

IP Management and Technology Transfer
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Lecture - 02
Why IP and IPM? - Context of the Development of IP Culture

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A very warm welcome in the second module of week 1 of the course, Intellectual Property Management and Technology Transfer. And in this module we will focus that how the IP culture is developed and then how IPM come into the having the major role in the organizations that IP management become the major task in the organizations.

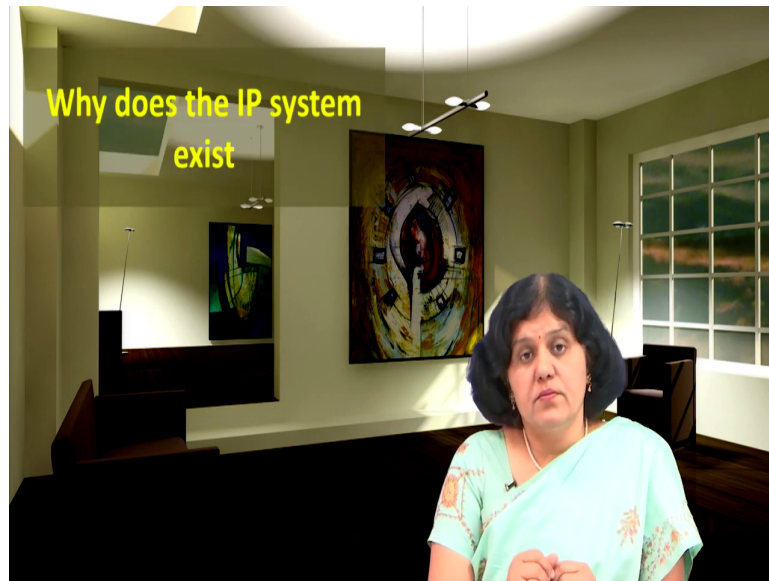
So, we know now we are very well aware about IP also although we are aware about that we have dedicated second week for a quick recap of all types of IPs and here today we will just get a quick glimpses that how this IP system develop and how then afterwards when IP

become the important asset of the organization, there its management become important and then further for the development of IP technology transfer that particular aspect played a major role and then we are focusing on the technology transfer.

We have already gone through the core structure, we have covered it in the module 1 and we will just think about the that story of IP development and you probably remember that there was a story that when there was a issue related to the exhibition. Issue what was that issue? That the inventors or a creators they were not ready to participate in the exhibition, there was a trade fair and inventors were not ready to participate in that exhibition.

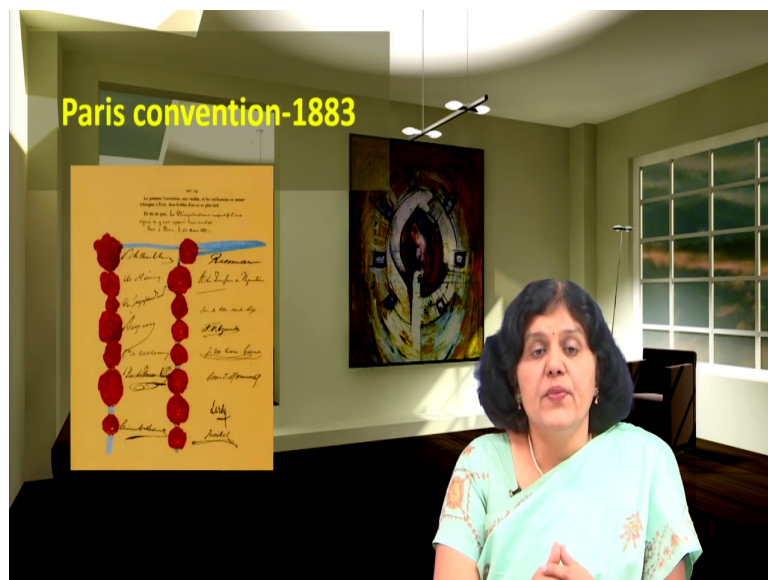
And what was the reason? The reason was the fear in their mind that there is a probability that or they probably have a experience that particular thing that whatever they are exhibit exhibiting or showing in the trade fair that is copied immediately and they are not getting the returns which were expected that was the observation and because of that fear they were not ready to participate in the exhibition and then at that time because of this problem.

