

“Intellectual Property Awareness & Protection”



Role of the Technology Division



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Overview

Intellectual property, very broadly, means the creations of human mind resulting from intellectual activity in the industrial, scientific, literary and artistic fields. It is divided into two categories: industrial property and copyright.

- Industrial Property includes patents for inventions, trademarks, industrial designs and geographical indications.
- Copyright includes literary works such as novels, poems and plays, films, musical works, artistic works such as drawings, paintings, photographs and sculptures, and architectural designs. Rights related to copyright include those of performing artists in their performances, producers of phonograms, and those of broadcasters in their radio and television programs.

There are several compelling reasons to promote and protect Intellectual property. First, the progress and well-being of humanity rests on its capacity for new creations in the areas of technology and culture. Second, the legal protection of these new creations encourages the expenditure of additional resources, which leads to further innovation. Third, the promotion and protection of IP spurs economic growth, creates new jobs and industries, and enhances the quality and enjoyment of life. In Sri Lanka, many of the inventors

are not aware or they do not have easy access to IP protection systems. Short of experts who could assist inventors technically and also lack of funding schemes are the two major impediments the inventors face in protecting their IPs. A well developed programme for awareness and protection of IP will give a necessary impetus for developing IP culture and promoting innovation.

Objectives

- Inculcate IP awareness among scientists, technologists, university teachers and students and develop an IP culture in Research and Development institutions, universities and other relevant institutions.
- Facilitate access to patent systems
- Ensure and promote protection of intellectual property locally and abroad.

Activities

- IP education programme in three stages.
Stage I : Science & science related faculties in the universities (done)
Stage II : other faculties in the universities
Stage III : IP into the school curriculum
- IP awareness seminars for different target groups (S & T Officers, scientists & researchers etc).
- Help inventors in patent data searching using different sources (Patent Help Desk).

- Assist inventors to study patentability of inventions, patent grant procedures, completion of patent applications as per requests.
- Assist drafting and filling PCT applications electronically through PCT-SAFE software.
- Provide financial support for IP protection according to the NSF policy and availability of funds.

NSF Policy for Protecting Intellectual Property (IP)

1. NSF encourages and promotes IP protection according to the conditions mentioned below.
2. Requests from state/non-state sector (as individuals or organizations) as well as from individuals not belonging to any organization are qualified for seeking IP protection from NSF.
3. IP protection can be sought locally or abroad.
4. Fees involved in protection of IP may be provided after a thorough evaluation of the commercial potential of such intellectual property by a competent panel appointed by the NSF.
5. Renewal fees may also be provided after an evaluation of the market viability of the IP every year and at the request of the applicant.
6. If patent protection is sought in a country which is a signatory to the Patent Cooperation Treaty (PCT), filling through the PCT system is recommended and should be followed.

7. Fees for patent drafting and such fees involved in getting services of a patent agent could be reimbursed if the patent is granted by a relevant authority. However, penalties or similar charges are not considered for payments.
8. Based on availability of funds at NSF IP protection is supported. Preference will be given to NSF Grantees for protection of IP originating from NSF grants.
9. NSF may provide search information from patent databases or provide search facilities/filling through PCT-safe software at NSF patent help desk.
10. Beneficiaries should reimburse the NSF the total amount of funds provided by the institute facilitating their IP protection from the point they begin to benefit from same until the entire amount is refunded.

NSF Patent Help Desk Gateway to Patent Services

Patent Databases

Mostly retrieved

1. <http://ep.espacenet.com/>
2. <http://www.wipo.int/pctdb/en/>
3. <http://patents1.ic.gc.ca/intro-e.html>
4. <http://www.uspto.gov>
5. http://www.surfip.gov.sg/_patent-f.htm

Patent Databases in Different Countries

Country/ Organization	URL
Brazil	http://www.inpi.gov.br/Marca-Patente/jsp/servimg/servimg.jsp?BasePesquisa=Patentes
Canada	http://patents1.ic.gc.ca/intro-e.html
China	http://www.sipo.gov.cn/sipo_English
European Patent Office	http://www.espacenet.com
Finland	http://patent.prh.fi/
France	http://www.inpi.fr/front/show_rub.php?rub_id=8
Hungary	http://www.hpo.hu/English/adatbazis/
India	http://www.pfc.org.in/db/db.htm
Latin America	http://www.oepm.es/bases-documentales/latipat_sp?ACTION=RETOUR
LUSOPAT	http://www.portal-lusofonia.org (Portal of Portuguese language IP collections)
Singapore	http://www.epatents.gov.sg/PE/
Slovenia	http://www2.uil-sipo.si/dse.htm
Spain	http://www.oepm.es/bases-documentales/oepmpat_sp?ACTION=RETOUR
United Kingdom	http://www.patent.gov.uk/patent/dbase/index.htm
United States of America	http://www.uspto.gov/patft/index.html