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A Study of Technology Transfer from Taiwan's Academia to Private Industry and the Science and Technology Basic Act

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Abstract

In 1980, the U.S. Congress passed the Bayh-Dole Act, which made a huge policy change in federal-sponsored research with regard to patent rights. The Act was designed to promote technology transfer by allowing universities and other academic institutes to retain titles to patents resulting from federally funded research. Prior to this Act, patent rights were retained by the federal agencies themselves. After the passage of this Act, universities are allowed to receive royalties from licensing patent rights to private sectors for further development and commercialization.

It is believed that this Act generates valuable effects in terms of promoting commercial development of research results. Therefore, Taiwan also passed the Science and Technology Basic Act in January 2001, which adopts all fundamental principles of the Bayh-Dole Act.

It is already more than 8 years since the passage of the Science and Technology Basic Act, and thus it is time to review its policy and determine whether it serves its legislative purposes. This article analyzes concrete data and concludes that the Science and Technology Basic Act does generate certain positive

effects compared with other countries mimicking the Bayh-Dole Act, while also presents major proposed modification to deal with the shortage of this Act.

Keywords: Bayh-Dole Act, Science and Technology Basic Act, technology transfer, cooperation between academia and private industry, conflicts of interest