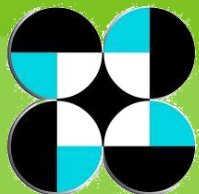


REPUBLIC ACT 10055: Philippine Technology Transfer Act of 2009



MERLE OPENA
DOST Tech Transfer Policy Group



DEPARTMENT OF SCIENCE AND TECHNOLOGY
(DOST), www.dost.gov.ph

Republic Act 10055

Philippine

Technology Transfer Act of 2009

“An Act Providing the Framework and Support System for the **Ownership, Management, Use and Commercialization of Intellectual Property Generated from **Research and Development Funded by Government** and for Other Purposes”**

Technology Transfer Act of 2009

Bottomline. Research is for the benefit society

Coverage. Research funded by government, in part or in whole

Republic Act 10055

Philippine

Technology Transfer Act of 2009

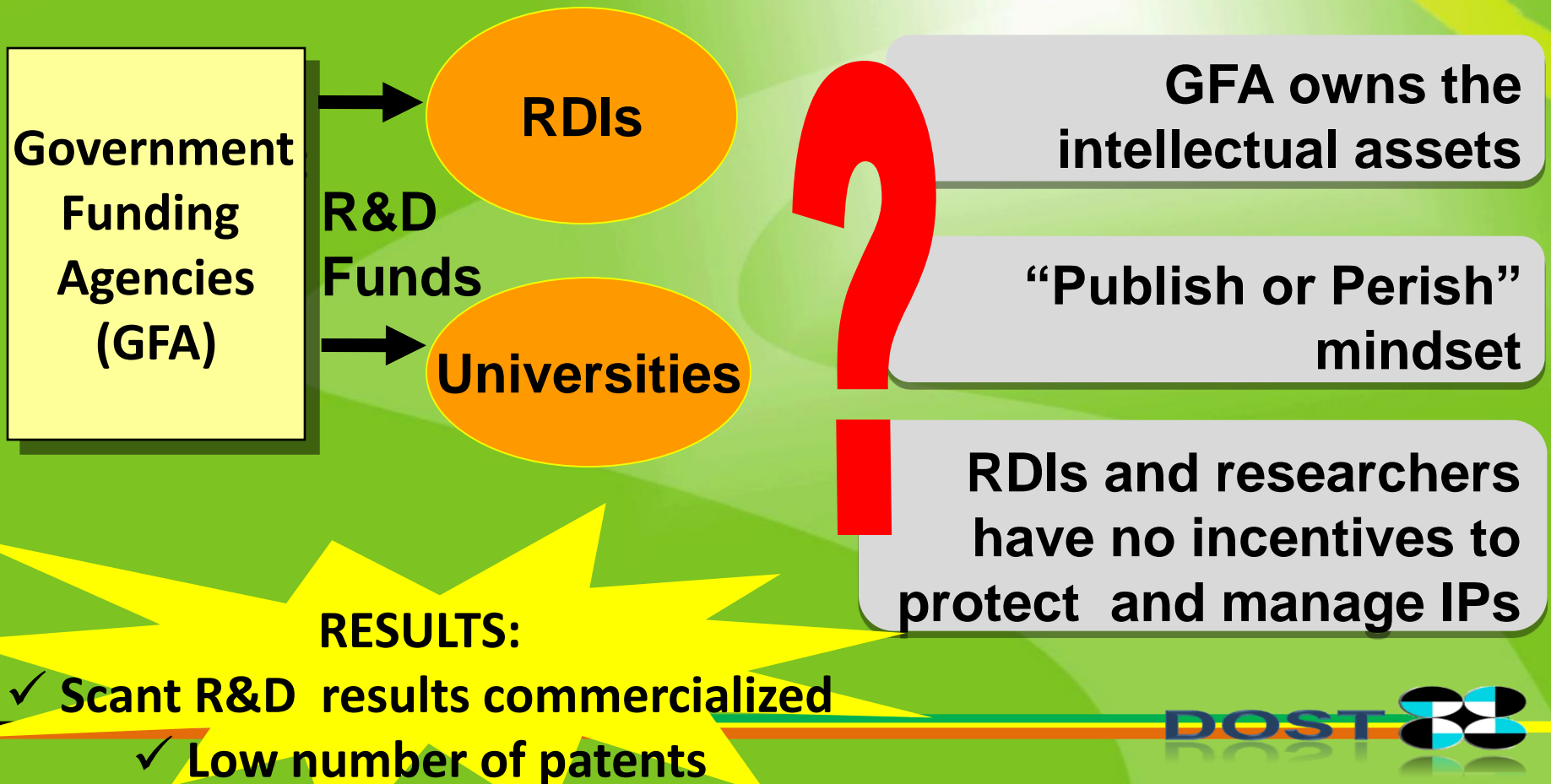
Law signed 23 March 2010

Effective 8 May 2010

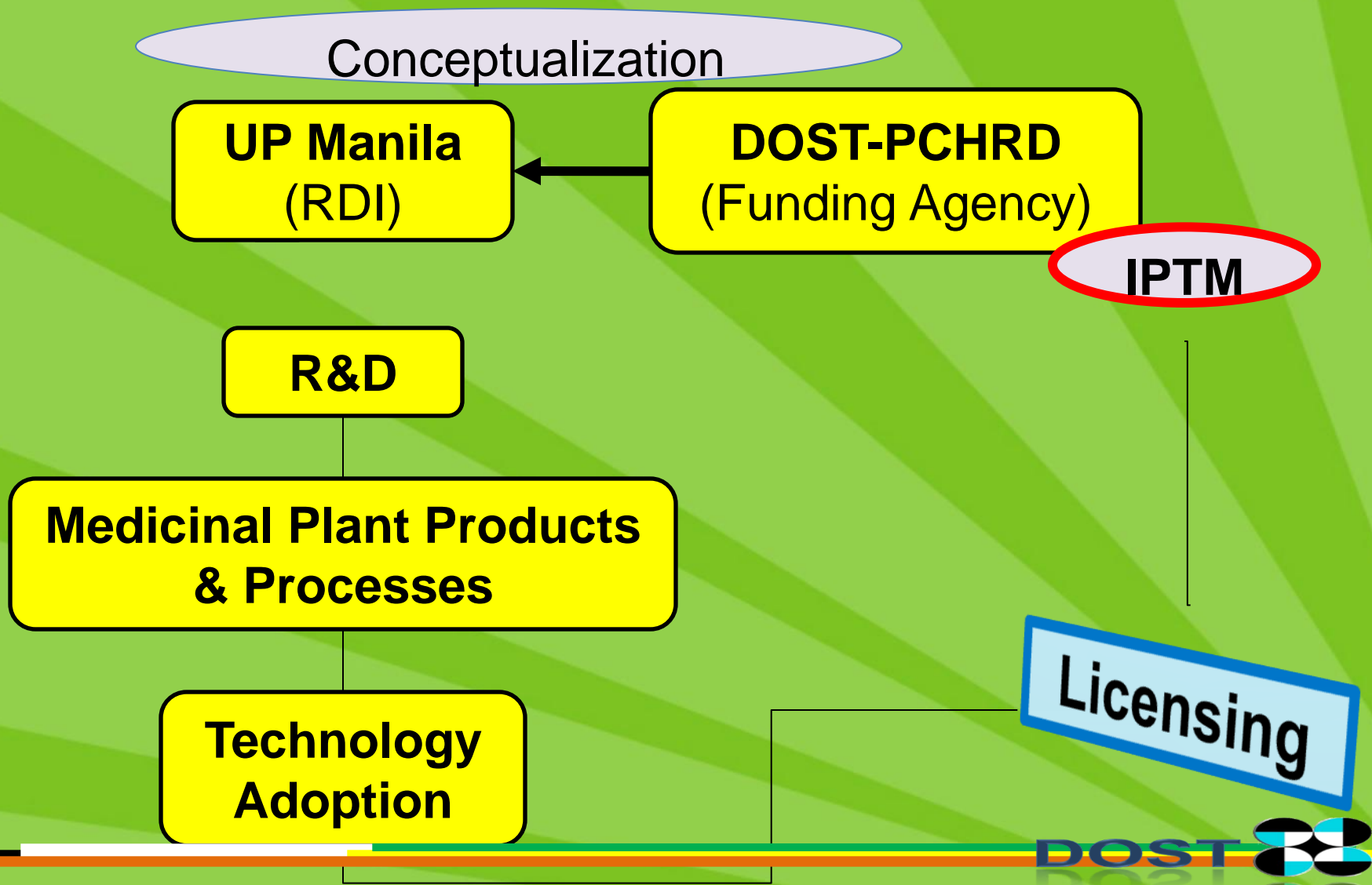
IRR effective 8 September 2010

**Guide on Valuation: ongoing
consultation**

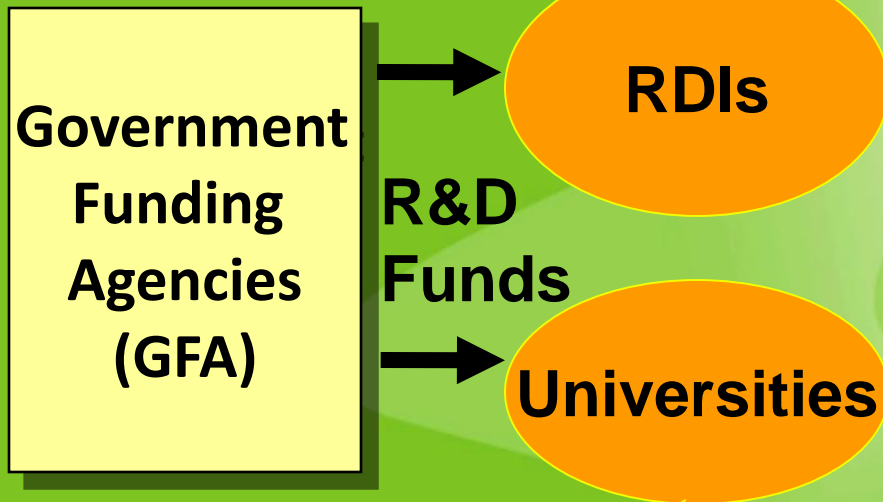
Technology Transfer Framework prior to RA 10055



