



中国科学技术大学

University of Science and Technology of China

公共事务学院 | SPA

Chinese Promoting The Transformation Of S&T Achievements Law

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Overview Of S&T Innovations And Achievements

↖ **Science and technology is the first productive force.**

Independent innovation capability not only lies in the achievements in scientific research but also in the process of achievements transformation.





The situation of China's S&T achievements

20%

Conversion rate of S&T achievements

5%

Commercialization rate of S&T achievements

5%

Transaction rate of patent



Analyse the existing problems in China's S&T achievements transformation

1

Goal oriented imbalance

2

Assessment not reasonable and scientific

3

Improper distribution of interests

4

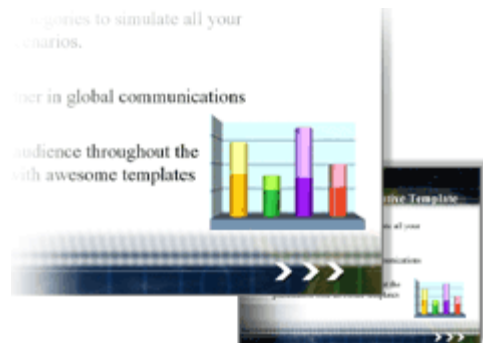
Lack of consciousness of IP

1

Goal oriented imbalance

↖ Many R & D institutions think highly of theories while neglect applications.

↖ Papers and awards are preferred and numerous S&T research achievements have no application value.



- There is no perfect S&T achievements evaluation system in China.



- S&T research achievements are out of line with the needs of market.

3

Improper distribution of interests

- ↖ Rules on benefit distribution are too general and lack operabilities.
- ↖ S&T institutions ignored the interests of transformers and managers so it leads to the inefficiency of S&T achievements transformations.



4

Lack of consciousness of IP

↖ Some researchers are incapable of looking up and using patent documents so they did a lot of repeated works and wasted huge amount of money and time.



↖ Because of the lack of consciousness of IP, 15% of Chinese brands have been registered abroad by foreign enterprises .



Strengthen the IP protection during the process of S&T innovations and achievements transformation

- 1** Build service platform to boost S&T innovation
- 2** Help enterprises establish R&D institutions
- 3** Promote external S&T communication and cooperation
- 4** Put policies into practice to stimulate independent innovation



