

PROMOTION OF UNIVERSITIES' PATENT COMMERCIALIZATION FOR INNOVATION- EXPERIENCE OF VIETNAM

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BIOGRAPHY

- Representative scientist/researcher of Vietnam National University, Hanoi, 2020.
- Intellectual Property Attorney and Senior consultant in Intellectual Property Law, Technology Transfer, Innovation and Entrepreneurship, Commercialization of Intellectual Property.
- Public Relations Director and Vietnam's Representative of World Invention and Intellectual Property Associations (WIIPA).
- External Director of Vietnam Innovative Workers Association (VLIA).
- President founder of Club for Entrepreneurship Innovation Consultants (WSA).
- Innovation Ambassador ("ProScientia et Innovatio" Order, KNIGT title) of EUROINVENT.
- "Leadership Award", KNIGT title, LITE-United Kingdom.
- Expert of Invention-Technical Solution Program (Vietnam Television Channel No.2), Vietnam's Innovation (Vietnam Television Channel No.3), Intellectual Property Stories (Vietnam Television Channel No.2), Business and Law (Vietnam Television Channel No.2), etc.
- International Judge of invention and innovation contests: in the USA (INNOVERSE), Canada (ICAN), Europe (EUROINVENT, INTARG, INOVA, IWIS, 1IDEA1WOLRD), Asia (JDIE, WICC, WICO, HKIE, IYIE, KIE, KIDE, i-ENVEX, MIEX, Nihum Savanak, IYIA, WINTEX, STEM-based invention,...).
- Representative of Vietnam delivers three times the Country Report at Technology Transfer University and Industry of World Intellectual Property Organization (WIPO).
- Member of drafting and revising the Decision No.78/2008/QĐ-BGDĐT of Ministry of Education and Training on intellectual property activities at higher education institutions in Vietnam.
- Chief author, co-author of 18 books, domestic and international.
- Author, co-author of more than 60 papers publications at prestigious Vietnamese and international journals.
- Co-Inventor and owner of 10 inventions/patents.

INTRODUCTION

- Patent/invention promotes innovation, investment and technology transfer.
- Promotion of suitable patent commercialization from universities and SMEs helps increase income, contribute to economic growth and raise competitiveness.
- Thanks to good policy and legal rules, number of commercialized patent increases.
- However, it is still limited, not commensurate with potentials.

IMPORTANCE OF PATENT COMMERCIALIZATION FOR INNOVATION

For the licensee

- Saving resources while still getting quick access to the market.
- Grasping uneasily-available technologies.

For the licensor

- Increasing revenue and reputation.
- Being motivated to spend time focusing on creating new technologies, and thus promoting innovation and creativity.

For the entire society

- Playing a crucial role in daily life and social civilization.
- Enhancing competitiveness, promoting the development of knowledge-based economy.

WAYS OF PATENT COMMERCIALIZATION

1

- Self commercialization

2

- Assignment

3

- Licensing

4

- Collateral
- Financing

NATIONAL SUPPORT POLICY FOR UNIVERSITIES AND SMES

- Foreign Investment Law 1987, 1991;
- Ordinance on Foreign Technology Transfer 1988;
- Ordinance on Industrial Property Protection 1989;
- Civil Code 1995, 2015;
- Law on Technology Transfer 2007, 2017;
- Law on Enterprises 2005, 2014, 2021;
- Commercial Code 2005, 2019, 2021;
- Law on Intellectual Property 2006, 2009, 2019;
- Law on Investment 2014, 2020...

PATENT COMMERCIALIZATION OF VNU

- Improvement (according to the Annual Report 2018, 2019 and 2020)

2018:

- + criteria «Patent/US» 9 (over plan 29%),
- + 06 TT contracts signed 9-10/08/2018.

2019:

- + 35 patent filings,
- + 8 patent/US certificate.
- + 58 projects for technical transfer for Nord West region.

2020:

- + Criteria «Patent/US» achieves more than 94%.
- + 32 patent filings and 15 patent/US.
- «Consulting contract: 7, 70%.
- + «Transferred Technologies»: 5, 83%.