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They come together and you can just see this um certificate or a document we can say which is assigned by the members and they decided that there should be some protection system which will protect the intellectual creation.

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Probably because of that kind of a thought patent system was there before that there are patents which are like granted before the 18th century also, but whatever the modern IP system which we are like using now or which we are like exploring effectively for a competitive advantage, this was like a major start was in the 18th century with this Paris Convention and in this Paris Convention it was decided that there should be some system that was a proposal there should be some system which will protect the intellectual creation ok.

And because of that in 1883 that Paris Convention that document is signed you can just see here that document and further we can say the development happen we will see this development in few minutes, but before that what you will do now is just watch this role play actually.

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So, in the role play you will just see that in the routine also whenever we are going through the our academic or various activities in the organization sometimes this kind of a scenario you also might have faced. So, just watch this role play and then we will move further. I really enjoyed today's lecture which was really good [FL].

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Prashanti.

Huh.

Just look this notice.

Science exhibition ok.

I want to participate in this exhibition do you know someone who can guide us to participate in this?

Nice [FL] yeah, I know someone from IP school I think he can help us.

Yeah just call him.

Now?

Yeah now.

Ok.

[FL].

[FL].

[FL].

[FL].

Hi Purushotham yeah, this is Prashanti.

Huh hello Prashanti.

Yeah. So, actually me and my friend have some doubts related to one project that we are doing.

[FL] projects related [FL] doubt [FL] paras [FL] Nehru museum [FL] ground [FL].

You are in Nehru Museum fine ok we will meet there yeah thank you yeah bye.

Ok.

We will go to Nehru Museum.

Ok.

Yeah.

Let us go.

[FL].

[FL] Prashanti [FL] Prashanti [FL] doubt [FL] project [FL] related [FL] Pooja.

Ok. [FL] gym [FL]?

Gym [FL] time [FL] exam [FL].

[FL] hobby [FL] hobby [FL].

[FL] hobby [FL] exam clear [FL].

[FL] hobby [FL]?

[FL] gym [FL].

[FL] friends.

Hi Prasanti.

Hi.

[FL].

Hi how are you?

Hi.

[FL].

Thank you. So, meet my friend Pooja.

Hello, I am Pooja from Electrical Department So, guys, I have a project model which is organized by Alpha Company and I want to know how I can protect my project.

[FL]

Yeah, she told me about you [FL] you are from IP school so, just give me a some suggestions.

Pooja. So, you have heard about IP right? So, IP has a lot of types. It has patents, copyright, trademarks.

Yeah.

Right Even Prasanti, you must have heard about IP somewhere.

Yeah, like while I was writing my research paper I think I have to protect it form of intellectual (Refer Time: 07:09).

You should protect that in copyright.

[FL] ok.

Yeah, there are certain types of IP In that copyright is also there.

Ok.

Yeah.

But, Paras why do not you tell her about what if she makes it into a model?

Yeah, if you are making that copyrighted things which you have written in your paper into the model, then you can protect it under patents. So, in that patent, right you will get to make manufacture and you can sell that product also.

Is it?

Yeah so.

And my project will fall under which IP?

So, what kind of things you are making in your exhibition?

Like all the technical things.

Is it a paper or?

I will cooperated in my project.

Ok.

And Because I was working in under Alpha Company. So, I worked on a some technology [FL] it is about all technical projects. So, on which protection I can go for?

Paras, if she has made a project I think she should be going for a patent.

Yeah.

At least a provisional application she should file.

Yeah, s or a document we can say which is assigned by the members and they decided that there should be some protection system which will protect the intellectual creation.

He should file one provision application.

What is this provisional application?