5

Administrate according to the law to create good atmosphere



6

Formulate S&T innovation incentive policies



7

Raise the awareness of IP protection





Build service platform to boost S&T innovation

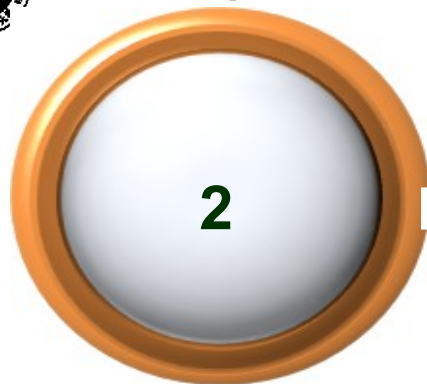
Technology Center

Promotion Center

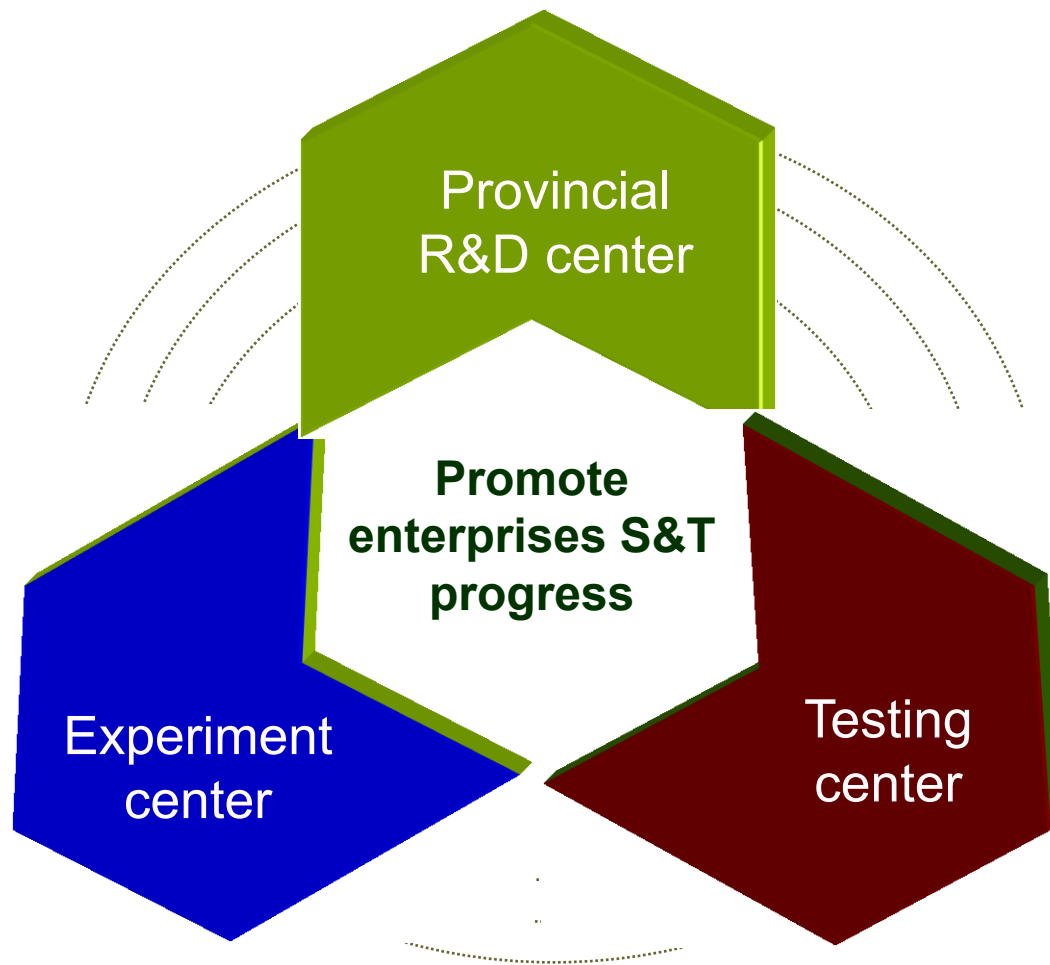
Research Center



Serving product development, marketing, transformation, management and personnel training



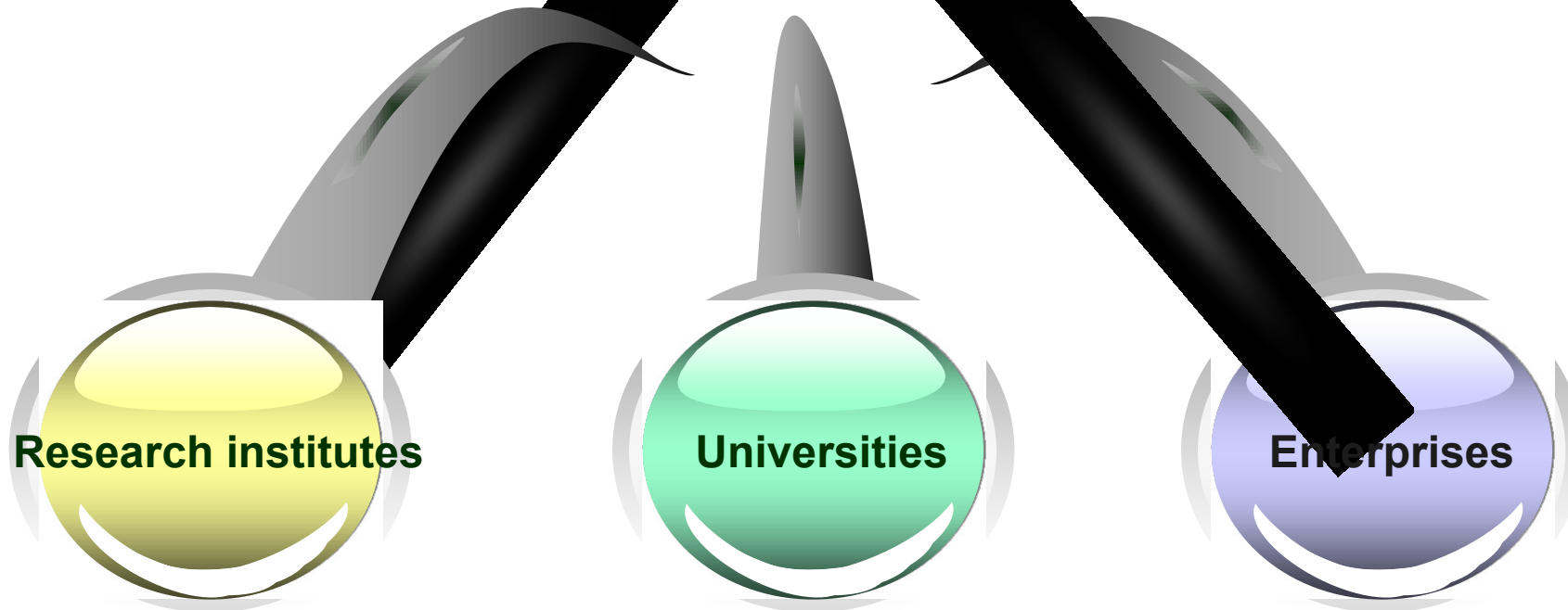
Help enterprises establish R&D institutions





