

REPUBLIC ACT NO. 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



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POLICY GUIDELINES FOR CONTRACT RESEARCH

DOST Administrative Order No. 019, Series of 2019



WHAT IS A CONTRACT RESEARCH?



A Contract Research is a collaboration for research work between the DOST and its attached agencies and the private sector and/or other public entities.

APPROVAL OF A CONTRACT RESEARCH



1 Submit Project Proposal to the DOST/Agency Head



What are the types of Contract Research?

- Fundamental/Basic Research
- Applied Research
- Experimental Research
- Any other kind of R&D or creative work



Who may engage in a Contract Research (called "Other Contracting Party")?

- Public entity, other than DOST or its attached agencies
- Private entity, domestic or foreign (organization, association, partnership, joint venture, higher education institution, or corporation)
- Individual, Filipino or foreign citizen



3 The DOST/Agency Head or its governing body decides whether or not to approve or accept the Project Proposal.



What are the considerations in approving a Project Proposal?

- Alignment to national priorities, DOST thrusts, and Agency mandate
- Technical feasibility
- Capacity of the DOST/Agency to undertake the R&D, in terms of availability of manpower and facilities, and others
- Other factors deemed necessary by the DOST/Agency Head



2 The concerned Division/Department of DOST/Agency evaluates the Project Proposal and recommends to the DOST/Agency Head.



4 If approved, a Research Funding Agreement (RFA) or Memorandum of Agreement (MOA) shall be executed between the contracting parties.



FUNDING OF THE CONTRACT RESEARCH

Cost/Expenses in a Contract Research:

- Equipment outlay
- Use of facilities
- Administration costs
- Personal services
- Maintenance and other operating expenses

The Contract Research is fully funded by the Other Contracting Party when it pays for all the cost/ expenses. Whether fully or partially funded, the DOST/Agency pays for the salaries of the researchers involved in R&D.



OWNERSHIP OF IP/IPRs

Sole Ownership by DOST/Agency - when it performed the entire R&D, whether fully or partially funded by the Other Contracting Party
Joint Ownership by DOST/Agency and the Other Contracting Party - when both performed the R&D.

The DOST/Agency and/or the public entity may fully assume rights and ownership in cases of national emergency or circumstances of extreme urgency or public interest such as national security, nutrition, health, or the development of other vital sectors of the national economy.



COMMERCIALIZATION OF IP/IPRs

The Other Contracting Party may be granted exclusivity in the commercial use of IP/IPRs within a reasonable period of time. However, the DOST/Agency may opt to terminate exclusivity if the Other Contracting Party fails to commercialize within the period of not more than two (2) years.

The commercialization of the IP/IPRs derived from Contract Research shall comply with the applicable provisions under R.A. No. 10055 and its Implementing Rules and Regulations (IRR), as amended.