So, provisional application is a legal right that you get so, that you can protect your IP from any other patent.

That must have been filed.

Ok.

Is it like your product or your research which you are making? That will be in public domain and you will be owner of that information.

Ok.

There is one incident on this also in Europe, a lot of businessmen and a lot of big engineers they were also working on some project. So, they were they were in a fear like where to

protect and what if their ideas and their things will go into the public and how will they manufacture. So, that from their own words patent IP and these type of things are been coming into the picture in these days also.

Ok.

Yeah.

Interesting.

Yeah.

So, guys is there is any time limit to protect the patents?

Yes, there are there will be 20 years you will get the right for 20 years and for that 20 years you will enjoy a lot you can sell that product you can manufacture it you can exploit your information at any cost or at anything which you want to sell.

If you guys really found it interesting especially the Europe incident.

Yeah.

I would really like to suggest you guys about how it started from the Paris Convention.

Yeah.

And then it moved on to the Trips agreement and there are so, much more that.

Yeah.

Happened in the history of IP.

Yeah.

In fact, you must look into the Nehru Museum, where you can find the different inventors and their inventions that really makes you know engage into IP and if you want to know more about this for that we should definitely look into the experts and that will definitely help us and in more about it.

Yeah, that is what, yes.

Cool, then let us watch that video.

Yes.

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Ok. So, I hope that you have appreciated that yes this kind of a scenario of related to IP probably you might have faced or you might have observed in the academic system. Now, we will just check the little bit philosophy behind this IP system development we are doing IP management course. So, you are aware about the IP basic types you also know about the IP culture, we also are aware that yes there will be IP port for you.

But what is that philosophy? We will just try to understand here. We just check here that Aristotle, and Plato.

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They have like first like proposed that private ownership theory. So, ownership that concept when we say property ownership comes. So, you can just see long back they have proposed this particular concept that there is a private ownership theory. We are talking about the convention in 18th century long back Aristotle Plato, they have proposed that private ownership theory and yes that we can say justifies the IP system that there is a ownership.

But we know that the we will see that other philosophical whatever the understandings are there, but we will just go through and then we will discuss about the complete IP system actually how it is like taking care of all the aspects which these great scholars are sharing with us or they have contributed into the that development of that system. So, this Aristotle and Plato and Latter there is a John Locke's labor theory.

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Now, what is that labor theory? As name suggests actually that there is a involvement of a efforts or that human intervention and that human intervention we can say that it is a labor it is a efforts which are put by the human and for what? For improving the natural resources. So, whatever natural resources are there which are improved and that is creating the value.

And why this value is created because of that efforts or the labor which are like a there which are like put by particular maybe scientist, maybe researcher whatever the name you want to give, but somebody is putting that labor and because of that whatever the natural or resources are, but natural resources like a further developing and it is there is a value addition in that particular natural resource.

And if you see any technology means, if I take a simple example related to IP of a technology, then we can say that in that technology when technology is created lot of efforts are put by so,

many creators and yes definitely we can say that labor is there that human intervention is there and even in the patent act we say that human intervention if it is there we are considering that particular we are appreciating that particular efforts right and that is what the labor theory is there.

So, property that Aristotle Plato is talking about the property that ownership theory that yes I am creating it. So, I should own it. Now this John Locke is like proposing that yes I have put my efforts. So, I should get some kind of a returns for my efforts this is what the this is the another we can say the philosophy.

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Now, there is a next like proposal like a social contract theory Hobbes is talking about the social contract theory what it says? That government should identify and enforce property privileges through social contract. So, here you can just see that in the IP system also who is

giving right in the IP system? Whatever modern IP system we are observing now we are exploring now or we are taking benefits of that sovereign is giving us a right a government is giving us a right.

And that privilege a certain privilege of monopoly is given by government and that is like a like a it is like a social contract. So, first they are talking about ownership, second they are saying that it ok that I have put efforts I have done the my labor is there. So, give me some returns, third is that who will give who can do that thing. So, that social contract theory that government should identify and enforce that property privileges ok.