Promote external S&T communication and cooperation

The government holds communication and cooperation activities to strengthen exchanges

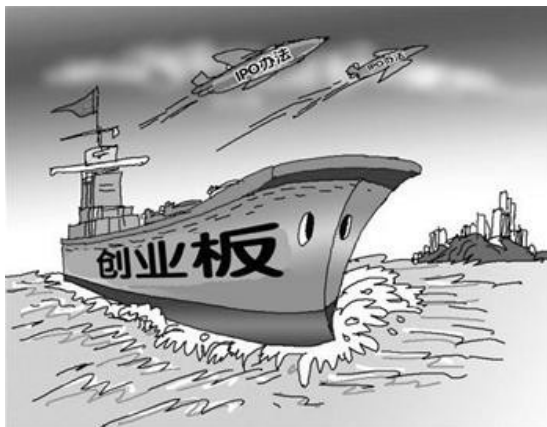




4

Put policies into practice to stimulate independent innovation

- ↳ Support private S&T enterprises
- ↳ Set up innovation funds for small and medium-sized S&T enterprises





Administrate according to the law to create good atmosphere

↖ Intensify service and improve work efficiency

↖ Increase IP protection efforts to protect the rights of enterprises and patentees

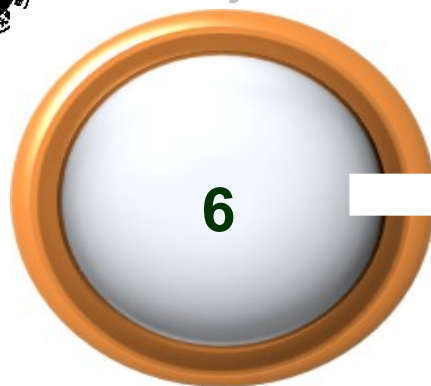


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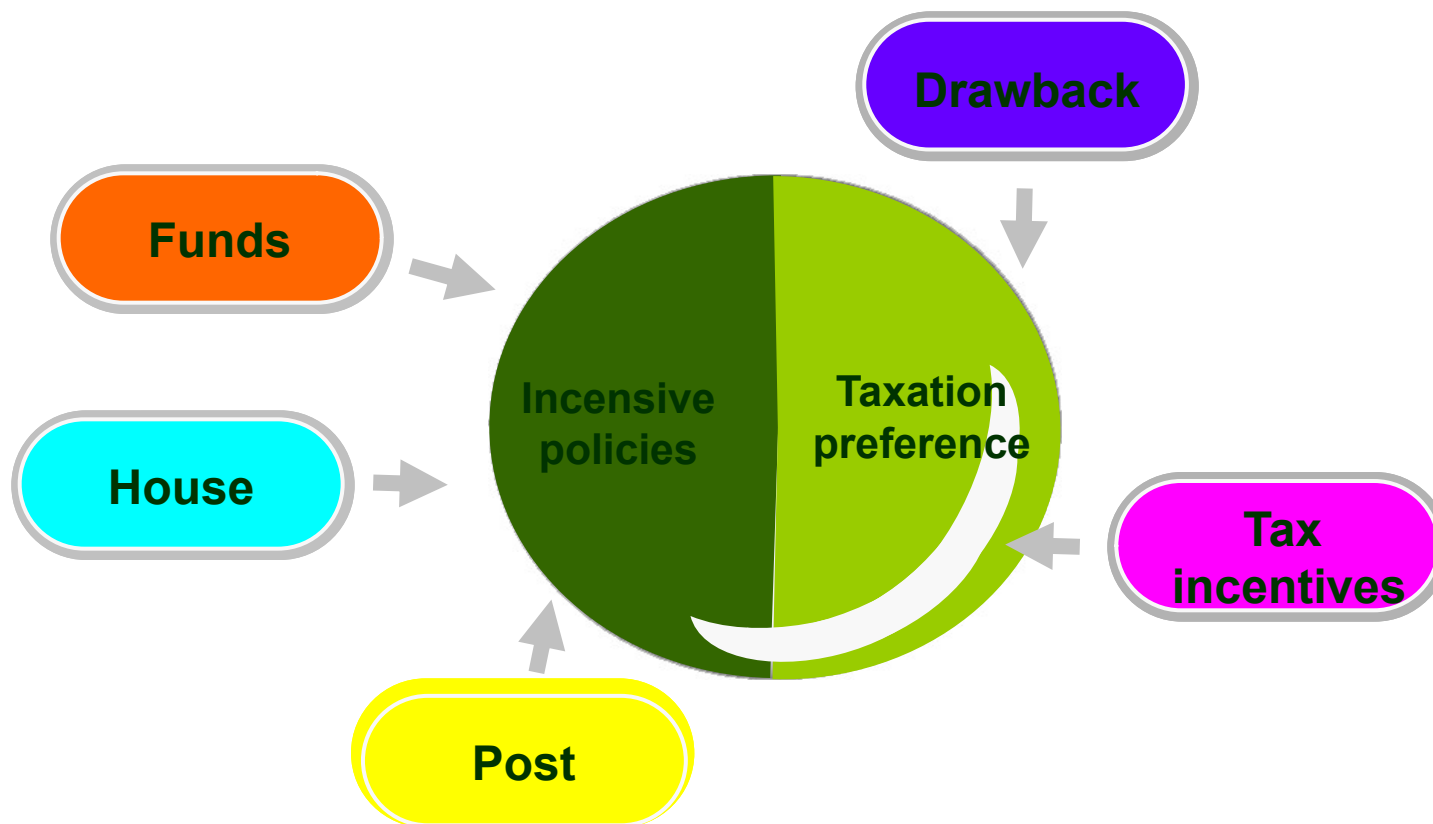


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Formulate S&T innovation incentive policies





Raise the awareness of IP protection





Principle of the law of promoting the transformation of scientific and technological achievements

- ↖ This law is enacted for the purpose of promoting the transformation of scientific and technological achievements into real productive forces, standardizing such transformation, hastening scientific and technological progress and facilitating economic and social development.

The phrase "transformation of scientific and technological achievements" as used in this Law means the entire process of the follow-up tests, development, application and widespread use of the applicable scientific and technological achievements, made as a result of scientific research and technological development, through to the final creation of new products, new techniques, new materials and new industries -- all for the purpose of enhancing the productive forces.





Main legal provision



- Article 7 The State, by adopting appropriate policies and measures, promotes and encourages the use of advanced technology, techniques and equipment and continued improvement, **restricted use and elimination** of backward technology, techniques and equipment.
- Article 8 When making arrangements for transformation of major scientific and technological achievements, the people's governments at various levels may have relevant departments to arrange for the transformation through **public bidding**. These departments shall provide the successful tender with the funds and other conditions that they decided to offer when making the bidding.



9, Holders of scientific and technological achievements may have their achievements transformed in the following ways:

◆ 1. investing in the transformation themselves;

◆ 2. transferring their achievements to another;

◆ 3. allowing another to use their achievements;

◆ 4. working together with another for the transformation with their achievements as the conditions for cooperation;

◆ 5. investing with their achievements as trade-in, as converted shares or as proportions of contribution to the investment.

