

Quality of patents

Poland signed a PPH and PCT-PPH agreement with the Japan Patent Office (JPO) which came in force as from 31 January 2013 and now is in a process of preparations for signing a similar agreement with China (SIPO) which will enable sharing the results of our work for parallel patent applications (Family Members). The relevant agreement is to be signed between Poland and China at the end of June. It is expected to raise the efficiency of the work and contribute to the shortening the time of processing patent applications.

Polish Patent Office sends to applicants Search Reports prepared by the PPO's experts in respect of Polish patent applications, which basing on the priority of applications filed in Poland are subsequently filed with the EPO. Search reports are also made available to the EPO on request.

PPO's experts have access, through the EPO Register Plus, to all the correspondence Exchange during the patent granting procedure in the EPO involving parallel European patent applications.

Polish experts have access to the US (PAIR), Korean (K-PION) and Japan (AIPN) databases and follow correspondence between an Office and an applicant.

PPO provides free access to PATENT specifications and related search reports via the PPO's website In the EPO Register Plus

There is also a project implemented by the EPO and national offices on a Patent register Platform, which will enable to quickly check out the legal status of patent applications in individual member states.

Confidentiality of Communications between clients and their patent advisors

Pursuant to Article 14 (1) of the Polish Act on Patent Attorneys of 2001 patent attorneys are obliged admitted to the bar to keep the confidentiality of any information acquired in the course of practicing the profession. Accordingly, Polish patent attorneys are entitled to refuse to testify before the courts The patent attorney's obligation to keep the professional confidentiality of the facts obtained during provision of assistance in IP matters cannot be waived. A European patent attorney, who is not registered as a Polish patent attorney, is not entitled to represent clients before the Polish courts and is not admitted to the Polish bar.

Therefore, in general, he cannot refuse testifying on confidential matters under professional secrecy before the Polish courts.

Transfer of technology

Practical examples and experience on patent-related incentives and impediments to transfer of technology

Technology Transfer from university to industry example

On 5th September 2008 representatives of the Patent Office of the Republic of Poland, Technology University of Lodz and European Patent Office signed the Working Plan for the implementation of the pilot project “Technology transfer from university to industry”. Aims elaborated in the set-up phase of the project provided for: raising IP awareness among TUL’s staff, helping to improve the use of TUL’s research results, providing support through the patent process, building bridges between science and business, encouraging knowledge transfer between the University and industry, increasing the number of patent applications filed and patents granted, disseminating information on IP protection, as well as creating useful commercialization tools.

To achieve the above described goals various activities were completed in three phases of the project: set-up phase, testing phase and consolidation phase.

Within the set-up phase the working plan was elaborated and the staff involved in the project implementation was trained.

Within the testing phase a number of trainings and workshops were organized, during which staff members of the Technology University of Lodz (TUL) learned on such issues as: patent as a part of intellectual property; different ways of searching information; search PPO data-base; world data-base; EPOQUENET; intellectual property protection main problems; choosing between patent or know-how; contracts related to technology transfer; role of industrial property in the innovative economy; patent jurisdiction.

Within the consolidated phase trainings and workshops continued, which improved the IP awareness of the trained staff, they were able to carry out advanced search of the data-bases, reporting state of the art searches for filing an invention and checking state of the art claims in selected cases, as well as rewriting claims to avoid lack of novelty charges in selected cases. The participants also gained knowledge on:–domestic and international regulations on IP protection; the role of

patent information; IP valuation - comprehensive tools and economic methods; transfer technology in TUL; IP regulations in TUL.

Moreover, there were organized:

- SME's – Open Day which was a great opportunity to acquaint entrepreneurs with the TUL's offer, identify potential partners and strengthen contacts between inventors and industry from the Lodz region (especially textile branch).
- workshop on IP for business for a group of 40 participants. PPO employees provided training on national and international regulations on IP protection, effective use of patent information, commercialization, protection of biotechnological and chemical inventions and their role in technology transfer.

Finally, during this phase the contact data base was established which offers useful information enabling to establish cooperation between entrepreneurs and scientists/inventors from TUL. Data base is available free of charge from the TUL's website and contains contact details of different institutions engaged in the technology transfer process divided into 7 categories: SMEs, inventors, HEIs, patent attorneys, clusters, TT centers and technological parks. Database can be searched by: name, branch, city, industry classification, invention title etc. and the content will be updated systematically.

Implementation of the TTO pilot project gave the opportunity to promote TUL's services among SMEs in Lodz region and to reinforce links between science and industry, which brought results in improved interest in IP among SMEs and licensed contracts.

From the perspective of the project implementers the very important activity was the open day for entrepreneurs from the Lodz region. Eye to eye meeting of the science and business representatives, with support of the national patent office's experts is a great opportunity to introduce the university offer to entrepreneurs "from the neighborhood" – anonymous technologies and inventions are gaining face of specific person, which might result in identifying potential partners and strengthen contacts between inventors and industry from the region.

The project implementation was an important experience to be disseminated among universities, technology transfer centers, SME's and other participants of technology transfer process in Poland. It proved that the main incentives to transfer of technology are the following:

- raising awareness of scientists and entrepreneurs about the advantages of IP protection, commercialization and technology transfer,
- educating scientists about the benefits of cooperation with entrepreneurs,
- strengthening ties and intensifying knowledge transfer between the university and business,
- increasing the university's commercial capability,
- collecting and disseminating information about solutions, technologies, patent attorneys, clusters, technological parks, and technology transfer centres,
- encouraging scientists to commercialize their research results to exploit them more effectively,
- disseminating information on good practices and successes in commercialization.