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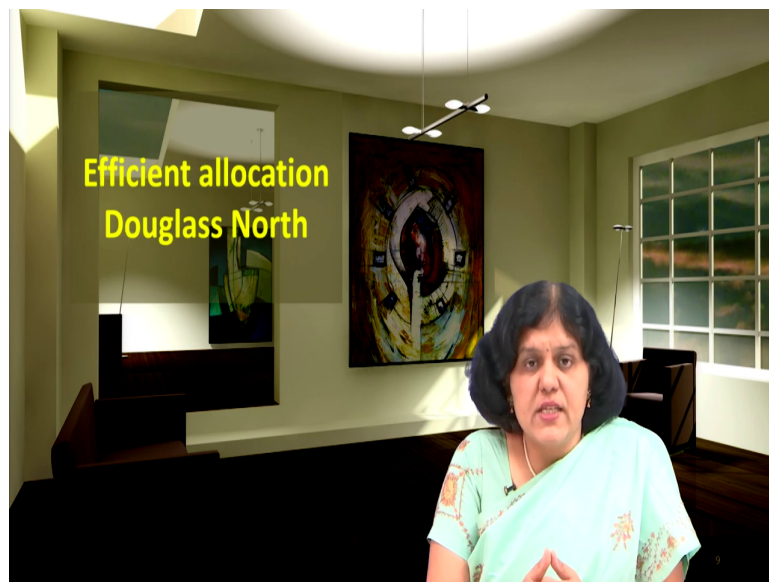


Now, let us like a Hegel's we can say though holding of a property theory or incentivization we can say. So, I have created that property I have created that property in a sense some natural resource was there I have put the efforts and that something value addition is done and

that labor or that efforts which are put by the individual. So, that individual should be incentivized for that labor actually.

And therefore, we can say that inventor or applicant they are getting the right that sovereign is giving the right or giving the privilege and that way their incentivization is there of their efforts. So, just check that first they are proposing ownership then they are saying that yes we are putting labor third they are saying that there should be some social contract government and the individual the creator when Hegel is proposing that incentivization should be there.

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Then Douglass North comes and what he says? That ok we are appreciating the efforts we are the there is a labor the social contract we are accepting that thing, but there should be efficient resource allocation so, that again the social welfare aspect like that kind of a concept is

coming that there should be efficient allocation should be there resource allocation should be there so, that what will happen?

That there will be like a efficient use of a limited resources. So, that kind of a concept actually came and then; obviously, little bit of that social welfare concept is coming actually ok.

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Then further if you see that Kitch is saying that, there is a competition is increasing now you can just see that he has proposed this competition is more and market protection of that entrepreneurial talent should be there and what will how that can be done that inventor is like investing for the development and he should like do that activity without any fear.

So, there should be some system which should take care of that entrepreneur who is putting his like efforts and that risk we know that is for startup or for entrepreneurial activity, there is a kind of lot of efforts are put. So, there should be some system which will help that or which will create the conducive environment where inventor can invest and develop without any fear that nobody will copy it so, that securitization should be there that security should be given that yes we are giving you the protection for your creation you can develop that thing we have a system in place.

So, that assurity is given and when that assurity is there; obviously, what will happen? Somebody without any fear can develop the further whatever the whatever technology or whatever creation is there they can develop that thing and they will get the protection. So, that was the proposal by Kitch.

The Posner what he is saying that? He argues that legal protection of property rights that will create the incentivization again he is talking about the incentives and the use of resources more efficiently and this is like there should be a planning for the planning and development of the resources.

So, overall if you see when we are talking about that the scholars what they are they are what they are proposing? First the Aristotle and Plato they are they are saying that ownership should be there because there somebody is creating that. John Locke is saying that labor is there.

So, labor theory came into existence and he is proposing that labor should be like some return should be there then there should be a social contract that who will take that responsibility.

