#### AIBL

ASSOCIATION of INTERNATIONAL BUSINESS LAWYERS ASSOCIATION de JURISTES d'AFFAIRES INTERNATIONAUX

# TRANSFER OF INNOVATION: FROM THE LAB TO THE MARKET

**OLGA LARIONOVA**, LEGAL COUNSEL, PACTT TECHNOLOGY TRANSFER OFFICE

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### INTRODUCTION

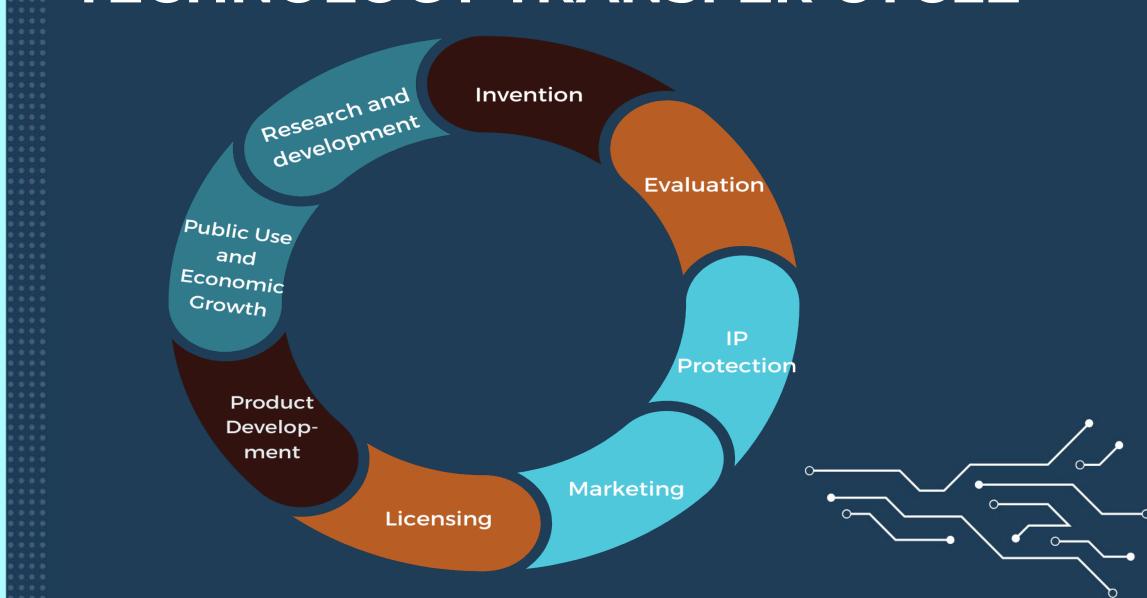
Defining "technology transfer" and its missions
Lifecycle of technology transfer
Successful technology transfers from academia to the industry



# DEFINING TECHNOLOGY TRANSFER

Technology transfer means the process of conveying results stemming from scientific and technological research to the market place and to wider society, along with associated skills and procedures, and is as such an intrinsic part of the technological innovation process

#### **TECHNOLOGY TRANSFER CYCLE**





#### EXAMPLE



#### Larry Page & Sergey Brin



### SOMEWHAT DIFFERENT GOALS

- **Researchers' goals**: freedom to perform a highquality fundamental scientific research in the long term, and to obtain and publish the results
- Industry goals: to solve a technical or a health problem in a short term, to develop a competitive product, to acquire exclusive IPR, to keep secrecy for competitive advantage, and to increase return on research investment





# LEGAL ISSUES IN TECHNOLOGY TRANSFERS

- Ownership and sharing of intellectual property rights (IPR)
- Dissemination of research results (publication and conferences)
- Commercialisation of IPR and revenue sharing
- Complexity of local and national laws, institutional directives and IP policies

### LAUNCHING RESEARCH

> Searching for partners:

Academic vs. Industry partners



- > Discussion and elaboration of research plan
  - Confidentiality vs. dissemination
- Identification of Background IP and contributions of the parties (including any possible data, biological or human material transfer)

### **FUNDING RESEARCH**

#### Government funding vs. private funding

Swiss innovation agency - Innosuisse
 Swiss National Science Foundation – SNSF
 Cantonal grants
 Horizon Europe - EU funding program
 Industry funding





# **BUILDING COLLABORATION**

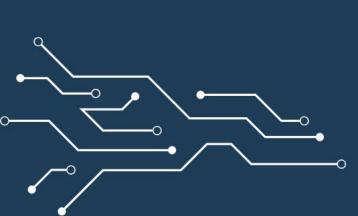
- Research collaboration vs. Service agreements
   Framework agreements vs. Specific project agreements
- EU Consortium agreements (DESCA and Grant agreement)
- Data use and transfer agreements
   Biological material and human material transfer agreements





#### IDENTIFICATION AND PROTECTION OF COLLABORATION RESULTS

- Invention/software disclosure
   Analysis of the invention/software for protection
- Decision regarding the IP protection
- >IP ownership and management agreement



#### MANAGEMENT AND EXPLOITATION

#### Decision on how to manage the IP:

➤Collaboration with industry vs. spin-off

>License vs. assignment





#### Thanks for a great deal!

Likewise! I look forward to working with you.

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