

Regional High-Level Summit for University Presidents and Senior Policy Makers: Creating an Enabling Innovation Environment (EIE) for Intellectual Property and Technology

**Osaka, Japan
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organized by
World Intellectual Property Organization (**WIPO**)
Japan Patent Office (**JPO**)

Session 2.3

Essential Elements of a Sustainable University IP and Technology Transfer Function

IP- Technology Transfer Function

- Philosophical premises linked to policies and practical implications
- Effective governance
- Sound IP/TTO operation
- Supportive & committed leadership
- Good people

Essential Elements of Sustainable University

IP- Technology Transfer

Philosophical Premise:

Technology Transfer is based on the goal of technology dissemination

Practical Implications:

- Licensees must diligently pursue commercialization
- University technology must never be “shelved”
- Exclusive licenses will have economic incentives and disincentives that assure diligent efforts

Essential Elements of a Sustainable University IP- Technology Transfer Function

Philosophical Premise:

The University must protect and shepherd its technology for the public good

Practical Implications:

- The University will never sell its IP
- Licensees must adhere to legal and ethical standards of technology development and commercialization

IP/TT & the University Mission

Philosophical Premise:

Academic freedom is sacrosanct

Practical Implications:

- The University will never hinder publication by its faculty, staff, and students
- The University will never conduct secret research
- The University will never restrict academic information exchange

IP/TT & the University Mission

Philosophical Premise:

Education and research are primary,
technology transfer/commercialization secondary

Practical Implications:

- The TTO will never hinder thesis or other publication for IP/TT reasons
- IP and/or the TTO should never impede academic research or educational activities

IP/TT & the University Mission

Philosophical Premise:

TT/IP must never endanger the mission, interests, or basic character of the institution

Practical Implications:

- Licensees must shoulder ALL the burden of business risk and liability
- Licensees must protect the institution
- The university's name cannot be used to promote commercial interests
- The university cannot promise anything more than it owns its IP

IP/TT & the University Mission

Philosophical Premise:

TT/IP should always serve the public good

Practical Implications:

- Consider humanitarian and philanthropic concerns
- Revenue generation should not impede dissemination
- University always retain rights to its IP for research and education; extend that right to other institutions

TTO Governance

Where does the TTO fall administratively?

What is the “chain of command”?

Who does TTO report to?

(President? VP? of Research?)

Is there a governing board or committee?

Who comprises the board?

Are there advisory boards?