So, government should take that particular responsibility and should give privileges to the individuals that was proposed by Hobbes we have seen then there is a Hegel's he is saying about the incentivization that is for that creation incentives must be there Douglass north is suggesting that resource allocation should be efficient so, that everybody get the opportunity actually so, that the efficient use of limited resources there that is a Douglass north is saying

then Kitch was again proposing and stating the scenario that in the very competitive environment the creator should get the fear free environment and he should develop the technology without having any fear of copying and for that system should be there that was the proposal.

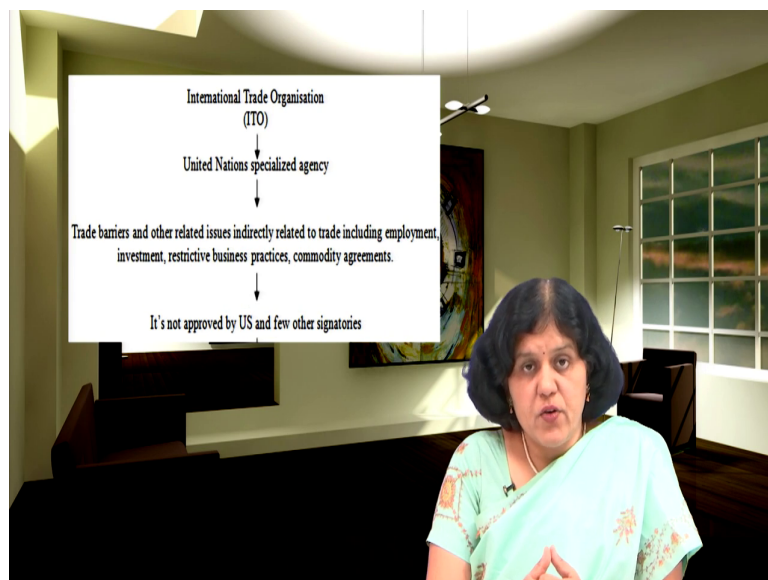
Posner is again proposing of the incentivization. So, if you see the overall proposals or this philosophy behind IPM that there are two important points or three important points we can say that one is like a labor is there. So, incentivization should be there that labor should be protected some incentivization should be there.

And then there is like government should control that particular activity privileges are given, but again the social welfare is like coming into the picture. So, there should be a balance that incentivization that privileges will be for a limited period. So, that there will be a efficient use of resources and there will be like a control we can say the incentivization or control privileges we can say in short.

If I want to put it in a very simple language I can say that it is a like a government is giving the benefits government is protecting the inventor it for a particular period of time and again with certain conditions ok. It is like a terms and conditions applies certain like certain kind of we can say the point is there that you are getting privileges, but yes there are some like terms and conditions are there.

So, that kind of a scenario is there and whole IP system if we see that balance is definitely maintained if especially I am talking about a Indian patent law or Indian IP laws actually ok. Now, we will move further that we understood that ok this is the philosophy, but how that from 1883 further developed actually?

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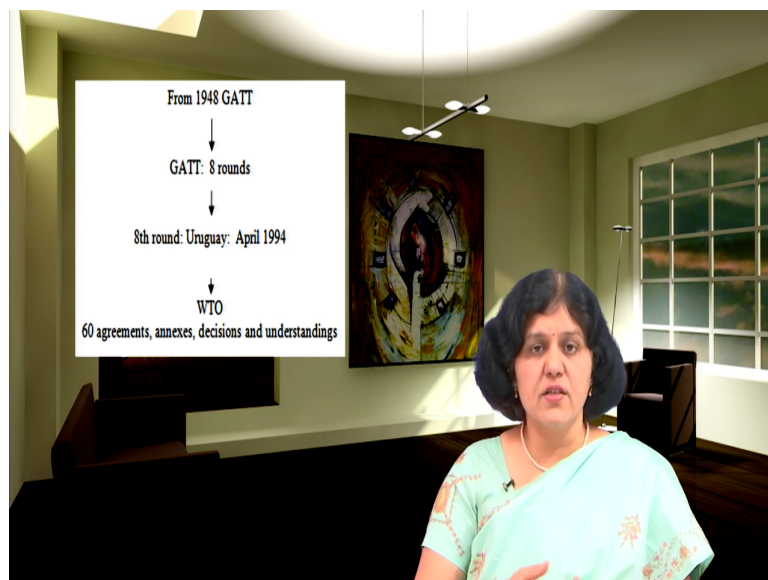


