TRADE ON PATENT LICENSE--STUDY ON FACTORS INFLUENCING THE TRANSFER AND IMPLEMENTS OF PATENTS

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Abstract

With the vigorous development of the patent system and the gradual deepening of the science and technology system and economic reform, technical commodities are flowing into production area in various forms through different channels. Patent transfer in the trade of patent licenses is the main way of implementing patent inventions and developing new products.

However, not all patent transfers can succeed in the development process: some progress smoothly, some lead to no conclusion of licence agreement despite much negotiation.

Broadly speaking, the reasons for the failure to transfer technology are mainly the following factors, which influence patent transfer and implementation.

A) the quoted price deviated from the real level of technology (or products);

B) the technology is impracticable;

C) the patent technology is difficult to implement;

D) the patent technology works in the design stage but when implemented tends to fail easily in patent transfer;

E) the patent technology could not meet the needs of the market; and

F) the decision-makers in enterprises did not devote much attention to the value of patent technology.

From the six examples above analyzed, if the transferor and transferee can make some studies of forecasts of market and sales in technical trades, the tranfer and implementation of patent technologies will be more effective and successful.

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STRENGTHENING RESEARCH, TRAINING TALENTS

by
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Abstract

This article has briefly introduced the background on which the laws protecting intellectual property are promulgated and the state of implementing them, and has mainly described three problems encountered at present, i.e. the invention encouraging system; forming a complete set for the laws protecting intellectual property with corresponding laws and regulations or policies; and how to speed the course in assignment of a patent technology. The authors hold that it is urgent to train and build up a contingent of researchers to investigate and resolve them for more perfectly achieving the goal on setting up the related institutions of intellectual property in our State. In the article has been also mentioned the discussion about establishing a training center and some regional centers in our country by the State Education Commission (SEC) with WIPO. Owing to creative establishment of related institutions of intellectual property with Chinese characteristics, the requirements for the quality of talents are higher, so it is necessary to enchance the teaching level by means of strengthening scientific researches in colleges and universities. According to the economics of our country it is more economical to utilize these centers as research bases than to found new research institutions separately. Lastly, it has analyzed the specific features of the laws protecting intellectual property and discussed the reasonable knowledge structure for talents engaging intellectual property and the approach for training qualified talents through case method and three-in-one combination of teaching, research and practice.

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