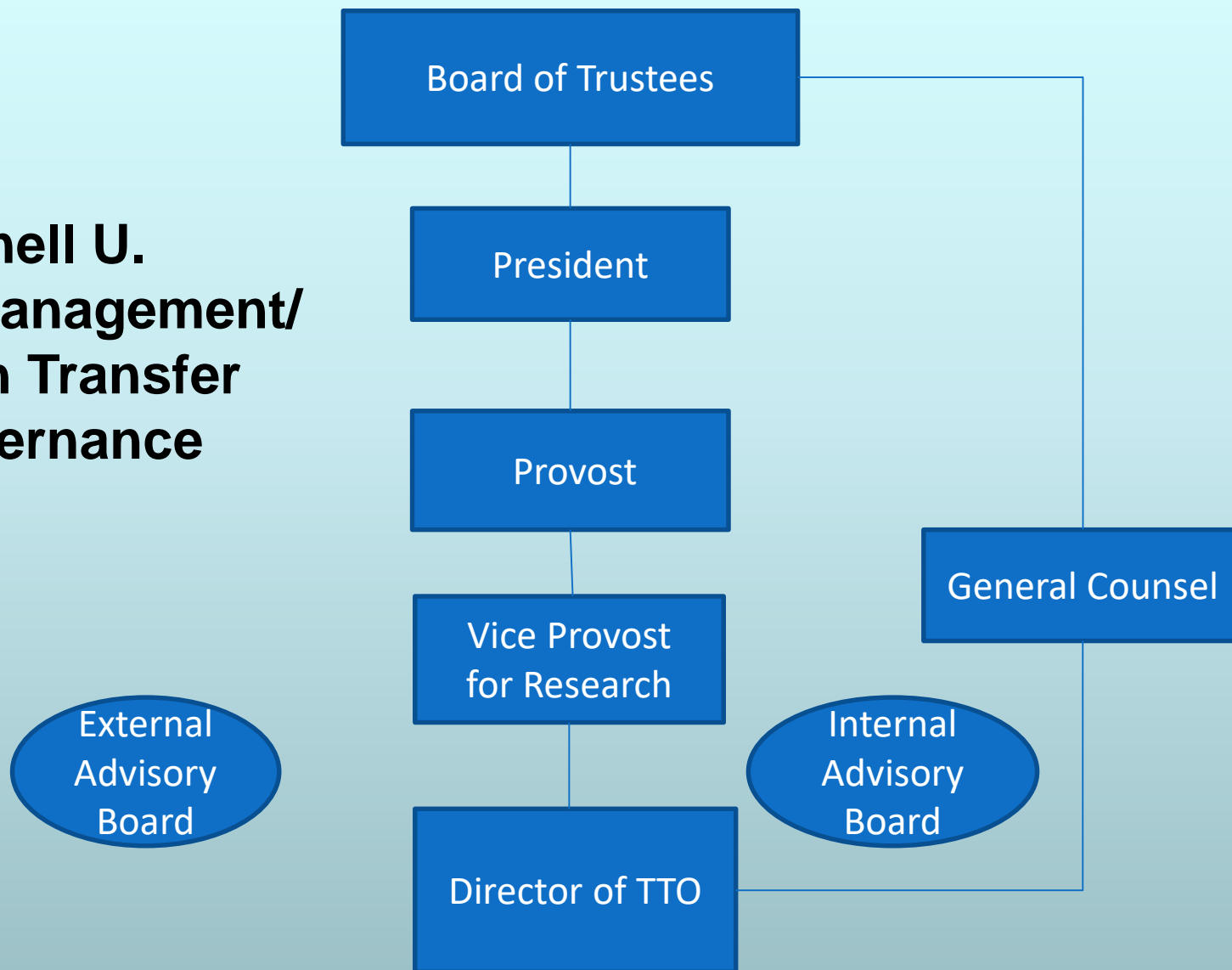
Internal, external, both?

Is IP management and tech transfer centralized in one office?

University IP Technology Transfer: Effective Governance

- The “Battle” for the “Soul” of IP/TTO
- Who does the IP/TTO report to?
 - VP for Research?
 - VP for Finance/Administration?