So, what happens that further in the there was there is like an International Trade Organization and there is like a United Nations Specialized Agency that is like a UN special agency and they like that special agency what happens that they have like a thought or they have kind of a discussion about the trade, employment, investment all these issues or business all that how that should be there at a global level.

Because we cannot like in the scenario when we move from that 18th century to 19 to that 21st century, we say that it is like a liberalization and all that movement in the 19th century in the end we have seen that in the 20th century we have seen that liberalization came and all that thing.

But all this like a trade expansion of trade that discussion was like initiated in the UN means, UN like a special agency they have initiated that discussion.

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And further what happened that in that discussion like in 1948 that GATT like a General Agreement on Trade and Tariff that discussion the 8th round of that discussion a very specifically that is a Uruguay round that was in 1994 that we can say the guidelines for that particular IP system where we can say that for formally that came into the picture that clear we can say the guidelines like you are given in that 8th round actually.

And we know that in 1995 World Trade Organization that foundation is the it is came into we can say that WTO with 60 agreements annexes decisions and understandings that 1995 that

world trade organization and WIPO that is the world intellectual property organization we can say the foundation in at in that year WTO in a 1995.

So, we can say that from 1883 till like today system go slowly start developing WIPO come into the picture WTO come into the picture and now we can say that system is further building up and whatever new we can say whether I should say issues or new challenges I do not know; because we should take it as a challenges these are not the issues because as technology will move definitely we will have a very different kind of a scenarios will arise.

And we have to handle that creations how we can protect that and then we know that computer related guidelines and all that details that came into the picture. And then we are now in the situation that artificial intelligence is doing the creation and that kind of a scenario we can say I will not say issue it is a challenge to handle that now and probably as through deliberations, we will come up with the new guidelines for that particular creation also.

So, it is a; it is a evolving process actually and now when we see this journey which is started with like that ownership, strength, incentivization or labor or the social contract theory whatever it is started. Now we are at the position that with this that upcoming technologies new challenges are coming technology is developing as technology is developing IP is like become a prime important we can say the major we can say the attention of the organizations.

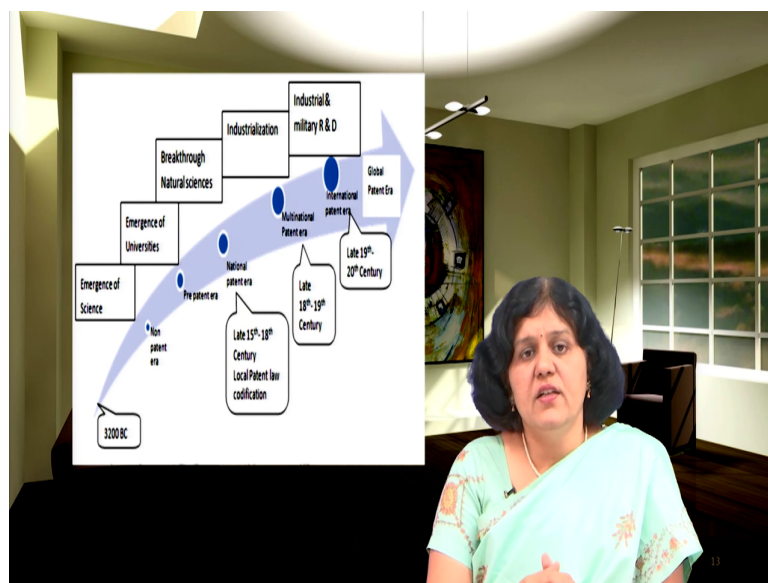
IP is giving protection for that creations and therefore, IP portfolio is like a building up we can say that big organizations are the organizations which are a very we can say the innovation driven or a which are very active in technology development, their portfolio is like an increasing like anything 50,000, 60,000 patents are there IBM is filing almost 9,000 patents every year and such if you see the average top 25 organizations if we see they are filing more than 4,000 patents every year.