TechTrans Case 1: Medicinal Plant Products & Processes



Technology Transfer Framework after RA 10055



RDIs and universities are “default” owners of IPs



Researchers share in royalties



RDIs and researchers have incentives to protect and manage IPs



GFAs ensure RDIs protect and manage IPs

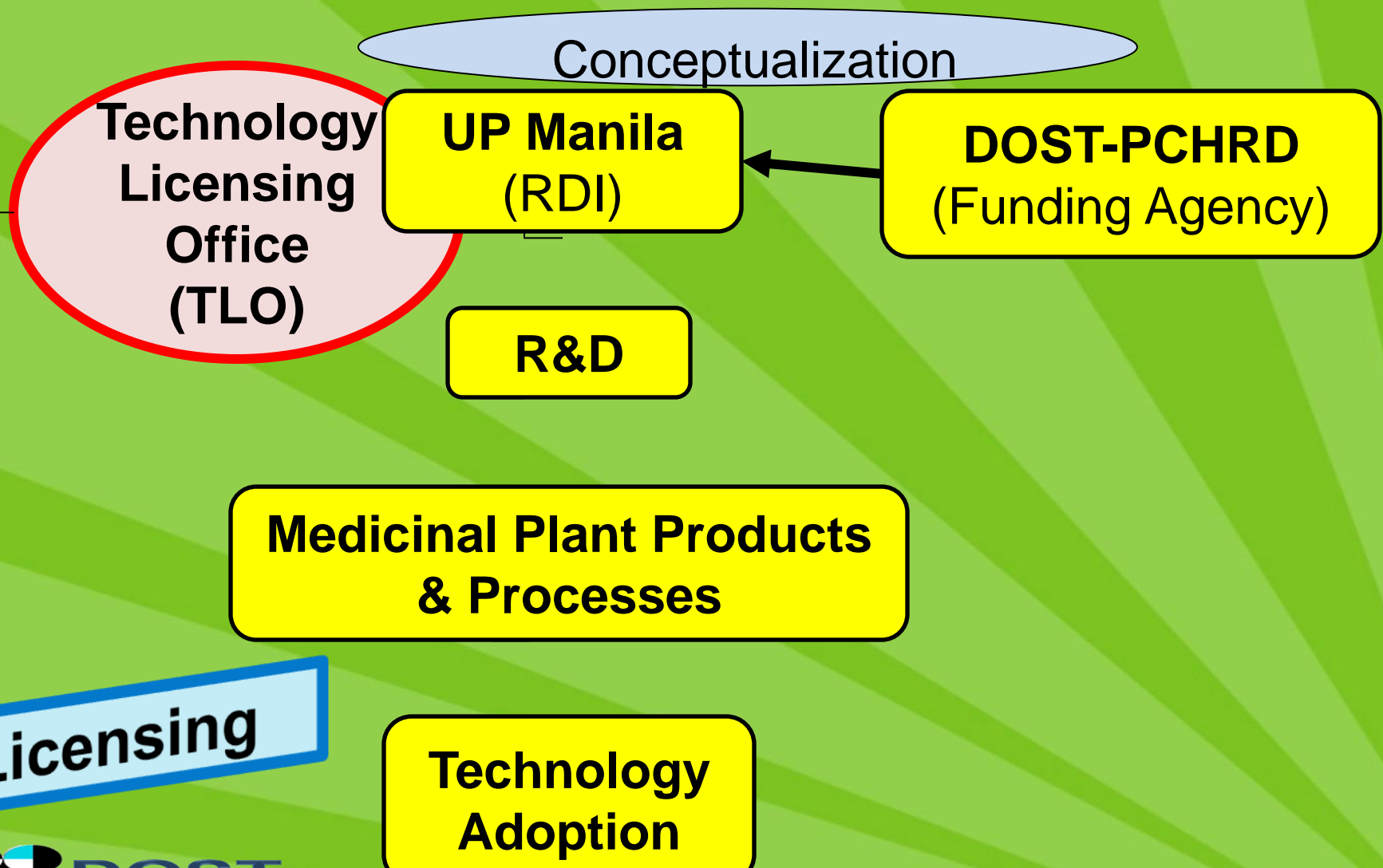


Allows spin offs

RESULTS

- ✓ Return of investment from government
- ✓ R&D investments
- ✓ More innovations

TechTrans Case 1: Medicinal Plant Products & Processes



Key Players

R.A. 10055

**Government
Funding
Agencies**

**Research &
Development
Institutions
(Public/Private)**

Researchers

Government Funding Agencies

1. Who are the GFAs

**Commission
on Higher
Education
(CHED)**

**Department
Environment
and Natural
Resources
(DENR)**

**Department
of National
Defense
(DND)**

**Department of
Agriculture
(DA)**

Government Funding Agencies

1. Who are the GFAs

**Department
of Health
(DOH)**

**Department
of Energy
(DOE)**

**Department of
Science and
Technology
(DOST)**

**University
of the
Philippines
(UP) System**

Government Funding Agencies

2. Responsibilities:

- a. Uphold public interest by protecting and managing intellectual assets*
- b. Ensure compliance by the Research and Development Institutions (RDIs) with the provisions of the **Research Funding Agreement (RFA)***

Research & Development Institutions (RDIs)

1. Who are the RDIs?
2. Benefits:
 - a. Ownership of intellectual assets (IPs, IPRs and Copyrights)*