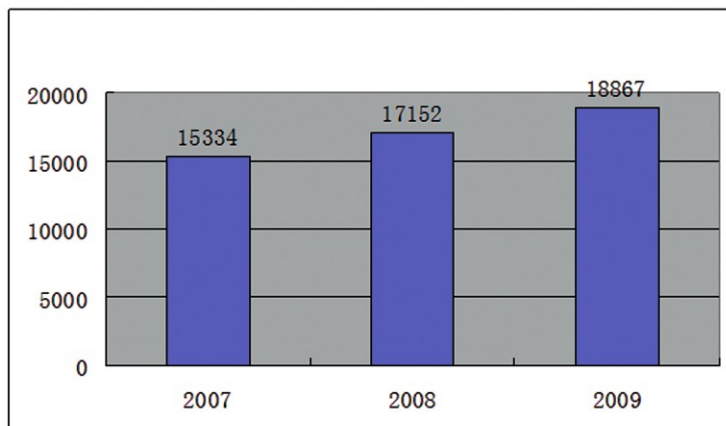


- ↖ **Article 11** An enterprise shall, according to law, have the right to conduct transformation of scientific and technological achievements independently or jointly with domestic or **foreign enterprises** or institutions or other collaborators.
- ↖ An enterprise may, through **fair competition**, undertake the projects, arranged by the government, for scientific and technological research and development or for the transformation of scientific and technological achievements independently or jointly with another.





- Article 12 The State encourages research and development institutions, colleges and **universities** and other institutions to join efforts with manufacturers for the transformation of scientific and technological achievements.
- Research and development institutions, colleges and universities and other institutions may participate in the bidding or tendering conducted by relevant departments of the government or enterprises for transformation of scientific and technological achievements.



The number of cooperation project of Industry, Education and Academy





17, In places or agencies set up according to law for the exchange of technology, the following activities to promote transformation of scientific and technological achievements may be conducted:

(1) introducing or recommending scientific and technological achievements that are advanced, matured and applicable;

(2) providing economic, technological, environmental and other information needed for transformation of scientific and technological achievements;

(3) trading in technologies;

) providing other advisory services for transformation of scientific and technological achievements.



Article 21 Of the funds the government allocates to scientific and technological undertakings, to investment in fixed assets and to technological updating, a certain proportion shall be used for transforming scientific and technological achievements.

This proportion of government funds shall be chiefly used as initiation funds, discount loans, subsidy funds, risk investment and other funds for promoting transformation of scientific and technological achievements.

Article 22 The State adopts a **preferential tax policy** regarding transformation of scientific and technological achievements. Specific measures shall be formulated by the State Council.





↖ **Article 24** The State encourages **establishment of funds or risk funds for transformation of scientific and technological achievements**, such funds shall be raised by the State, local authorities, enterprises, institutions and other organizations and individuals and shall be used to aid transformation of such scientific and technological achievements as need substantial investment, involve considerable risks and promise high yields and to accelerate the application of major scientific and technological achievements in industrial production.

Funds and risk funds for transformation of scientific and technological achievements shall be established and used in accordance with relevant regulations of the State.

Article 25 The State promotes the establishment and expansion of **scientific and technological information networks** and the establishment of a **data bank of scientific and technological achievements**, both of which shall provide information services regarding such achievements throughout the country.



Legal responsibility

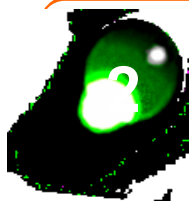
- Article 32 Anyone who, in violation of the provisions of this Law, deliberately **provides a false testing result or evaluation certificate** after testing or evaluating a scientific or technological achievement shall be ordered to put it right and given a disciplinary warning, his illegal gains shall be confiscated, and the institution that arranged for the testing and the evaluation institution shall each be imposed with a fine. If the cases is serious, the business license and qualification certificate shall be revoked. If economic losses are caused to another, civil liability for compensation shall be borne in accordance with law.
- Article 33 Employees of administrative departments for science and technology and other relevant departments of the people's governments at various levels who **neglect their duties or practice irregularities for personal gain** shall be given administrative sanctions; if the case constitutes a crime, criminal responsibility shall be investigated in accordance with law.



Influence of the law



Promote the transformation
of S&T achievements



Strengthen the innovative capability



Boost the economy significantly



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