So, it is like a that is a scenario means if you 365 days, but 4,000 patents. So, we can just imagine the generation of new technology and that much protection and if that much

protection is there the challenges of a IP management that how then that portfolio should be managed efficiently and effectively.

And for that this particular course that ok how that IP management can be done and how technology transfer will help in that IP management because IP development we cannot separate tech transfer with IP management with these are all integrated. Like when we say technology management or IP management or strategic management or we can say this technology transfer all are so, integrated actually overlapping in nature and for this means. In this next we can say the 8 weeks we are covering that the basics understandings about the IP management also and for the technology transfer also.

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And if we see further the you can just check here that how this is the actually from the grandstand he has given this scenario actually and we will see in his book actually economy

and that IP development. He has covered the how that development of IP is there that how there was the era which was like before the any IP and all there was like an era from that.

And then it moves slowly towards the like in the 20th century it is like where IP or the internet that R and D become very active and IP development; obviously, become the prime important attention of the organization. So, slowly means when from that farming we generally say that from farming to manufacturing intensive development to the now the we can say the in the era where IOT and then artificial intelligence all these developments are there.

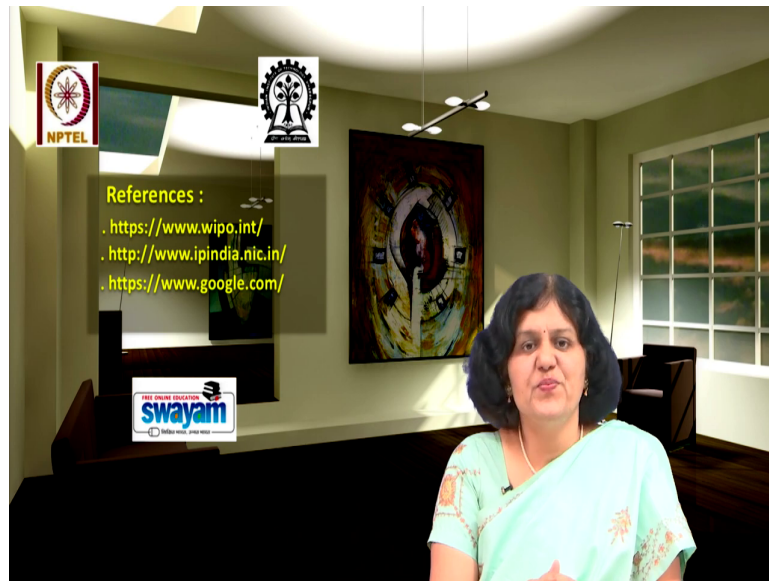
And; obviously, from that zero patent we can say that pro patent era we can say that no development means, very few patents were there it. Now moving towards the highly like competitive and in that competitive we can say environment patent or IP they are playing a major role because they are the important we can say the instrument which will give the protection to the creators for their creation ok.

So, with this we are coming to the actually end of this session and small query quiz we can say, small quizzes like this that if you see this development of IP systems like from that Aristotle and Plato till today's we can say the development where 4000 5000 patents are filed every year by the leaders actually.

We just want to know that what is your opinion about the IP management a very general question that how you look towards the IP management. And what is your expectation about this course that what you want to learn. In this course like yes technology transfer and IP management is the what is your expectation and what is your understanding about IP management and technology transfer.

If you could share it in the comment box probably that will help us to build up the course further, we can say the we can add up into or we can help you with the reading materials related to that or we can modify or we can develop the content according to your we can say the inputs.

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So, with this we are coming to the end of this session see you in the next session.

Thank you.