



**INTELLECTUAL PROPERTY AND INNOVATION:
PUBLIC-PRIVATE COLLABORATIONS IN INNOVATION**

COMMUNICATION FROM AUSTRALIA; CANADA; CHILE; THE EUROPEAN UNION;
HONG KONG, CHINA; JAPAN; THE REPUBLIC OF KOREA; SINGAPORE; SWITZERLAND;
CHINESE TAIPEI; AND THE UNITED STATES OF AMERICA

The following communication, received on 8 February 2019, is circulated at the request of Australia; Canada; Chile; The European Union; Hong Kong, China; Japan; the Republic of Korea; Singapore; Switzerland; Chinese Taipei; and the United States of America.

1.1 Introduction

1. A key objective of intellectual property ("IP") is to promote innovation and creativity to meet societal challenges and needs. Strong collaboration between public and private sectors are important for effective innovation to help address global challenges. The public sector (e.g. public research agencies) and the private sector (e.g. manufacturing companies) possess different resources, expertise and risk profiles that can complement each other to create IP and deliver useful innovative solutions to benefit society. Such public-private collaborations can take various forms and occur at different stages of the innovation lifecycle.

2. Members could benefit immensely by sharing their varying experiences on public-private collaborations in innovation. The following themes are proposed as possible areas of discussion:

- a. Research and Development ("R&D") – collaboration frameworks/building capacity and engaging in R&D;
- b. Innovation in Creative Industries and Branding; and
- c. Commercialisation.

3. Possible discussion points on theme (a) are outlined below. Possible discussion points on themes (b) and (c) will be expanded upon later.

1.2 R&D – collaboration frameworks/acquiring and developing expertise

4. An example of how technology and IP is created is through investment of public funds and expertise into R&D. However, as the public sector is not by itself typically geared towards, nor well-positioned to, commercialize the resulting innovation, the private sector often steps in to further develop the IP to meet market needs.

5. On the other hand, in some cases, the private sector, particularly small and medium-enterprises (SMEs), find it challenging to undertake R&D for various reasons, including that they may not have the financial means or even technical or organisational expertise to conduct the necessary further R&D to develop solutions to meet the needs in the industry or community. In these instances, the public sector can play an important collaborative role in initiating and supporting further innovation.

6. Members could discuss and share experiences on frameworks and mechanisms for successful knowledge innovation and R&D sharing mechanisms between the public and private sectors. In discussing these frameworks and mechanisms, Members could also discuss the following issues:

- a. How to balance supporting innovative businesses with accountability for public funds;
 - b. Considerations regarding how IP should be owned and managed; and
 - c. How public agencies can help the private sector acquire and develop expertise in R&D and acquire IP.
-