industry. When it results in the generation of income this would also mean that R&D activities in the Institute would be economically assisted and that researcher in the relevant fields will be encouraged.

Technology Transfer Unit (TTU)

- ▶ There shall be a Technology Transfer Unit established in the institute under the Director of ITI, and Internal IP experts. The Technology Transfer Unit may refer matters to the IPRC, if necessary, for advice.
- The Marketing and Business Development Section of ITI shall work closely with the Technology Transfer Unit and shall be guided by the Technology Transfer Unit in all its business activities in the commercialization of IP.

- ▶ Issues of ownership, confidentiality, disclosure, patentability, technology transfer, revenue sharing and conflict of interest, among others, play a very important role in any IP management. The TTU shall conduct workshops to enhance awareness on related issues and on management of IP.
- ▶ TTU shall also provide templates and guidelines for contracts, agreements and MOUs governing the effective exploitation of IP produced by ITI. All such agreements and matters relating to confidentiality, infringements, damages, liabilities and compliance are to be administered by TTU.

Developing systems at Science and Technology institutions for innovators to obtain information on IPR regulations, and guidelines for patenting, and for liaising with the Intellectual Property Office and other concerned organizations