Cornell U. IP Management/ Tech Transfer Governance



TTO Governance

Policy Creation vs. Implementation

Operational Management and the Chain of Command

TTO business decision-making, negotiation, and signature authority

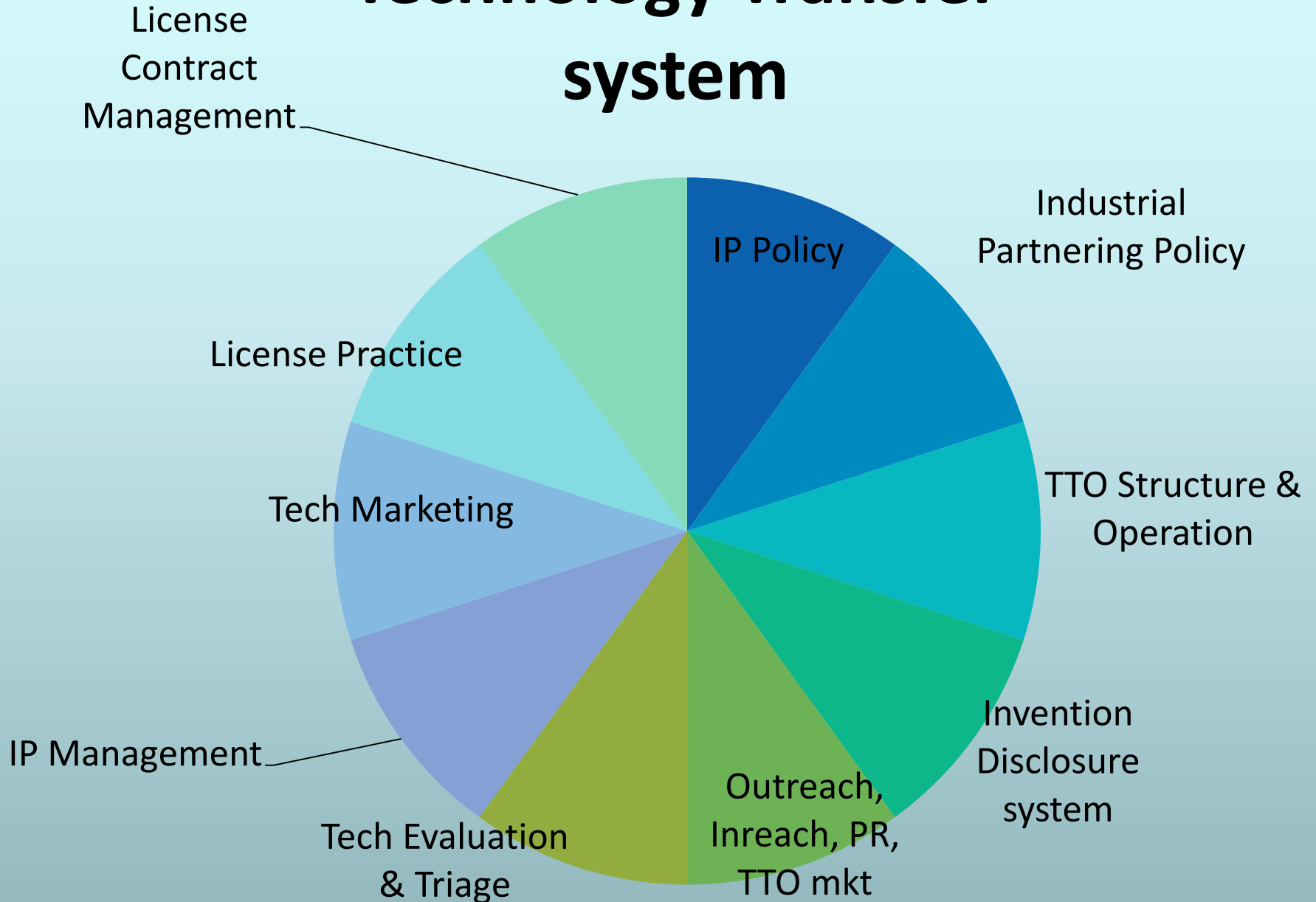
Policy is campus-wide

“one offs”, exceptions are problematic

Sustainable, university IP-Technology Transfer
requires much more than filing
patents.....

It requires a system

Technology Transfer system



Essential Elements

- Economically/IP-viable inventions
- Effective IP Policy
- TTO structure, operation, sufficient funding
- Invention disclosure system
- Technology evaluation & triage
- IP management
- Industrial partnering policy
- Proactive technology marketing
- License practice
- Contract management

The Key Element to

Sustainable, University IP-Technology Transfer

The VC/President's Support

Effective IP Policy

Personnel covered (students, visitors?)

Ownership

Patents vs copyrights

Benefit sharing

Appeal process

etc.

WIPO resources:

https://www.wipo.int/about-ip/en/.../ip.../policy_template.docx

https://www.wipo.int/about-ip/en/.../ip.../guidelines_template.docx

<https://www.wipo.int/about-ip/en/universities.../ip.../checklist.docx>

TTO Structure, Governance, Management Operations

Governance: Board? (internal, external)

Administrative: TTO reports to?

Chain of command, signature authority

Policy creation vs. management

Full time Director

Sufficient staff

Sustainable funding mechanism