
KEY LEARNINGS 1-TT & TTOs

- Importance of Impact from public research -return on investment through technology transfer to industry.
- IP management key to facilitating TT.
- What IP and technology transfer is, and why protect IP
- Registrable v automatic IPR-Comparison and contrast
- Capturing novel IP-What problem does the invention solve and key advantages over prior art
- TTO policies re ownership of IP, conflict of interest, licence income share.. and procedures for researchers.
- IP protection and licensing of RPO IP managed by TTOs to ensure consistent transparent equitable approach



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KEY LEARNING 2-PATENTING

- Patenting criteria-novelty, inventive step and industrial application
- Utility patents-technical effect. Novel/improved products/processes, new use of known compound, methods of use
- Disclosure (enabling) prior to patent filing may invalidate a patent
- Inventors contribution is not the same as authorship rights on publication, important to name all inventors
- Patent must disclose enough to make reproducible, and claims outline what the invention covers (boundary/scope)
- No such thing as worldwide patent
- Patenting prosecution lengthy (> 5 years), expensive and not automatic (and can be opposed and revoked after grant) . Published after 18 month, national phase 30 month..
- Only patent granted can be infringed-enforce rights
- Sometimes a technology may be patentable but decision made not to file patent (cost, commercial relevance, processes hard to enforce, disclosure, prior art)
- Aim to licence IP as early as possible and licensees to take over payments



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Key learnings 4-IDFs

- Importance of capturing novel IP, (IDFs) and engaging with the TTO
- Need sufficient information to understand technical effect, advantage over prior art and problem it is solving or market gap identified
- Detail re inventors and their contribution critical to name all inventors making true inventive contribution
- Detail re funding source and any commitment to other parties,
- Stage of development and continued funding
- Information on any discussions with industry to date
- Commitment./level of engagement of lead researcher is key
- Outcome-decision on whether to file a patent or not, (and if so what territories), understanding of the market, what further work is required/funding to secure to develop further/validate, and what companies to target for licensing if commercially relevant, better
- Case studies from Teagac TTO presented with various outcomes



KEY LEARNINGS 3 –OTHER IPR

- Copyright only for original materials (works of authorship) and not the content-incl software.
- Trademarks-Word, name, symbol or device to identify or distinguish a good or product from those manufactured or provided by others.
- Database rights, related to copyright, lasts 15 years
- PVR-New varieties -novel, uniform, stable and distinct-relates to reproducible material only eg seeds
- Trade secrets-not typical of universities , RPOs
- Commercialisation through 1. assignment of IP, 2. Licensing of IP, and 3 spin out formation



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KEY LEARNINGS 5-ENGAGEMENTS

- MTAs And NDAs facilitate engagements with outside parties
- Collaborations/contract research and consultancy important engagements with industry
- Assignment /licensing of IP to industry, lead to financial benefits to RPO (royalty /licence income)
- Spin out formation-equity ownership by RPO
- All such agreements negotiated through TTO and signed only by authorised signatory



Final conclusions

- IP protection not black and white!
- Culture changes in researchers views needed, to develop innovation culture in a university/research institute
- Support from university, incl. incentivisations and policies important
- Timing critical issue when filing patents-often we learn more from previous cases
- Input from researchers critical in success stories
- Importance in registering background IP and agreeing IP ownership and access rights esp in collaborations/joint IP developments with industry
- IP can have spillover benefits other than licence income (reputation, collaborations, publicity, credibility, researcher satisfaction on involvement in technology transfer)