SITUATION OF PATENT FILING

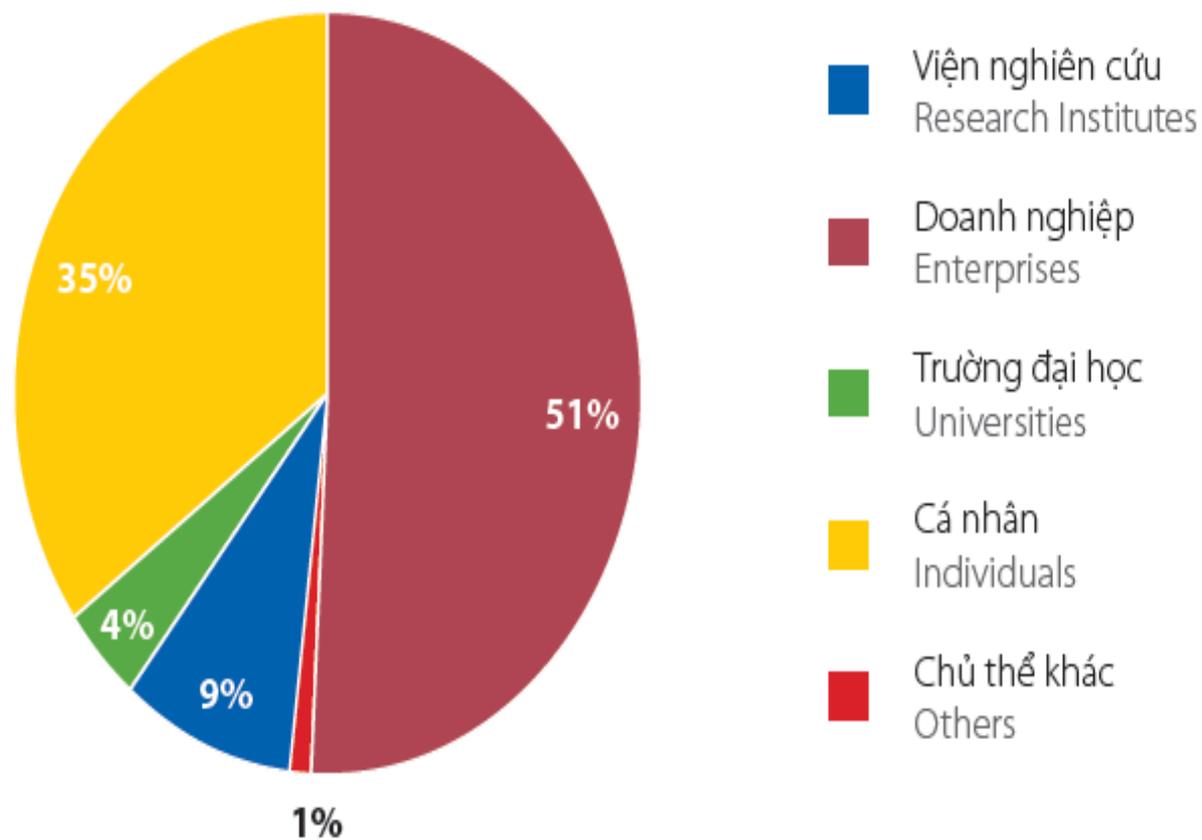
Year	Patent			Utility Solutions		
	Vietnamese	Foreigner	Total	Vietnamese	Foreigner	Total
2010	29	793	822	35	23	58
2011	40	945	985	46	23	69
2012	45	980	1025	59	28	67
2013	59	1203	1262	74	33	117
2014	36	1332	1368	66	20	86
2015	63	1325	1388	86	31	117
2016	76	1347	1423	114	24	138
2017	109	1636	1745	118	28	146
2018	205	2014	2219	290	65	355
2019	169	2451	2620	230	72	302
2020	139	4180	4319	201	77	278
Total	970	18.206	19.176	1.319	424	1.743

TRANSFER OF PATENT RIGHTS

Year	Licensing contract	Assignment contract
2010	2	25
2011	4	18
2012	1	28
2013	4	42
2014	5	67
2015	3	45
2016	6	53
2017	3	71
2018	5	47
2019	3	103
2020	8	48
Total	44	547

SITUATION OF PATENT COLLATERAL

- In fact, Vietnamese banks ask collateral of valued assets such as house, land.
- Lack of detailed regulations.



Biểu đồ Bằng độc quyền sáng chế và giải pháp hữu ích của người nộp đơn Việt Nam từ năm 2000 đến 2013 theo chủ thể

Patents granted for Vietnamese inventions and utility solutions by holders from 2000 to 2013

LAW ON INTELLECTUAL PROPERTY 2022

- Promoting and accelerating *innovation, IP exploitation*
...
- The State transfers the right to register inventions being result of state-funded assignment to other organizations and individuals, and the State allows other organizations and individuals to use such invention without authorisation of the holder of the exclusive right.
- For scientific and technological projects with funding of the State more than 30% of total funds, the income division after tax from patent commercialization is delivered to the broker according to parties' agreements but does not exceed 10%.

ASPIRATION FOR VIETNAM BY 2035

Decision No. 138/QĐ-TTg dated on 26/1/2022 amending, adding some provision of the Decision No. [1851/QĐ-TTg](#) dated on 27/12/2018 approving Project “Promoting transfer, master and development of foreign technologies in prioritied fields and professions to 2025, direction to 2030”.

+ By 2025, 400 transfered technologies; 10 mastered technologies, number of FDI having TT raises around 10%/year.

+ By 2030, 1000 transfered technologies; 30 mastered technologies, number of FDI having TT raises around 15%/year.

Thank you!

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