 - b. Share of revenue from commercialization of R&D results*
 - c. Prestige and bragging rights*

Research & Development Institutions (RDIs)

3. Key Responsibilities:

a. Protect and manage the intellectual assets

- (i.e. establish Technology Licensing Office)

b. Ensure commercialization of R&D results

(cont.)

Research & Development Institutions (RDIs)

(continued)

1. Key Responsibilities:

- c. Create and/or improve technology transfer processes*

- d. Strengthen partnership with Government Funding Agreement (GFA) based on the Research Funding Agreement (RFA)*

Researchers

1. Who are the Researchers?
2. Benefits:
 - a. Share in the revenues*
 - b. Opportunities to establish spin-off firms*

Researchers

3. Key Responsibilities:

- a. Protect and manage the intellectual assets based on agreement*
- b. Assist in the commercialization process*

Institutional Mechanisms

- 1. IP Policy**
- 2. Technology Transfer Protocol**
- 3. Guidelines for IP Valuation, Information Sharing, and Commercialization**
- 4. Technology Licensing Office**
- 5. Fairness Opinion Report (get from DOST)**

IP Valuation, Information Sharing, and Commercialization

- 1. A Guide: final decision, it's up to RDI**
- 2. Required provisions: acknowledge support of Government; use by RDI, researchers and GFAs for research**
- 3. IP valuation as art and a science**
- 4. IP valuation based on cost, market and future income**



“Let us walk hand in
hand
in using our technologies
for progress.”

Please visit:

www.dost.gov.ph

www.science.ph

Thank you!