



CONTACT US



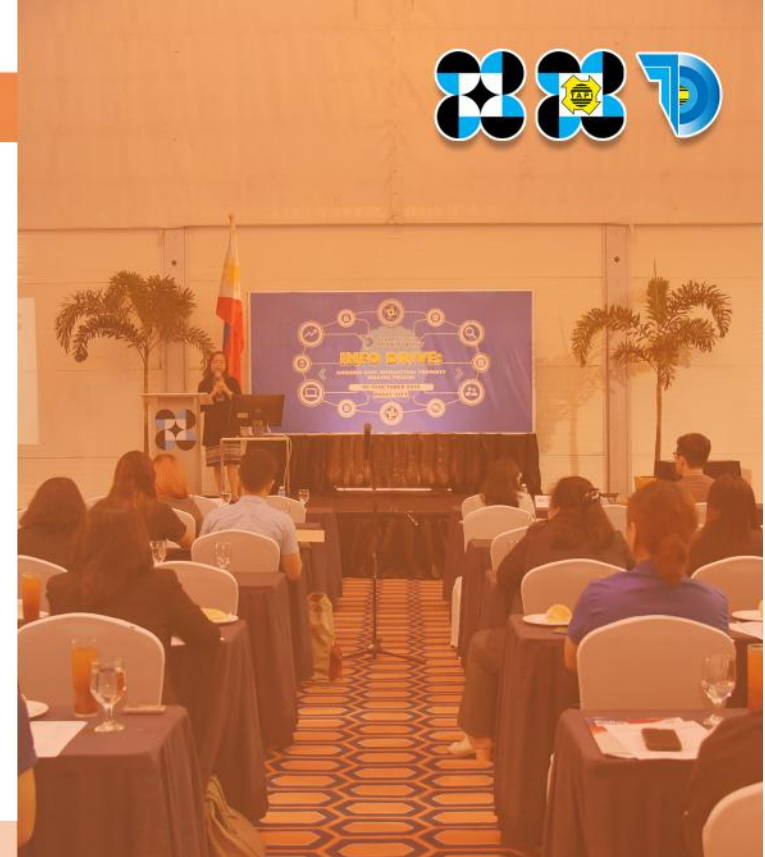
Department of Science and Technology
Technology Application and Promotion Institute

-  TAPI Bldg., DOST Compound, Gen. Santos Ave. Bicutan, Taguig City
-  (02) 8-837-2071 to 82 locals 2158/2165
-  /DOST.TAPI
-  dost.techtransferday@gmail.com

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



OVERVIEW OF THE DOST-GFAs'

INTELLECTUAL PROPERTY MANAGEMENT PROTOCOL

DOST Administrative Order No. 018, Series of 2019



Intellectual Property

Intellectual Property (IP) is the term used to describe intangible assets resulting from the creative work of an individual or organization. IP also refers to the creations of the mind, such as inventions, literary and artistic works, and symbols, names, images, and designs used in commerce.



Intellectual Property Rights

Intellectual Property Rights (IPRs) generally refer to those rights recognized and protected in Republic Act No. 8230, otherwise known as the "Intellectual Property Code of the Philippines", as amended.



OWNERSHIP OF IP/IPRS

The RDI owns the IP/ IPRs generated from the R&D Projects whether wholly or partly funded by the GFA. The GFA assumes rights and ownership in cases of national emergency or other circumstances of extreme urgency or public interest.

The GFA also assumes ownership when any of the following cases occurs:

- RDI fails to disclose potential IPs/IPRs to the GFA within six (6) months from the date of confidential disclosure by the Researcher(s) to the RDI
- RDI fails to initiate the protection of potential IPRs within three (3) months from the date of public disclosure
- RDI ceases to become a Filipino corporation or entity



MANAGEMENT OF IP/IPRS



The GFA shall:

- Protect government interest
- Monitor and evaluate IP development
- Provide assistance to RDI (additional funding support on filing of IP applications, technical assistance, expert provision, and capability building)



The RDI shall:

- Protect/manage/commercialize/utilize IP/IPRs
- Execute Research Agreement with researcher
- Require researcher to disclose potential IP
- Submit confidential disclosure to the Head of GFA
- File IP application
- Notify the GFA of any IP application or license
- Submit to the GFA reports on the progress of IP/IPR commercialization, technology transfer agreements, and IP management reports
- Inform the GFA of any agreements pertaining to the R&D Project
- Report to the GFA any activity conducted after the completion of a Project



DISCLOSURE AND PROTECTION OF IP/IPRS

1 Researcher/s

Researcher/s disclose potential IP to the Head of RDI



2 RDI



RDI

RDI submits complete disclosure documents to the GFA within six (6) months from the date of confidential disclosure by the Researcher/s to the RDI



GFA

RDI submits complete disclosure documents to the DOST-TAPI



DOST-TAPI

RDI files IP protection



COMMERCIALIZATION OF IP/IPRS

Commercialization refers to the process of deriving income or profit from a technology. This may be done through any of the following:



LICENSING



SPIN-OFF



OUTRIGHT SALE



JOINT VENTURE